



Racial Equity Network Training I: Raising Race in the Criminal Justice System April 24, 2015

Pre-work:

1. Fill in powerpoint template with 3 slides for **We Are REN** session and return by April 15 to escoward@email.unc.edu.
2. Read first chapter of the manual on Raising Issues of Race in North Carolina Criminal Cases, available at <http://defendermanuals.sog.unc.edu/race/1-recognizing-and-addressing-issues-race-criminal-cases>).
3. Read Jonathan Rapping article, Implicitly Unjust: How Defenders Can Affect Systemic Racist Assumptions, available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2380002.
4. Watch webinar on Race and the Criminal Justice System, available for free at <http://www.sog.unc.edu/node/1670/>.

8:30–8:45	Registration
8:45–9:00	Welcome and Announcements <ul style="list-style-type: none">• Emily Coward, Project Attorney for the Racial Equity Network;• Alyson Grine, Defender Educator UNC School of Government
9:00–10:30	We Are REN: An Introduction to the Racial Equity Network Attorneys and the Issues They Confront (90 min.) Facilitated by Emily Coward
10:30–10:45	Break
10:45–11:30	Race and the Criminal Justice System: National and State Landscape and Reform Efforts (45 min.) James E. Williams, Jr., Chief Public Defender District 15B (Orange and Chatham Counties)
11:30–12:30	Key Concepts from Chapter 1 of <i>Raising Issues of Race in North Carolina Criminal Cases</i> (60 min.) Emily Coward and Alyson Grine
12:30–1:30	LUNCH (provided on site)



1:30–2:30	Panel: Lessons Learned from Raising Issues of Race in Court (60 min.) <ul style="list-style-type: none">• Alyson Grine (moderator);• Woodrena Baker-Harrell, Attorney, Durham, NC (<i>Batson</i>);• Greg Davis, Assistant Federal Defender, Winston-Salem, NC (selective prosecution);• Kelley DeAngelus, Assistant Public Defender, Raleigh, NC (voir dire);• Kerstin Walker Sutton, Attorney, Sutton & Lindsay, Durham, NC (traffic stop)
2:30–3:15	Breakout Sessions (45 min.): <ol style="list-style-type: none">1) Search and Seizure2) Cross-racial Identification3) Pretrial Release4) Jury composition and Selection5) Sentencing
3:15-3:30	Break with snack provided
3:30–4:30pm	Hard Truths: The Defender’s Duty to Raise Issues of Race in the Face of Resistance (Ethics) (60 min.) James E. Ferguson, II, Attorney Ferguson, Chambers, & Sumter, Charlotte, NC
4:30-4:35	Closing Announcements and Adjourn
CLE HOURS: 6.0* *Includes 5 hours of general credit and 1 hour of ethics/professional responsibility	



**Racial Equity Network Training II:
Police Investigations
July 24, 2015**

Pre-work:

1. Read Chapter 2 of *Raising Issues of Race in North Carolina Criminal Cases*. **Please note** that the manual has not been updated since its publication in Nov. 2014. For this reason, the discussion of “de minimis” extensions of traffic stops in 2.7A is no longer accurate as it does not include a discussion of *Rodriguez v. United States*. The *Rodriguez* opinion can be found [here](#), and a summary of the opinion can be found on Jeff Welty’s NC Criminal Law Blog [here](#).
2. Review the following brief documents in the Race Materials Bank:
[Affidavit in Support of Motion to Suppress Illegal Stop and Illegal Search](#)
[Motion for Additional Discovery](#)
[Request for Public Records](#)
[Motion to Suppress](#)
[Order Allowing Motion to Suppress](#)
[Dismissal](#)
[Ex Parte Motion and Order to Require Sheriff’s Department to Provide Records of Officer’s Warning Tickets](#)
3. Watch the short documentary, *Stories of Racial Profiling in Durham*, produced by the Southern Coalition for Social Justice and available [here](#).

8:30–8:45	Registration
8:45–9:00	Welcome and Announcements Emily Coward, Project Attorney for the Racial Equity Network, UNC School of Government
9:00–9:30	Community Efforts to Address Racial Profiling (30 min.) Nia Wilson, Executive Director, SpiritHouse Inc., Durham, NC
9:30-10:30	Police Encounters: What Legal Protections are Available? (60 min.) Emily Coward
10:30-10:45	Break
10:45-11:30	Overview of North Carolina Traffic Stop Data (45 min.) Dr. Frank Baumgartner, Distinguished Professor of Political Science, UNC Chapel Hill, NC

