

Moving the Needle on Justice Reform: A Report on the American Justice Summit 2014

Daniel L. Stageman
John Jay College of Criminal Justice/CUNY Graduate Center

Robert Riggs
New York University

Jonathan Gordon
New York University

Ethiraj G. Dattatreyan
University of Pennsylvania

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The evaluation team was headed by Daniel Stageman, Director of Research Operations at John Jay College and a PhD candidate in Criminal Justice at the CUNY Graduate Center. Robert Riggs and Jonathan Gordon, both PhD candidates in the Department of Sociology at New York University, conducted audience interviews, provided extensive qualitative analysis, and shared in writing this report with Daniel Stageman. Ethiraj Gabriel Dattatreyan, a joint PhD candidate in Education and Anthropology at the University of Pennsylvania, co-led participant interviews, and provided consultation and feedback throughout the subsequent analysis.

Executive Summary

Taking place over five hours during the afternoon of November 10th, 2014, in John Jay College's Gerald W. Lynch Theater, the American Justice Summit was an unprecedented public meeting of some of the most important individuals working in contemporary criminal justice reform. The event placed these individuals in front of an audience of 600-odd practitioners, activists, students, elected officials, and policy professionals, in conversation with leading journalists and each other, to describe the scope and contours of the problems posed by the country's dysfunctional and interlocking systems of criminal justice – mass incarceration; police-community relations; the system's disproportionate criminalization of young people, people of color, and the mentally ill; its contributions to urban poverty, violence, and alienation – and to grapple with potential solutions.

This report synthesizes data gathered from the event itself and its [publicly available video record](#) with dozens of participant and audience interviews in order to describe points of consensus and divergence among the gathered experts, to detail the full range of their proposed solutions, to evaluate the event's impact on the gathered participants and the audience bearing witness, and to consider potentially fruitful directions for future efforts on a similar template. Having established the mold for large-scale, high-profile public events addressing criminal justice policy and advocating reform, Tina Brown Live Media and John Jay College have provided a powerful model for moving this essential conversation forward.

In addition to providing a snapshot of the event and its immediate impact, this report attempts to address the context of a fast-moving reform conversation and an ideologically inclusive movement, the shape and focus of which is in constant flux as it takes place across academic institutions, policy forums, and media platforms. More voices join this conversation every day; it is the job of events like the American Justice Summit to curate these voices, and amplify those with the most meaningful ideas to contribute.

Featured quotations and other hyperlinks throughout the document connect to video, audio, and multimedia resources for readers of the digital version.

Introduction

[The American Justice Summit 2014](#) brought together thought leaders with a range of perspectives on criminal and social justice in order to grapple with the realities of American mass incarceration, and to engage in an epic brainstorm concerning the social problems that arise from it. The problems are clear. There are currently [2.3 million individuals in prison or jail](#) in the US¹ – a rate [far higher than any other Western democracy](#)² – and nearly [7 million under some form of correctional control](#).³ With [one in every 100](#) US adults behind bars⁴ and [one in every 31](#) either in prison, in jail, on probation, or on parole,⁵ the criminal justice system clearly touches the lives of more citizens than ever in the nation's history. However, the system's impact on minority populations and the most disadvantaged members of society has become especially acute. A stunning [one in every 11 black Americans](#) are in jail, in prison, on probation, or on parole in the US, and the rate is even higher in many poor urban communities.⁶ The US criminal justice system has become so large that it now consumes about [one in every 15 public dollars](#) in state discretionary budgets, with states collectively spending about 50 billion dollars annually on corrections.⁷ The sheer scope of the system and its disproportionate impacts on black Americans, Hispanic/Latino Americans, and poor communities effectively means that the system itself is now producing and perpetuating social disadvantage, [racial inequality](#), and urban poverty.⁸ Individual freedom and the democratic ideal of equal opportunity are the fundamental matters at hand. These not only transcend political and ideological commitments; they also animated the American Justice Summit 2014 and the many voices it amplified.

This report synthesizes the themes and threads of the policy commentary, activist agendas, debates, and discussions featured at the Summit and assesses their impact not only on those in attendance, but also on the field to which many of them have dedicated their working lives. It is based on comprehensive analyses of video recordings of the event, notes taken in real time during the event, video-recorded interviews with onstage participants, audio-recorded and email interviews with audience members, and post-event media coverage. What follows is organized into five sections. Section 1 describes the Summit and its proceedings and highlights the voices of Summit participants. Section 2 turns to the identification of areas of apparent consensus on criminal justice issues and reforms. Section 3 focuses on points that remain subject to continuing debate. Section 4 identifies lessons learned from the Summit and proposes future directions. Section 5 concludes the report with substantive ideas for policy and system reform that arose from the Summit.

This report, like the Summit itself, is unique in attempting to bring together a range of voices and perspectives in order to address the pressing problems facing the contemporary US criminal justice system. It relies on Summit participants' depth and breadth of experiences with the system, their dedication to their work, the richness of their varied analyses of the problems and potential solutions, and the strength of the various themes that arise when these analyses are layered one upon the other. It is designed as an essential document of the American Justice Summit's position and purpose in the field, a blueprint for future events in a similar mold, and a guide for those wishing to participate in or pursue related work.

