

**NAACP Berkshire County Branch  
General Chapter Meeting  
February 6, 2019 6pm - Berkshire Athenaeum**

**Attendees** (See addendum)

**Guests**

Andrea Harrington, Berkshire County District Attorney

**Business**

1. Dennis Powell called meeting called to order at 6:09pm.
2. Andrea Harrington to arrive at 6:30pm
3. Dennis thanked Lenny and others for their work on the oral history project.
4. Barbara gave a rundown of W.E.B. Dubois events happening this month.
  - a. Town of Great Barrington recognizing importance of Dubois by having a commission.
  - b. The Commission took over Rev. Dr. Martin Luther King, Jr 2019 celebrations.
  - c. Feb 11 Black in the Berkshires event
  - d. Feb 12 Simon's Rock Lecture
  - e. Feb 13 UMass
5. Dennis congratulated Shirley Edgerton on her Black Excellence Award win.
6. Senate Chamber in Boston will have a statue of Frederick Douglass.
7. Announcement of community events.
  - a. NAACP will have an office
    - i. Volunteers looking to paint
8. Shirley introduced District Attorney Andrea Harrington
9. Andrea thanked the branch for helping her.
  - a. Time to build a unique effective system
  - b. Angela Davis was a mentor (not the Black Power Angela Davis)
  - c. Criminal justice system is against people who are not both white and rich.
10. Andrea is working on:
  - a. Building a strong team and structure.
  - b. Hiring prosecutors and victim advocates - about bringing justice.
  - c. New ways to measure success away from how much prosecution is currently conducted.
  - d. A performance indicator will be how much value the office adds to the community.
11. How the DA can help the underlying problems in a way that is fair to everyone
  - a. Helen Moon helping her spearhead initiatives.
  - b. Raising level of practice
  - c. Training around policies

- i. Dangerousness hearings
      - ii. Cash bail system
    - d. Juvenile diversion program
      - i. Berkshires only county without formal juvenile diversion program.
      - ii. Middlesex county gold standard - using that model.
      - iii. Sees program as vehicle that can support the community.
      - iv. Get people into programs before they get into trouble
      - v. End of March launch for the program to lift people up
    - e. Domestic Violence
      - i. 6 Women have been murdered in the Berkshires in the past four years
      - ii. Working on sexual violence issues and bringing resources to those problems.
      - iii. Met Congressman Neal to get grant funding for prevention programs
      - iv. Met with State Legislators to work on prevention
    - f. Cash Bail reform
      - i. High levels of incarceration are pretrial
      - ii. Heather Bello Price in the Eagle on women in Chicopee jail.
      - iii. Cash bail for only extenuating circumstances.
      - iv. Arrest rates are going down but incarceration is up cause they.
      - v. African Americans are charged at 5 times the amount than white Americans.
12. Andrea expects her office to be accountable to community so asked for questions.
- a. Erica questioned what is a youth diversion program?
    - i. Instead of processing through court system offenders are sent to programs in order to uproot underlying problems.
    - ii. Look at programs at what kids need, take a holistic approach.
    - iii. Ultimately emerging adults will be the population most impacted.
13. Getting more diversity in the office. Prosecutors need to have a depth of experience.
- a. First Latina DA. Rose Colon. Defense attorney from Chicopee.
  - b. Another female DA is being hired.
  - c. Helen Moon is coordinating diversity and inclusion efforts in the office.
    - i. Looking for a director for victim advocate program. Spanish Speakers. People who are forensic interviewers
    - ii. Looking to include returning citizens who know the system from a different perspective.
14. Will Singleton wanted a run down of how she decides what systems to change and what to keep.
- a. DA has complete discretion as to who and what is charged
  - b. Will follow up as to how is she not going to be too soft. What options does she has.
    - i. The DA reviews the charges and assigns as appropriate based on the facts.
    - ii. The way people get charged is the same.

