

Tulane University

2nd Annual Political Economy & Access to Justice Judicial Education Seminar (PEAJJES)

2024 Schedule

Day 1: January 11, 2024

8:00-9:00AM

Registration, Breakfast, Welcome, and Icebreaker

Seminar participants are welcomed to the university by Murphy Executive Director (or other agent/representative). Activities follow that introduce participants to one another and to seminar goals and objectives; establish the seminar as a safe space for open, honest dialogue; lay the ground rules for discussion; and provide an overview of the seminar schedule.

9:00-10:30AM

Political Economy 101: A Primer for Judges

This session introduces participants to major concepts and methods of political economy as an academic and applied discipline. Foremost, the session builds understanding of theories underlying how and why economic considerations inform people's decision-making and behavior, the power of free markets, and the government's influence on both human behavior and free market economies.

Presenter:

Dr. Kristen Broady, Senior Economist and Economic Advisor and Director of the Economic Mobility Project, Federal Reserve Bank of Chicago, holds a BA in criminal justice from Alcorn State University and an M.B.A. and Ph.D. in business administration, with a major in economics, from Jackson State University.

Dr. Broady has conducted research and analysis on areas that include the racial wealth gap, the return to education investment, and the disparate economic impact of the COVID-19 pandemic. In addition, she has conducted research on mortgage foreclosure risk, labor and automation, and racial health disparities.

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10:30AM-12:00PM

(How) Has the Justice Reinvestment Initiative Addressed Prisons?: Insight from a Recent Report

Taking cues from the findings of Professor Armstrong’s germinal study, “The Missing Link: Jail and Prison Conditions in Criminal Justice Reform,” this session considers whether and how the goals and objectives of Louisiana’s justice reinvestment initiatives (JRI) account for prison conditions. Particular consideration is given to political economy and state and federal constitutional issues extending from state correctional facilities contracting with local law enforcement agencies to house pre-trial defendants.

Presenter:

Professor Andrea Armstrong, a law professor at Loyola University, is one of the leading experts on the conditions of incarceration in the United States and is certified by the U.S. Department of Justice as a Prison Rape Elimination Act auditor. Her research focuses on the constitutional dimensions of prisons and jails, specifically prison labor practices, the intersection of race and conditions of incarceration, and public oversight of detention facilities. She teaches in the related fields of constitutional law, criminal procedure, law and poverty, and race and the law.

12:00PM-12:15PM

Evaluations & Break

12:15PM-1:00PM

Working Lunch

The interactive, collaborative discussion & learning objectives of the seminar will be fostered during lunch. Each day, this time provides participants a space to discuss takeaways from morning presentations and to map out whether and how what they learned applies to their jurisdiction/s.

1:00-2:30PM

Justice Reinvestment Act in Operation: A Roundtable Discussion with Policymakers

This session informs and updates participants on past and recent legislative developments related to the Louisiana

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justice reinvestment act, legislation passed in 2017 for the purported intent of reducing Louisiana's prison populations and investing in programs and policies proven to reduce recidivism. Discussants include legislators who have been at the forefront of operationalizing reform in both Louisiana's criminal and juvenile justice systems.

Discussant:

Royce Duplessis, Esq., State Senator, District 5. Senator Duplessis is a native New Orleans, Louisiana and graduate of Xavier University, where he earned a BS in communications, and Howard University School of Law, where he earned a JD. Prior to his election to the state senate, Senator Duplessis served in the Louisiana House of Representative, where he sponsored, or cosponsored bills aimed at, among other things, prohibiting solitary confinement of juveniles in facilities housing juveniles. He has also called for a commission to study the efficacy of the current eligibility requirements and processes for compassionate release, medical parole, and medical treatment furlough for incarcerated persons.

2:30-3:00PM

Formative Evaluations & Afternoon Unwind

5:00PM

Dinner Debriefing, Neyow's Creole Cafe

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Day 2: January 12, 2024

8:30AM-9:00AM

Registration and Breakfast

9:00-10:15AM

The Political Economy of Housing: Implications for Serving Vulnerable Youth & Adult Populations in Rural and Urban Louisiana

Whether considering the safe placement of children in need of care or adjudicated delinquent, or providing adequate notice to homeless adults involved in the criminal justice system, housing is an issue implicated in all facets of the justice system. This session considers how Louisiana fairs with respect to confronting and managing this issue. Special emphasis is placed on housing as both barrier and facilitator of access to justice for court-involved adults and children.

Presenter:

Dr. Andre Perry is a Senior Fellow at Brookings Metro, a scholar-in-residence at American University, and a professor of practice of economics at Washington University. Dr. Perry's research focuses on race and structural inequality, education, and economic inclusion. Most recently, he has analyzed the political economy of increased investment in Black-majority cities and institutions throughout America.

10:15-10:30AM

Evaluations & Break

10:30-11:45AM

Do Criminal Justice Algorithms Entrench the Past or Create the Future?