1. ICPSR 2010
2. Walmsley 2013
3. Glaze and Herberman 2013
4. Pew 2008
5. Pew 2009
6. Ibid
7. Ibid
8. Sharkey 2013; Western 2006

Section 1 | The Event: At the Summit of Justice Reform

The American Justice Summit 2014 took place over five hours on the afternoon of November 10th, 2014, in John Jay College’s Gerald W. Lynch Theater. The event was organized as a series of presentations, interviews, and panel discussions that addressed a broad range of criminal justice issues and included the voices of people in the media, people working in the system, people directly impacted by the system, people directly impacted by crime, people in politics, and people dedicated to reforming the system. In total, the Summit included [21 different presentations and panels](#) covering a range of topics and perspectives related to the social problem of mass incarceration.

Figures 1 and 2 illustrate the diversity of the 53 respondents, drawn from Summit participants and audience members, whose interviews provide the basis for this report. Figure 1 details respondent race – a noteworthy data point when examining an issue disproportionately affecting black and Latino communities. Figures 2 and 3 illustrate respondent age and professional background – the latter raising an interesting potential for consensus and cleavages on issues of criminal justice reform across professional boundaries.

Figure 1

Respon

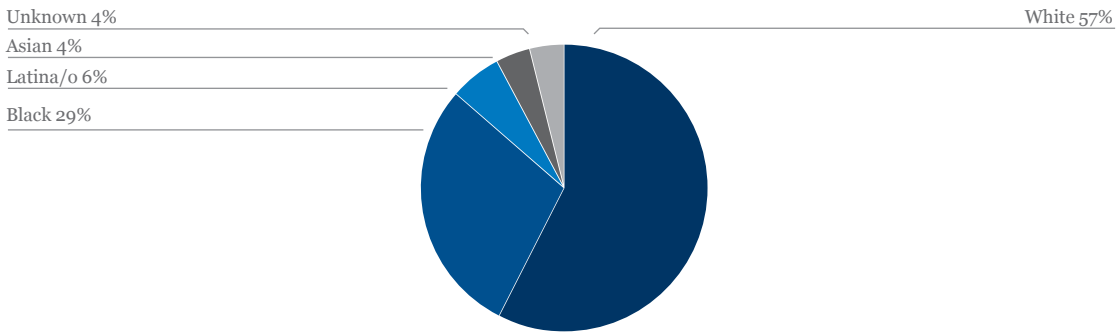


Figure 2

Respondent Age

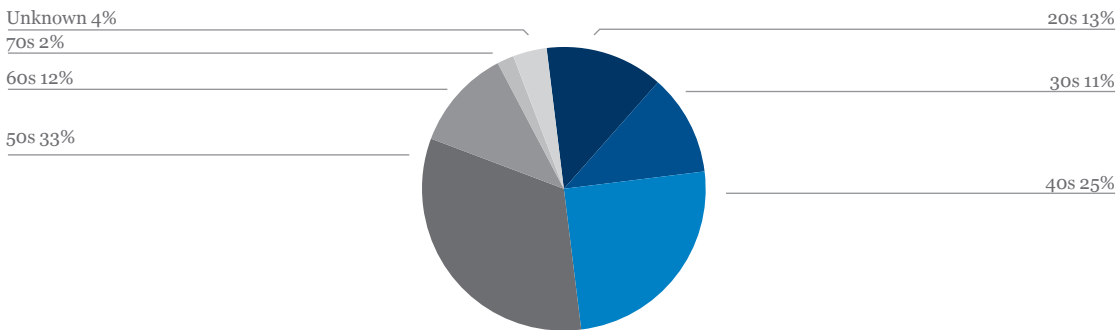
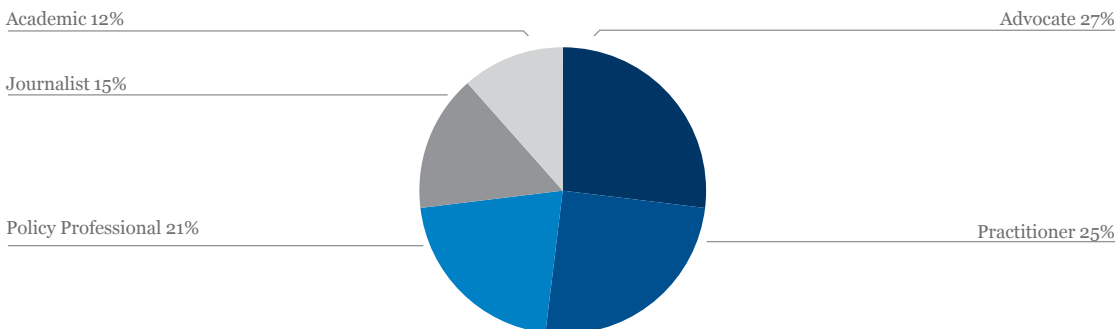


Figure 3

Respondent Professional Field



YO, I NEED HELP!
Help me, please.
Somebody. Anybody.
Does somebody hear
my voice?
[Hill Harper, onstage](#)

Incarceration could be an incredible moment of possibility to transform, but the system as a whole is in no way, shape, or form designed to create those transformations. If that were the case, then every single prison in this country would have a higher education program.
[Piper Kerman, onstage](#)