- iii. What is changed is how they prosecute.
    1. Need to distinguish between who is dangerous and who needs help.
    2. Wants to make sure people in the community feel safe.
    3. Important that the community sees the importance of dangerousness.
    4. New legislation would make sure criminal history is a factor in dangerousness hearings.
  - iv. The term 'soft on crime' is often a red herring.
- 15. Doug Miskin about reforms hurting people of color
  - a. Andrea fleshes out subjective implicit bias affects the outcome.
  - b. Police do diversion if they already know their parents.
  - c. Keeping demographic data on cases.
  - d. Adam Hines is filing legislation on DAs have to collect data.
- 16. Question on Juvenile Drug Courts.
  - a. Juvenile drug court is no longer in existence.
  - b. Drug courts are good at preventing recidivism.
  - c. It's hard to get to this level. She is working on preventing that.
  - d. We didn't have a one cause the old DA did not have one.
- 17. Question how the community can get involved with the DAs office.
  - a. She is looking to provide transparency via information to community.
  - b. Wants to keep and report data.
  - c. Citizens advisory board. Meet on a monthly basis Have the community provide guidance.
  - d. Denis Esco is the new Director of Communications.
  - e. Wants the office to be accountable to community.
- 18. Question on human rights commission to work with her office.
  - a. They can come sit on one of the advisory board
  - b. Non heterosexuals are overly represented in the criminal justice system. The DA wants them to feel safe in the community.
- 19. Question on juvenile task force.
  - a. Helen Moon - Diversion is a restorative justice model.
  - b. Pre arraignment diversion program. Getting a case manager. Look at their needs and how to help them.
  - c. Working on to get it prior to a charge. Get into the school system.
  - d. Give kids tools on how to be kids
  - e. Process is currently a way to identify problems rather than solving them.
  - f. Treating kids like kids - people who need guidance and not punishment.
- 20. Sherry about domestic violence
  - a. Janice from Elizabeth Freeman to help and advice on restorative justice model.
  - b. Building victim/witness support.
  - c. Andrea invited her to join the commission.
  - d. There is a disconnect and people want help. Need to connect them.

21. Question on reviewing historical sexual abuse cases.
  - a. Review past 15 years of unaudited abuses of domestic violence.
  - b. Looking at the method for how they look at the cases.
  - c. Contract attorney to look and review the cases.
22. Question on mandatory minimums.
  - a. DA does not have to follow those.
  - b. Developing smart marijuana policy.
    - i. Don't want people in jail
    - ii. Kids developing brains are highly affected by marijuana use
    - iii. Some violent crimes start with weed deals
23. Question on preventing recidivism through artistic means.
  - a. People in the audience asked about the end of cycle.
  - b. The sheriff is the person in charge of the House of Corrections
  - c. She is not a part of rehabilitation.
  - d. Jail is not a treatment center.
24. Question on resources for mental health facilities.
  - a. There is a lack of capacity for all the people who need help.
  - b. Police don't like catch and release.
  - c. The DA wants to eliminate bail
  - d. Helpful conditions of release
25. Joel Priest questioned how Andrea is coordinating with other DA offices with progressive issues..
  - a. Fair and just prosecution national groups provide support
    - i. Andrea recently went to the conference.
    - ii. 18 other progressive DAs were there.
  - b. She is connected to other resources of people with training and funding.
  - c. MA district attorney lobby together as a group.
    - i. 3 progressive DAs in MA
  - d. National DAs is reactionary.
    - i. Long prison sentences were eliminated
    - ii. Generally against reform.
26. Al Blake questioned if the office is getting more drug conversion money
  - a. Auditor Suzanne Bump did a transition audit
  - b. Office isn't getting all the drug forfeiture money
    - i. Make it part of the criminal case.
    - ii. All ADAs are required to fill out during course of criminal case.
    - iii. Andrea has a chief of operations so that things don't slip through the cracks.
    - iv. Property that is the result of illegal activity not taking grandparents house because kids were dealing from their house.
    - v. Made a commitment only will forfeit property on conviction or guilty plea.
27. Compliment on how the DA is handling her job so far.
  - a. Office handles 7000 case a year.

- b. Working hard to support her staff to make decisions that reflect the values of office.
  - c. The DA is open to criticism.
  - d. Holds everyone to high standards.
  - e. Trial advocacy professor to teach classes to ADAs.
28. A compliment her on creating a vision and can she share her guidelines and mechanism.
- a. Relying on critique from community and critics There is not system per se to follow.
  - b. Implicit bias training will happen
29. Drew Herzig questioned where does the DA get funding?
- a. State funded
  - b. The office also looks for grant opportunities.
  - c. Bases on a formula of number of employees. She doesn't see an inequality when comparing to other counties.
30. Leah Reed Commentary
- a. Expressed gratitude for domestic violence and dangerousness hearings.
  - b. Data for how people of color are treated differently. Can people from school system who have been victims be on task force
    - i. Build task force out from just law enforcement.
    - ii. Problem is that judge has to be involved.
    - iii. Andrea wants a model with different kind of group.
  - c. Leah of why kids don't feel safe. No one asks them.
  - d. Helen wants task forces to have a more clearer mission than just being in response to legislation.
31. Question on getting Angela Davis to speak.
- i. The DA suggested a book club and maybe she can come.
32. Meeting adjourned 7:53pm.