11:30-12:00	Using Traffic Stop Data to Show Selective Enforcement (30 min.) Calvin Coleman, Attorney, Coleman Law Offices, Shelby, NC
12:00-1:00	Lunch (provided on-site)
1:00-2:30	Investigating and Litigating Selective Enforcement Claims (90 min.) <ul style="list-style-type: none"> • Emily Coward (moderator); • Ian Mance, Staff Attorney, Southern Coalition for Social Justice, Durham, NC; • Susan Seahorn, Assistant Public Defender, Hillsborough, NC; • Alex Charns, Attorney, Charns & Donovan, Durham, NC
2:30–2:45	Break
2:45-4:00	The Role of an Expert in a Selective Enforcement Case (75 min.) Dr. John Lamberth, Social Psychologist, Lamberth Consulting, West Chester, PA
4:00–4:30	NC REN Attorneys Reflect on Racial Profiling (30 min.) NC Racial Equity Network Attorneys
4:30-4:35	Closing Announcements and Adjourn
CLE HOURS: 5.5	



**Racial Equity Network Training III:
Cross-Racial Eyewitness Identifications
November 13, 2015**

8:30–8:45	Registration
8:45–9:00	Welcome and Announcements Emily Coward, Project Attorney for the Racial Equity Network, UNC School of Government
9:00–10:00	Miscarriages of Justice Caused by Erroneous Cross-Racial Identifications: The Wrongful Conviction of Ronald Cotton (60 min.) Ronald Cotton and Jennifer Thompson
10:00-10:30	Evidence and Causes of Cross-Racial Impairment (30 min.) Dr. Otto MacLin, Professor of Psychology, University of Northern Iowa
10:30-10:45	BREAK with morning snack provided
10:45-11:45	Evidence and Causes of Cross-Racial Impairment (cont'd.) (60 min.) Dr. Otto MacLin, Professor of Psychology, University of Northern Iowa
11:45-12:45	Legal Protections Against Unreliable Cross-Racial Identifications (60 min.) James E. Coleman, Jr., John S. Bradway Professor of the Practice of Law, Duke University School of Law
12:45-1:45	LUNCH provided on-site
1:45-2:15	Strategy Session I (30 min.)*
2:20-2:50	Strategy Session II (30 min.)*
2:55-3:25	Strategy Session III (30 min.)*
3:25-3:35	BREAK with light snack provided
3:35-4:35	Achieving Law Reform One Case at a Time: Lessons Learned from <i>State v. Henderson</i> (60 min.) Joshua Sanders, Assistant Appellate Defender, New Jersey
4:35-4:40	Closing Announcements and Adjourn

CLE HOURS: 6.0 GENERAL

***During the Strategy Sessions, participants will break up into small groups for facilitated discussion, demonstration, and practice of trial skills: cross-examination of an eyewitness, direct-examination of an expert witness, and voir dire of prospective jurors.**

**Racial Equity Network Training IV:
Pretrial Release
February 26, 2016**

8:30–8:45	Registration
8:45–9:00	Welcome and Announcements Emily Coward, Project Attorney for the NC Racial Equity Network, UNC School of Government
9:00–10:15	Racial Disparities in Pretrial Conditions: Causes and Solutions (75 min.) Cynthia Jones, Professor, American University Washington College of Law; Founder and Executive Director, Pretrial Racial Justice Initiative
10:15-10:30	BREAK with light breakfast provided
10:30-11:15	Raising Constitutional Challenges to Money Bail (45 min.) Alec Karakatsanis, Co-Founder, Equal Justice Under Law
11:15-12:00	Analyzing Bond Policies and Practices in North Carolina (45 min.) Alec Karakatsanis
12:00-1:00	LUNCH provided on-site
1:00-1:30	Updates: Pretrial Innovations in North Carolina (30 min.)
1:30-2:15	Simultaneous Breakout Sessions (45 min.): Session I: Pretrial Advocacy Techniques Mani Dexter, Assistant Public Defender, Orange County Session II: Costs, Fines, and Fees Daniel Shatz, Assistant Appellate Defender, Office of the Appellate Defender Session III: Collaborative Approaches for Pretrial Justice Dave Hall, Senior Staff Attorney, Southern Coalition for Social Justice
2:15-3:00	Breakout Sessions, Continued (45 min.)
3:00-3:15	BREAK with light snack provided
3:15-4:00	Breakout Sessions, Continued (45 min.)
4:00-4:30	Recap and Brainstorm Session (30 min.) NC Racial Equity Network Attorneys
4:30-4:35	Closing Announcements and Adjourn