I'm not stepping on the stage as an ex-offender, and if I still offend you [after] I've endured my time, fuck you.
[Dorsey Nunn, interview](#)

What I realized the day I got out of prison and saw my son as a young man for the first time was that my punishment didn't simply belong to me. It belonged to my entire family.
[Dorsey Nunn, onstage](#)

Many social problems play out largely out of sight and out of mind of the general public. Academic analysis and journalistic coverage of them can have a distancing effect, presenting aggregates and statistics in place of human experience. The Summit, in contrast, placed the human dimensions of mass incarceration on center stage. Many panels and presentations reminded participants and audience members that real people were behind the numbers. Actor and author [Hill Harper](#)⁹ launched the Summit by reading a letter from a 16-year-old incarcerated boy that was written at a 4th-grade reading level and was what Harper described as a “cry for help,” one of hundreds of such letters he receives from underage men who were imprisoned after being tried and convicted as adults.

Other participants provided insight into the social, political, and community-level factors that contribute to the problem of youth crime and incarceration. Poet and activist Frantz Jerome discussed how he was stopped by the police 30 different times while growing up in a poor urban neighborhood, and Johnny Perez, a young formerly incarcerated man working in the prisoner reentry field, recounted being arrested at age 13, discussed a ubiquitous police presence in his community, and noted how in his neighborhood it was “difficult to avoid being swept up in crime.”

The Summit made space for individuals with direct experience of the criminal justice system to tell their stories. These presenters invested issues with vital emotional energy, explained them in human terms, explored their impacts on human lives, and provided relatable rationales for the importance of finding solutions to them. They added urgency to discussions and transformed mass incarceration from an abstract issue out there somewhere into a problem that was right here, right now. They reminded everyone present that mass incarceration has a human face – a face that is disproportionately African American and Latino.

The Summit confronted members of the (largely) white political and cultural establishment with the voices of strong advocates from the black and Latino communities so deeply affected by mass incarceration and criminal justice dysfunction. These panelists often situated social policy and community problems within larger issues, such as poverty and structural racism. As Glenn Martin, formerly incarcerated founder and director of [JustLeadershipUSA](#), put it in an onstage discussion about alternatives to incarceration, “There is a very successful diversion program already in place, the most successful diversion program in US history: It's called white skin.” New Orleans Mayor Mitch Landrieu called for a frank discussion about racism and its historical roots and for policy reform to address issues like the tragedy that 52 percent of black men in New Orleans are unemployed. Bryan Stevenson, Director of the [Equal Justice Initiative](#) in Alabama, recounted his experiences being treated as a criminal by the police despite having attended Harvard Law School. He advocated honest talk about the damage done to black communities by police and called for “creating shame in the American conscience” about the impacts of the criminal justice system on black men, families, and communities.

Another perspective on the human dimensions concerned those who had been directly impacted by crime. Jennifer Bishop-Jenkins, Director of [Marsy's Law](#) for Illinois, argued that while there may be systemic problems and inequities involved, the purpose of prison is to incapacitate the most dangerous individuals in society. She called for more use of risk assessment tools to identify these dangerous individuals and more protection for crime victims' rights. Los Angeles County Superior Court Judge Eric Harmon also represented crime victims' perspective, noting that sentencing required listening to victims and determining the damage the crime has done to them: “When you sit with someone who's lost a loved one, it's so moving on a personal level.”

Other segments of the Summit emphasized the experiences and practical knowledge of individuals who work in various areas of the criminal justice system. Pennsylvania Department of Corrections Secretary John Wetzel noted the need for early interventions that address root causes before individuals commit serious crimes, and argued that we need to “fundamentally make a decision to insert science into our system.” Norman Seabrook, president of the NYC [Correctional Officers' Benevolent Association](#), referred to New York City jail Rikers Island as “the new dumping ground for the city” and responded to questions about solitary confinement by defending the practice: “solitary confinement works” as a deterrent and “there are no [other] deterrents in the [jail] system.” New York City Police Commissioner William Bratton responded to questions about “stop and frisk” and “broken windows” policing and the impact of these policies on police-community relations by noting that the practice should be consistently applied across neighborhoods so as to curb minor crimes and deter individuals from committing more serious crime, an idea that drew some audience skepticism.

9. For more information about all panelists and presenters discussed and/or quoted in this report, see the [American Justice Summit 2014 program](#) online.

The voices of academics, social service experts and professionals, and advocates were also represented at the Summit. [John Jay College](#) President Jeremy Travis reported that through electing “tough-on-crime” politicians who advocated and enacted policies such as “truth-in-sentencing” laws and the “war on drugs,” the United States became the world leader in locking up its citizens: “We chose to be here” and we can hence “choose to exit the era of mass incarceration.” David Kennedy, a professor at John Jay College and the director of the [National Network for Safe Communities](#), argued for interventions that focus on the individuals responsible for most crime in poor communities rather than blanket targeting of entire neighborhoods with policies such as “stop and frisk.” In a panel addressing the issue of warehousing the mentally ill and those with substance abuse problems in jails and prisons, mental health advocate JoAnn Minich discussed how her mentally ill son was locked up in a facility staffed by prison guards after her insurance ran out and essentially “criminalized for being mentally ill.”