This session will examine the role of algorithms and predictive models in the criminal justice system. Findings from a team research project that combines oral histories with an otherwise unavailable data set from the PA Department of Corrections to better understand the Pennsylvania Additive Classification Tool (PACT) algorithm will be considered. The PACT algorithm determines the housing placement of an incarcerated person. The team explored the ways that housing placement dramatically impacts people's experiences while incarcerated and their likelihood of

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being eligible for parole. Exploring the impacts of this algorithm's enactment tendencies will serve as an entry point in the session discussion of the role of predictive algorithms at each node in the criminal justice system. The session will explore what ideas and biases may be in algorithms, the path dependencies created by their “predications,” their limitations, and the possibilities for algorithms to guide reform and rehabilitation in other parts of the country, including Louisiana.

Presenter:

Dr. Vanessa Massaro, Associate Professor of Economics and Affiliated Faculty Member in the Department of Women’s & Gender Studies and Critical Black Studies, Bucknell University, serves on the Board of Directors of the National Economic Association (NEA) and the editorial boards of *Feminist Economics* and *The Review of Black Political Economy*. She organized the first joint annual *Freedom and Justice* conference of the National Economic Association (NEA) and the American Society for Hispanic Economists (ASHE). She received her doctorate in economics from the University of Massachusetts, Amherst.

11:45-12:00PM

Evaluations & Break

12:00PM-1:00PM

Working Lunch

1:00-3:00PM

Cost of Poverty Experience: An Interactive Workshop Organized & Facilitated by The Louisiana Pelican Center for Children and Families

This session requires judges to “walk in the shoes” of their underresourced constituents, as these constituents navigate the interworking, requirements, and expectations of Louisiana’ child welfare, juvenile justice, and criminal justice systems. By the end of the experience, judges should have deepened appreciation of the lived realities and human impact of poverty.

Facilitators:

Mark Harris, JD, Executive Director, The Pelican Center, formerly served the Louisiana Supreme Court as the Project

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Coordinator for the Louisiana Court Improvement Program for 15 years. He has been formally recognized by the U.S. Department of Health & Human Services for outstanding efforts in promoting the safety, permanency and well-being of Louisiana's at-risk children.

Michelle Gros, JD, Chief Operating Officer, The Pelican Center, previously worked with children and families in multiple roles at Healing Place Church in Baton Rouge, LA. She is passionate about improving the foster care system and adoption process and has personal experience as a foster parent and adoptive parent. Michelle and her husband, Rob, were recognized by the Congressional Coalition of Adoption Institute as a 2018 Angels in Adoption Honoree. She graduated in 2003 with a BS from LSU in Family, Child and Consumer Sciences with a concentration in Human Services Management and a minor in Sociology; in 2005 with a Masters in Christian Education from New Orleans Baptist Theological Seminary; and, in 2018 with a JD from Southern University Law Center.

3:00-3:30PM

Formative Evaluations and Afternoon Unwind

5:00PM

Dinner Debriefing, Barrow's Catfish

Day 3: January 13, 2024

8:30AM-9:00AM

Registration and Breakfast

9:00-10:15AM

Accessing Justice: Tooling the Justice System to Serve Louisiana's Non-English-Speaking Migrants, Residents, and Citizens

Persons for whom English is not a first language and who become involved in the justice system in Louisiana face a

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wide range of challenges. This session uses political economy as a framework for helping judges dissect these challenges and, potentially, work toward alleviating some of these challenges. Among other dynamics, the session considers and addresses signposts of human trafficking of migrant workers and children seeking asylum; language as a barrier to due process; and measures that can be built into civil and criminal proceedings to insure delivery of due process for non-English speaking court-involved persons.

Presenter:

Dr. Douglas Nelson is Professor of Economics at Tulane University. primary research interests lie in the areas of political economy of trade policy, the empirical link between globalization and wages, and trade and trade policy under increasing returns to scale. Professor Nelson obtained his Ph.D. from the University of North Carolina at Chapel Hill in 1981. In addition to positions with the U.S. Treasury and The World Bank, he has held regular faculty positions at Rutgers University, University of Texas-Dallas, and Syracuse University, and has held visiting positions at Washington University in St. Louis, the Australian National University, the University of Nottingham, and Karl-Franzens-Universität Graz.

10:15-10:30AM

Evaluations & Break

10:30-12:30PM

From Recognizing to Eliminating Implicit and Explicit Bias: Ethical & Professional Implications (and Obligations)

This session considers Resolution 606, which the American Bar Association passed in August 2022. In pertinent part, the resolution resolves that the American Bar Association “urges federal, state, local, territorial, and tribal governments and courts, as well as attorneys, judges, legislatures, governmental agencies, and policymakers to [...] recognize implicit and explicit bias and acknowledge collective responsibility for challenging laws, policies, and practices that devalue Black families and normalize systemic racism and family separation.” This session asks participants to undertake the work of analyzing the implications of what the resolution calls for in light of their ethical and professional responsibilities.

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Facilitator:

Hon. Ernestine Gray (retired) served on the Orleans Parish Juvenile Court for 35 years. She is past president of the National Council of Juvenile and Family Court Judges and has served on the boards of directors for National CASA, the YWCA, and Volunteers of America. Judge Gray currently serves as the judicial fellow of the Pelican Center for Children and Families, a nonprofit organization dedicated to improving the quality of legal representation for children and providing interdisciplinary training and education to child welfare practitioners.

12:30-1:00PM

Summative Evaluations & Closing

Continuing Legal Education Units: Approved by the LSBA MCLE Division for Up to 12.25 (1 ethics and 1 professionalism)