Chair’s Message: A Time to Celebrate

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How lucky am I, to be rolling into the coveted position of Chair serving the Criminal Justice Section of the American Bar Association? Lucky, because during my term we will celebrate the 100th anniversary of the founding of our section and the substantial and premier imprint left by the Section on criminal justice systems throughout the world. Lucky, because in 2020 we will commemorate the monumental occasion of the passage of the 19th Amendment in 1920, which represents the culmination of 100 years of perseverance by activists and reformers to achieve woman’s suffrage. Lucky, because in November of next year when I pass the gavel to April Camera Frazier, I will observe a decade of personal enrichment by my association with a diverse group of criminal justice attorneys working collaboratively to improve criminal law. Lucky, because this year we salute the enormous impact of the National Inventory of Collateral Consequences of Conviction (NICCC) since its completion five years ago. The June 13, 2019 release of the findings and recommendations of the US Commission on Civil Rights Collateral Consequences: The Crossroads of Punishment, Redemption, and the Effects on Communities, illustrates the long reach of the NICCC. The commitment of our Section and dedication of Stephen Saltzburg to the completion of this extraordinary endeavor, is to be praised. Lucky, because I come into this honorable position with the care and indulgence of an amazing staff led by Kevin Scruggs. Lucky, because I am honored by the extraordinary and diverse criminal justice professionals of our Section and council who are devoted to the improvement of criminal justice and to persevere to achieve justice in a world of injustice.

Especially lucky because I have been the beneficiary of the exemplary leadership of Lucian Dervan. I stand in awe and gratitude for his work and for taking me under his wing. Lucian’s even and considered approach to the challenging issues before him is admirable. During his year as Chair, Lucian brought critical attention to multiple issues that have plagued criminal justice for many years and highlighted innovative criminal justice reforms happening in national, state, and local criminal justice systems. Lucian directed focus to the complex concerns of women attorneys in criminal justice professions, the role of plea bargaining, corporate criminal liability, reentry, prosecution reform measures, military justice, and the inclusion of undergrad and law students interested in criminal justice careers. He also deserves special thanks for his support of the inaugural Women in Criminal Justice Symposium launched in his hometown of Nashville, Tennessee. April and I are both committed to repeating this incredible event during our consecutive chair terms. Above all, Lucian has shown great leadership in his fidelity to a diverse, inclusive, and collaborative approach in the conduct of meetings, programming, policy development, and project initiatives. I resolve to follow his excellent example.

It is imperative that we constantly and consistently demand diversity in all that we do. Our strongest and most important attribute is our faithfulness to the inclusion and engagement of individuals who bring diverse realities, experiences, perspectives, ideas, and dreams to the work of the Section. This year, I aim to expand the Diversity and Inclusion Fellowship Program as one measure to enhance our goal toward a more diverse and inclusive organization. Listening and learning from the experiences of diverse criminal justice professionals allows our continued success as we reimagine criminal justice together.
In the year ahead, I will continue to support and advance the work of the several existing task forces and newly initiated task forces addressing the Role of Plea Bargaining, First Step Act, Corporate Criminal Liability, and the Women in Criminal Justice. I am uniquely aligned with the Women in Criminal Justice task force and find their work to be broadly significant and vital to understanding the difficult career challenges women attorneys face in pursuing and succeeding as criminal justice professionals.

The creation and convening of task forces to consider emerging criminal justice issues has proven to be a successful pathway to produce criminal justice standards, resolutions, legislation, and other policy initiatives. This year our council will conduct the First and Second Readings of the new Criminal Justice Discovery Standards. These standards were developed by a task force convened over a five-year period and chaired by the Honorable Judge Martin Marcus of the Bronx County Supreme Court of the 12th Judicial District of New York, with reporter Professor Jennifer Laurin, University of Texas School of Law, Austin. I am honored to have been a part this task force along with past chair Sandy Weinberg, which included public and private defense attorneys, state and federal prosecutors, and criminal justice academics. I look forward to the adoption of these standards by the House of Delegates during my year as chair. Furthermore, I have been privileged to work collaboratively with Diversion Standards task force chair Raul Ayala, Deputy Federal Public Defender in Los Angeles, California, reporter Professor Ion Meyn, University of Wisconsin-Madison School of Law, and others. These standards are nearly ready for delivery to the Criminal Justice Standards Committee guided by former CJS chair, Professor Bruce Green, Fordham University School of Law. It is my hope our work on the Diversion Standards will come to the council for readings this bar year. I will cross my fingers.

We have an exciting year ahead. I hope that you will join us in the premier work of our section and participate in many of the upcoming events. September 4-6, 2019, the Southeastern White Collar Crime Institute will meet in Brazelton, Georgia; October 14-15, 2019 brings the eighth annual London White Collar Crime Institute; and November 7-9, 2019, we will hold the 12th Annual Fall Institute and Council Meeting in Washington, DC. This year’s fall institute kicks off Thursday afternoon with the traditional White Collar Crime Town Hall and welcome reception. Friday will present multiple opportunities to Reimagine Criminal Justice. We will showcase the work of the Women in Criminal Justice Task Force and Youth Court Diversion Programs during two plenary sessions. Four breakout sessions are scheduled to discuss with subject matter experts on innovations and initiatives in restorative justice, next steps in criminal justice reform, legalization of marijuana, and the sealing and expungement of criminal records. Most notably, our annual Awards Luncheon will feature Keynote Speaker Judge Gergel of the United States District Court of South Carolina and author of Unexampled Courage: The Blinding of Sgt. Isaac Woodard and the Awakening of President Harry S. Truman and Judge J Waties Waring.

Moving into the next year, ABA Midyear meeting takes us to Austin, Texas—the home of the impressive Lyndon B. Johnson Presidential Library. Be sure to mark your 2020 calendar for April 23-26 for the annual Spring CLE and Council Meeting in historic and jazzy Kansas City, Missouri. Plans are in motion to celebrate the coinciding centennial years of the establishment of the ABA Criminal Justice Section and the adoption of the 19th Amendment, plus any other worthy 2020 anniversaries.

The American Bar Association met on the west bank of the Mississippi River in St. Louis, Missouri, in the year 1920 and initiated the Criminal Justice Section. The stated purpose of the new section was to “strengthen criminal law and its administration.” In the following 100 years, a legacy has been built and much has been achieved to that purpose, yet as we look around and move into 2020 we know that much remains to be accomplished. The task is monumental, the needle moves slowly, the work is never done, and the problems with criminal justice are never ending. These words of Nelson Mandela nudge us forward in our mission, “After Climbing a great hill, one only finds that there are many more hills to climb.” Today we are positioned in an opportune place to listen more, learn more, know more, and achieve more. Prolific, mass, and mind-blowing alternatives in communication give us tremendous advantage. I believe the next 100 years will present countless occasions to reimagine and improve criminal justice and provide safe and productive communities. I look forward to our work together. The hills lie before us, so don your hiking gear and start the climb to achieve justice.