The Summit’s illumination of so many perspectives, themes, ideas, and values indicates the nature of the obstacles that efforts to address criminal justice reform confront, yet it is precisely this diversity that must be acknowledged and worked through in all its complexity to make reform possible. By placing seemingly antithetical perspectives in conversation, the Summit gave participants the opportunity to move past disagreements on the nature of the problem and its causes to seek practical solutions with real implementation potential. The Summit not only made space for influencers and experts to discuss problems and solutions in a public forum but also provided a platform for them to connect, compromise, and collaborate on real-world efforts to move ideas forward.

The Summit included the voices of an equally comprehensive selection of leading journalists in the field. While policymakers and advocates are central to finding ways to reduce mass incarceration and reform the nation’s criminal justice system, increased coverage of criminal justice issues and reform is also essential. The Summit made a key contribution in this regard. Media coverage of the event itself included some fifteen articles in major publications both online and in print, from the Huffington Post to *The New York Times*, and the organizers’ partnership with youth media juggernaut [Vice News](#) resulted in a [series](#) of informative [op-eds](#) by Summit [participants](#).¹⁰ This forward-thinking partnership likely exposed new audiences to mass incarceration and the specific criminal justice reforms championed by these authors.

The media attention surrounding recent reports on the criminal justice system by academic centers and non-profit research institutes is worth considering in this context. Rather than passing without notice, we have seen in recent months Gawker’s [coverage](#) of the Vera Institute of Justice’s report on local jails, Vice’s [coverage](#) of the Brennan Center’s report on incarceration and the crime decline, the *New York Times Magazine* feature on [Florence, Colorado’s ADX supermax federal prison](#) and the paper’s [double coverage](#) of the report on historical lynchings released by conference participant Bryan Stevenson’s Equal Justice Initiative – an important and timely contribution to the national discussion of the value American society and culture places on the lives of its African American members. Helping to bring these issues – and evidence-based investigations of their causes and consequences – into the national conversation through media coverage is a worthy and sufficient goal in itself and a key contribution of the Summit.

The Summit also powerfully demonstrated the effectiveness of investing and presenting the problem of mass incarceration with emotional force. Dramatic production values, including effective lighting and hard-hitting interstitial video segments, invested the day’s proceedings with an emotional energy that is commonly missing from public discussions of social policy. Many presenters responded by incorporating direct emotional appeals to the audience in their remarks. The cumulative impact of this emotional force was to add an important dimension to the conversation about mass incarceration: It is not simply about numbers; it is not merely a budget problem; it is not only a difficult policy issue. In dramatizing the issue, the Summit distilled mass incarceration into a problem that is fundamentally about humanity, social justice, and democratic ideals. This dimension is essential because it frames the issue as one that demands urgent and passionate action rather than fruitless debate or passive consumption.

10. Greenburger 2014; Hazelgrove 2014; Martin 2014; Nunn 2014; Wetzel 2014.

We have counselors in white schools, we contact parents in white schools, and in black and brown schools we have police officers. So we are training young people to think it’s normal to be stopped and frisked and go through a metal detector.

[Carmen Perez, onstage](#)

Journalism and storytelling and truth telling is actually a very good way of changing and sculpting public opinion.

[Neil Barsky, interview](#)

It was a fantastic day. We were really moved to tears by some things. It was just moving. It was wonderful to be a part of it.

[Audience member and corrections official, interview](#)

We need to fundamentally make the choice to insert science into our system, to use the tools that are available, to use academia, to use the body of research to guide our systems. And the fact that we're up here advocating to use research to guide decisions tells us how screwed up our corrections system has become.

[John Wetzel, onstage](#)

To the extent possible, make whole the victim and see if the perpetrator can sort of get on the straight and narrow path again. To that extent, there are a lot of alternatives to prison.

[Grover Norquist, interview](#)

I think there are instances in which there's nothing to do but remove somebody from the community because the danger of harm is that imminent.

[Nell Bernstein, interview](#)

We don't have a... mechanism set up right now in order to hold the system accountable [for the harms it causes].

[Carmen Perez, interview](#)

Section 2 | The Consensus: Identifying Points of Agreement

A Call for Targeted Interventions

Many of the policies and practices enacted during the run-up to mass incarceration preclude individualized assessments, case-by-case discretion, and evidence-based interventions. For example, “truth-in-sentencing” legislation treats individuals as categories and renders impotent whatever they may do to improve themselves during their incarceration. Mandatory minimums remove judicial discretion from sentencing decisions and limit or foreclose upon judges’ ability to consider each case in light of the specific circumstances surrounding it. In criminalizing substance abuse, the set of policies comprising the “war on drugs” offer the same medicine – incarceration – to all, ignoring an abundance of research indicating the efficacy of individualized treatment plans. Widely enacted “quality-of-life” policing campaigns effectively criminalize entire neighborhoods and subject community residents, especially young black and Hispanic/Latino men, to regular stops by police for the most elusive suspicions and minor infractions. More broadly, mass incarceration itself represents a blanket use of a single “solution” to a wide array of social problems, resulting in a bloated prison population composed of individuals with a diverse set of needs, from treatment for trauma and other mental health issues to education and job training.