CLE HOURS: 6.0 GENERAL

**Racial Equity Network Training V:
Jury Pool Challenges
June 10, 2016**

8:30–8:45	Registration
8:45–9:00	Welcome and Announcements Emily Coward, Project Attorney for the Racial Equity Network, UNC School of Government
9:00–9:45	The Importance of the Fair Cross-Section Guarantee (45 min.) Henderson Hill, Executive Director, the 8th Amendment Project
9:45-10:45	Underrepresentation of Minorities on Jury Pools: Causes and Solutions (60 min.) Paula Hannaford-Agor, Director, Center for Jury Studies, National Center for State Courts
10:45-11:00	BREAK with light snack provided
11:00-12:00	Litigating Fair Cross-Section Challenges (60 min.) Nina Chernoff, Associate Professor, CUNY School of Law
12:00-12:45	The Statewide Jury Formation Process and the Demographic Composition of Jury Pools in Judicial District 15B (45 min.) Maureen Berner, Professor of Public Administration and Government, UNC School of Government
12:45-1:45	LUNCH provided onsite
1:45-2:15	Peer-Facilitated Reflection on Challenging Underrepresentative Juries (30 min.) NC REN Attorneys
2:15-3:15	Panel Discussion: Lessons Learned from Litigating Fair Cross-Section Challenges (60 min.) Tom Jacquinet, District Defender, Missouri Public Defender, Capital Division; Dean Loven, Assistant Public Defender, Mecklenburg County Public Defender Facilitated by Emily Coward
3:15-3:30	BREAK with light snack provided
3:30-4:30	The Ethical Obligation to Challenge Underrepresentative Jury Pools: A View from the Bench (60 min. Ethics) Superior Court Judge Gregory Weeks, Ret.
4:30-4:35	Closing Announcements and Adjourn



**NC REN Training VI:
Batson Challenges and
Discussing Race During Voir Dire
October 7, 2016**

8:30–8:45	Registration
8:45–9:00	Welcome and Announcements Emily Coward, Project Attorney for the NC Racial Equity Network, UNC School of Government
9:00–10:00	Legal Protections Against Discriminatory Peremptory Strikes (60 min.) Cassy Stubbs, Director, ACLU Capital Punishment Project
10:00–10:45	The Mechanics of <i>Batson</i> Challenges (45 min.) Scott Holmes, Clinical Professor, North Carolina Central University School of Law
10:45–11:00	BREAK with snack provided
11:00–12:00	Pushing the Boundaries of <i>Batson</i> (60 min.) Vida Johnson, Visiting Assistant Professor, Georgetown Law
12:00–12:45	North Carolina Jury Project: A Statewide Analysis of Peremptory Strike Patterns (45 min.) Gregory Parks, Associate Professor of Law, Wake Forest University School of Law
12:45–1:45	LUNCH provided on-site
1:45–2:45	Talking with Potential Jurors about Race (60 min.) Tonya McClary, Assistant Capital Defender, Terrell, Texas
2:45–3:00	BREAK with snack provided
3:00–3:45	Panel Discussion: Voir Dire Strategies for Success (45 min.) Scott Holmes, Cassy Stubbs, Vida Johnson
3:45–4:30	Practice Session: Voir Dire Techniques (45 min.) NC REN Attorneys, Facilitated by Tonya McClary and Emily Coward
4:30–4:35	Closing Announcements and Adjourn

CLE HOURS: 6.0 GENERAL



**NC REN Training VII:
Challenging Racial
Bias at Sentencing
January 27, 2017**

8:30–8:45	Registration
8:45–9:00	Welcome and Announcements Emily Coward, Project Attorney for the NC Racial Equity Network, UNC School of Government
9:00–9:30	The Influence of Race on Sentencing Outcomes (30 min.) Emily Coward
9:30–10:45	Practical Strategies for Seeking Equitable Sentencing (75 min.) LeAnn Melton, Buncombe County Public Defender; Dr. Eric Howard, Director, Buncombe County Veterans' Treatment Court
10:45–11:00	BREAK with snack provided
11:00–12:00	Sentencing Mitigation Videos: Ethics, Mechanics, Content, and Possibilities (60 min.) Regina Austin, Professor of Law, University of Pennsylvania School of Law
12:00–12:45	Reframing, Refocusing: Advocacy through Photography (45 min.) Emily Baxter, Executive Director, We Are All Criminals
12:45–1:45	LUNCH provided on-site
1:45–2:45	Systemic Approaches to Addressing Racial Bias in Sentencing (60 min.) Rich Rosen, Professor Emeritus, UNC School of Law; Alyson Grine, Assistant Professor, NCCU School of Law
2:45–3:00	BREAK
3:00–3:45	Closing Ceremony NC REN Attorneys, Facilitated by Emily Coward
3:45–4:15	NC REN Benediction James Williams, Public Defender for Judicial District 15B
4:15–4:45	Reception with light buffet

CLE HOURS: 4.5 CLE GENERAL