Understanding this context helps to explain why many voices at the American Justice Summit called for a leaner, more “surgical” criminal justice apparatus at all levels of the system, from law enforcement to incarceration. A consensus converged around the need for targeted interventions treating individuals as individuals and basing solutions on evidence of what works. Many cited the reduction of the prison population as a way to effect a more responsive system: reducing the incarcerated population while maintaining current levels of investment would enable individualized, effective, evidence-based interventions. Drug treatment for drug offenders, therapeutic treatment for the mentally ill and victims of trauma or abuse, education and job training for those who require them – for every need, an appropriately designed and directly responsive intervention. Others similarly cited the need for a more targeted approach to policing, dispensing with current practices of treating entire neighborhoods and sub-populations as if they are dangerous. These approaches, above all, should be based on research and sound evidence.

A Focus on Individual and Social Harm

Proposals and ideas for intervening in the problem of mass incarceration inevitably confront the reality that for most of US society, prisons serve some social purpose. The question of what social purpose they do or should serve varies considerably, ranging from incapacitation and punishment to deterrence and rehabilitation. At the same time, incarceration has social consequences, regardless of the purposes it may serve. Views on the role of prison in society and the social consequences arising from incarceration vary considerably; however, nearly all Summit participants that addressed these issues grappled with notions of individual and social harm.

A consensus emerged in the recognition that prison should be largely reserved for incapacitating, isolating, rehabilitating, and/or punishing individuals who intentionally cause significant harm to society or their fellow human beings. Summit participants also expressed consensus, however, around the idea that in its current form, the system has become disconnected from reasonable measures of individual and social harm, and that a renewed focus on the concept would allow for a significant reduction in the current scale of incarceration nationwide. Interviewees cited drug offenders in particular as a population incarcerated for a crime disconnected from these measures, and property offenders as largely receiving sentences that are disproportionate to the harm of the offense. Voices converged in citing violence as the logical turning point that justified imprisonment, while still advocating treatment and a rehabilitative approach in these cases – especially where mental illness is a factor. These views express the dual ideas that criminal justice system responses to crime should in some way be connected to assessments of individual and social harm and that the individual and social harms created by criminal justice responses should be minimized.

A Need for Early Intercession

Incarceration is the most extreme form in which individuals in a democracy experience state power. One factor that makes mass incarceration so inconsistent with democratic ideals and values is that it displays the application of the state's power to nullify individual freedom on a massive scale. While Summit participants tended to agree that the exercise of this power was justified in cases where individuals cause significant harm to society and other individuals, there was also a considerable amount of agreement around the idea that incarceration should be the very last resort. Related to the call for focused, targeted interventions was a consensus on the need to intercede early in the lives of individuals who demonstrate problems or become involved in petty crime and ensnared in the criminal justice system. The idea behind early intervention is that identifying problems and offering appropriate help early will mitigate the potential for problems to fester and manifest ultimately as crimes serious enough to cause harm and justify incarceration.

Early intercession comprises efforts to identify root causes of problem behaviors and crimes and to apply non-criminal justice interventions wherever possible, especially at the beginning of criminal justice involvement or at the onset of problem behavior. This basic idea spanned political divides and ideological commitments at the Summit and bridged the views of individuals in various arenas and experiences with the criminal justice system. It is evident in calls for the use of risk assessment tools at the onset of detected problem behaviors, recommendations for the use of substance abuse and mental health treatment upon arrests for possession of drugs or petty crimes, advocacy for more use of drug courts and other alternatives-to-incarceration in response to relatively minor infractions, and calls for more community programs for youths in poor urban communities.

An Appeal for Human Dignity

The stark demographic facts of mass incarceration are inescapable: Millions of individuals are at this very moment behind bars in the United States and hundreds of thousands of them are released into communities every year. Regardless of the social purposes prisons may serve, regardless of the efforts that may be underway to reduce prison populations, and regardless of the individual treatment and programming needs of this population, these two inescapable facts place prison conditions and society's treatment of prisoners and formerly incarcerated individuals at the center of criminal justice reform efforts.

The drive toward mass incarceration took place within a social, political, and cultural context marked by a rhetoric of punishment shaped by widespread fear of and anger about crime. That fear and anger was partly based in objective conditions and partly stoked by the media and by politicians who saw the electoral value of tough-on-crime language and policy recommendations. Ideas such as the now-debunked myth of the “superpredator”¹¹ and arguments about the need to punish and incapacitate those who violated the law displaced discourses about treatment, redemption, and rehabilitation. This punitive discourse not only justified the increasing use of incarceration but also provided warrants for progressively harsher prison conditions and more dehumanizing views of law-breakers. At the American Justice Summit, these issues were placed center stage. What emerged was a consensus on the need for renewed recognition of the basic human dignity of prisoners and formerly incarcerated people and for that dignity to be reflected in prison conditions and social policy.

This call for human dignity manifested in several ways and emerged from many areas of the criminal justice and political fields. Particularly widespread was the view that prisoners should be able to have regular, meaningful interaction with their families and communities. An underlying foundation for this view emphasizes that even if punishment is seen as the ultimate impetus for imprisonment, the prison sentence itself should not manifest as punishment. The punishment, in other words, is the removal of individual freedom, not the removal of individual human dignity. The call for human dignity also reflected Summit participants' concerns over how society and social policy treats individuals who have served their sentences and returned to communities. Across race, profession, and political identity, participants at the American Justice Summit repeatedly emphasized the need to turn around criminal justice rhetoric and policy so that it respected human dignity and facilitated meaningful community involvement during incarceration and full citizenship afterwards.

11. Bennet, DiIulio, and Walters 1996

We have to do more, even before the first arrest.... We should do these risk assessments in schools [when individuals display problems]... and we need to do better in the prevention end.

[Jennifer Bishop-Jenkins, onstage](#)

We haven't had enough enlightened policy. With an important exception – drug courts across America and district attorneys across America are looking very hard for alternatives to incarceration. So we have good models, but not enough.

[Mitchell Rosenthal, onstage](#)

We have to move from a paradigm of punishment to a paradigm of ultimate redemption, rehabilitation and the belief that everyone has a right to participate in their community, to have a decent job and dignity.

[Darren Walker, interview](#)

You want [incarcerated individuals] still in contact with family and friends and community... deprivation of being in touch with your family [should not be part of a prison sentence].

[Grover Norquist, interview](#)

Those people who commit violent crimes...[are] great candidates [for incarceration]... or somebody who we just can't reach for some reason. We've tried either in the juvenile justice system or the adult system or both, and they're not getting the message that they have to change their antisocial behavior.

[Judge Eric Harmon, interview](#)

I was 16 years old. I was not trying to decide whether I should go to band camp or karate camp, I was trying to decide... how I'm gonna duck the cops, which gang I'm gonna join, or which gun I'm gonna buy, whatever the case may be. Those were the options that I felt I had at the time.

[Johnny Perez, interview](#)

We lock up an inordinate amount of poor black people, poor Hispanic people, poor white people... so it's a poverty issue, in many ways.

[Hill Harper, interview](#)

We should be creating prisons that build people, that build communities, that build families, and that allow people to come back to the community... and join us whole again.

[Glenn Martin, interview](#)

Section 3 | The Debate: Pinpointing Moments of Divergence

Where Do We Locate the Problem?

Individuals across political, ideological, and social spectrums tend to agree that mass incarceration is an issue that needs to be addressed. Reasons for defining it as such differ: it's unfair and inhuman; it's too expensive; it's harmful; it's creating more criminals; it's perpetuating poverty; it's a new form of institutionalized racism. However, despite different reasons for why it is an issue, many can agree on the basic idea that it is an issue. Yet in some ways, the very label "mass incarceration" mutes the complexity of American crime and punishment. While diverse individuals might agree that the nation is locking up too many people, the complexity of the issues involved in crime and punishment come to the fore when serious conversation starts. At the root of this complexity are deeply held values and ideals concerning human nature and American society. At the American Justice Summit, debate often emerged from participants' apparent orientations to these values and ideals, within particular conversations. These debates centered on where to locate the problem: Are violent, unredeemable criminals the problem? Is community disinvestment and disorganization the problem? Is criminal justice system dysfunction the problem? Are poverty and/or racism the problem?

Within the debates about where to locate the problem, Summit participants tended to place emphases on four basic levels: the individual level, the community level, the system level, and the structural level. Individual-level emphases were apparent in Summit participants' calls for the need to focus on the most violent individuals, their arguments about the difficulty of rehabilitating criminals, and their discussions of the need to incapacitate individuals who have committed repeated offenses.

Community-level foci emerged from participants' talk about how childhood trauma and exposure to violence is endemic in some communities and their mentions of the lack of community services and investment. Those who placed emphasis on the system level discussed how people come out of prison worse than when they went in, how prisons lacked adequate programming and educational opportunities, and how the decline of the mental health system has led to the warehousing of mentally ill people in prisons. Finally, those who put forth a structural-level view emphasized large-scale social and historical issues such as poverty and racial injustice. These differing foci evince conflicts around values, ideas, and ideals about human beings and American society. For instance, an individual-level focus on violent individuals suggests an orientation that views American society as fundamentally fair, offering equal opportunity to all. In this context, criminals should be punished because they were rational actors who chose to commit a crime. By contrast, community-level or structural-level emphases suggest that opportunity is not equally distributed across society and that individual "choice" is conditioned by contextual factors related to inequality.

Few, if any, Summit participants emphasized any single level exclusively. Participants tended to ground particular emphases in specific discussions. Often, a single participant would invoke a different level depending on the discussion. Yet, debates around where to locate the problem – in individuals, in communities, in systems, in the social structure – are important because they remind us that there are no simple solutions to mass incarceration. In some ways, all four levels are implicated in the issue. Yet, how these diverse points of view are put into practice has implications for which sectors of society will have a voice in reform, and for how any putative reform actually unfolds.

Where Do We Target Solutions?

The issues surrounding mass incarceration are an interwoven complex of specific policies, institutional-operational features, and cultural-historical factors that are difficult to disentangle. At the Summit, all of this complexity emerged in debates over where to target solutions to the problem of mass incarceration. Because of the interwoven complexity of the factors involved, it is difficult to see specific targets, let alone to decide on which ones to try hitting. Like the issue with locating the problem, debates over where to target solutions were intimately connected to participants' entrenched values and ideas about people and society.

Summit participants who tended to emphasize the individual or system level were more likely to advocate policy-oriented solutions. These solutions included policies about policing, and about prison operations and programming, among others. In contrast, participants who focused on the community or structural level generally called not only for policy change but also for broad cultural and social shifts. Some of these calls for cultural shifts centered on the need for “changing the narrative” about the nature of people who have committed crimes and served time in prison. It also meant changing the narrative about the poor black and brown communities so harshly affected by criminal justice expansion. Calls for broad social shifts also emerged in participants’ mention of the need to reduce inequality as a way of addressing crime and thus incarceration rates.

These debates indicate the difficulty of determining the appropriate targets for criminal justice reform. Should we focus on specific policies and practices like drug-law reform and policing strategies? Should we dedicate ourselves to drawing attention to the racial, ethnic, and class disparities in the criminal justice system? Should we invest our time and effort in finding solutions for the problems within prisons? If moments of debate over these questions at the Summit made one thing clear, it was this: The answer is yes – yes to targeting specific policies and yes to targeting criminalizing and dehumanizing narratives about those individuals and communities impacted by mass incarceration and the criminal justice system.

Section 4 | The Lessons Learned: Future Directions

As portrayed above, the conference was an impressive feat involving the marshalling of resources including space, expertise, professional networks, and production values that speaks to the unique institutional strengths of the collaborators behind it. This reality does not, however, imply that similar successes in the future will require the exact same set of institutional actors as core organizers. Priorities change with leadership, and mission-driven approaches to programming depend on the input of manifold member perspectives and practical investments to determine their ultimate form. It is therefore our intention that readers take away from this document a clear sense of how an event modeled after the American Justice Summit could vary in approach and still expect to achieve a constellation of the outcomes reached by the original, as well as others with a similar potential to push forward the conversation on criminal justice reform in the arenas of policy, practice, academic discourse and media representation. Thus, while many of the recommendations below rely on the authors’ interpretations of the unique strengths and resources of the organizers involved in 2014, they should be read as expressive of general potentialities as opposed to specific eventualities.

Continue Presenting Social Policy with Emotional Force

Emotional investment holds the potential to affect personal motivation and engagement for audience and participants alike. For individuals already involved in advocacy, it can renew, reinvigorate, and redirect commitment; for professionals in the field, it can humanize day-to-day tasks and interactions that run the risk of becoming bureaucratic, sterile, and impersonal; for elected officials, journalists, and academics, it can ignite a passion for an area of policymaking, investigation, or study that might otherwise have lain dormant. The American Justice Summit succeeded in investing an issue that is too often presented as a constellation of statistics with the kind of emotional urgency and immediacy that demands action, and this stands as a unique and powerful accomplishment that sets it apart from the general run of policy-focused conferences and symposia. The fact that it did so without sacrificing empiricism in presenting the harms caused by contemporary criminal justice policies and practices sets it as a standard for future events to match.

Work across Platforms, Policy Domains, and Stakeholders

The American Justice Summit itself stands as an indication that mass incarceration and criminal justice reform are currently receiving more public attention than many in the field are accustomed to. These issues are having their “moment” in American media discourse, and as a result, many advocates feel a tremendous pressure to push policy reforms forward before the moment passes. This raises a question for potential organizers of events drawing inspiration from the Summit: Is such an event only possible within the context of the “moment”? Or could it hold the potential to become a sustainable project that can help extend and expand the public’s long-term interest in criminal justice reform?

Unfortunately we’ve become narrow in our idea about what the criminal justice system is supposed to deliver for our society. The criminal justice system is supposed to deliver a process that ensures fair treatment.

[Darren Walker, interview](#)

I think education and prosperity are the best tools for stopping crime. The middle class doesn’t mug and if people are middle class, by and large they’re not going to be committing crimes.

[Jeffrey Toobin, interview](#)

Prison has to be seen as a temporary removal from society, not as a permanent form of punishment. So from the first day that somebody comes into prison, we have to start thinking about the eventual return.

[Jeremy Travis, interview](#)

Each person is more than the worst thing they have ever done.

[Bryan Stevenson, interview](#)

Mass incarceration... it’s all we’ve been talking about, but this is the moment, this is the groundswell.

[Audience member and academic, interview](#)

Stop [using my tax dollars to fund] policies that structurally discriminate against me. So if I have anything to say to you on a real level, don't use my fucking money to oppress me.

[Dorsey Nunn, interview](#)

We believe strongly that it is the latter, and that one of the most promising paths to sustainability lies in educating the public about both the breadth of mass incarceration as a social problem, and the potential for reform efforts to extend benefits into overlapping domains. The co-sponsoring institutions of the original summit were each multi-platform organizations with plenty of possible avenues for this sort of cross-pollination. [Tina Brown Live Media's Women in the World](#) series provides a promising example for how such a sustainability strategy might be approached. In what ways is mass incarceration a social problem with particular impacts on women? How does criminal justice reform intersect with feminist social priorities and policy goals? How could a future iteration of the American Justice Summit incorporate discussion both on women prisoners, and on daughters, partners, mothers, sisters left behind by the men who make up the majority of this population? Other sponsors could no doubt pursue similarly rich avenues for illustrating the deep reach of dysfunctional criminal justice policy into the lives of Americans, and unearthing areas of resultant social harm that have hitherto remained largely hidden.

Criminal justice reform advocates struggle with the reality that media and political discourse have long portrayed the human subjects of their efforts – individuals involved with the criminal justice system – as profoundly unsympathetic. The inaugural American Justice Summit pushed back against this portrayal with tremendous success, in large part simply by presenting justice-involved individuals as whole human beings. Future conferences in a similar mold might expand upon this success by expanding the population of individuals affected – and the potential for reform to spread benefits far beyond them.

Challenge Conventional Wisdom

The American Justice Summit presented with an admirable directness the cultural divide that complicates criminal justice reform efforts: the system visits its most intense harms on communities that are overwhelmingly black, Latino, and poor, while the political establishment with the power to mitigate these harms through policymaking is largely white and middle class or wealthy. Both groups – as well as some of the real-world ways in which they interact, and even occasionally overlap – were well-represented on the AJS stage, often in the same panels. With their voices placed in conversation – and not infrequently vociferous debate – abstract decisions and ideological justifications rarely went unanswered or unchallenged.

This approach not only benefits the audience, who hear a multitude of diverse perspectives on the issues of the day – particularly from voices that are often marginalized or silenced in the larger debate – but it also serves to confront the participants with challenging perspectives on the issues that may be the intense focus of their everyday professional lives. Day-to-day work in rigid fields of practice and the specifics of advocacy can lead to the bureaucratic shorthand of narrow definitions and ideological assumptions. When participants are given space to question each other's assumptions and definitions repeatedly and from multiple directions, unique opportunities are created for participants and audience members alike to reflect on and revise long- and strongly-held beliefs. This essential feature of the American Justice Summit should be adopted by any event organizers hoping to achieve similar successes.

Create Space for Viable Bipartisan Solutions without Downplaying the Problem

Tina Brown began the American Justice Summit with a plea to “send a message to our wretched, feuding congress... that the very character of our nation is at stake, and this must happen.” It is an apt and incisive framing of the problem, echoing as it does the truism that “the way to know the conscience of a nation is to visit its prisons.” It is no overstatement to present the problem of mass incarceration as a struggle for the soul of the country; to do so sets the terms of the discussion with a degree of urgency that is appropriate to the level of human suffering involved.

When the discussion turns to solutions, however, it will inevitably become clear that stakeholders possess widely divergent notions of both the nation's soul, and the appropriate means to heal it. To allow the conversation to end at this impasse is to follow the example of that same “wretched, feuding congress” and fail to take meaningful action. Panels and presentations in the mold of the inaugural Summit's “Breaking the Cycle,” which explored a solution focused on neighborhoods as opposed to nations, have the greatest potential to break this impasse. Mass incarceration is a social problem caused by the complex interaction of decisions made at every level of government, over an extended period of time. This may be seen as an impediment to reform, in the sense that no sweeping action at

We are committed to freeing whoever we can now and we will continue to fight to free more whenever we can.

[Dorsey Nunn, open letter](#)

[The event] really [drove] home... that it's not necessarily a left or right issue, but it's an issue of helping people and really trying to get the best outcomes on not just the governmental level, but a very human level as well.

[Audience member and reentry policy professional, email interview](#)

the federal level will alone be sufficient to reverse the trend, and reduce the country's incarcerated population to a more acceptable level. It is in fact an opportunity, however, because well-considered, often low-impact solutions at functional levels of government can make a significant dent in the problem. The repeal of the Rockefeller Drug Laws in New York State is one such example, and the passage of Proposition 47 in California will almost certainly be another.

Policy advocacy builds on practical reform, and takes its momentum from serial successes, regardless of their size or scope. They are tangible, personal, non-partisan, inspiring, and sustaining. In the face of so overwhelming a problem, these solutions and their successes fuel the hope and faith that Ms. Brown cites as so vital for those involved in the fight for criminal justice reform. Whatever the discomfort or distaste organizers might feel in opening their stage to individuals and organizations professing political beliefs distant from their own, the American Justice Summit provides a timely example of what can be accomplished with an ideologically inclusive approach.

Seek Partnerships and Long-Term Engagement

The American Justice Summit organizers provided a comprehensive selection of resources to audience members in the form of information and links to the organizations represented by onstage participants, along with related research and advocacy efforts. This information provides the audience with the means to extend their connection with the presenters and their work, and the tools to convert the interest, outrage, and passion generated by the event into democratic action – whether by voting, donating money or labor, other forms of involvement, or simply keeping better informed on the social problems and reform efforts discussed on the Summit stage.

For the evaluators, however, recognizing the distribution of these tools and resources is simply the first, preliminary step toward measuring their effectiveness. Does providing the resources, and trusting the audience to make informed decisions about how they wish to contribute, lead to a diffusion or dissipation of the Summit's intended effects? Does it lead to measurable evidence of the event's tangible impact on reform efforts? The current approach leaves these questions difficult to answer. Viable alternatives should not only allow for clear measurement of the evidence, but also allow organizers to act and make decisions based upon the information in real time.

In the case of the American Justice Summit, Tina Brown Live Media's relationships with Vice and The New York Times provide excellent examples of how this process could work – and while an organizer with less-established media networks might need to invest significantly in developing them, or simply take a more modest approach, the current level of media interest in criminal justice reform and related issues opens unparalleled possibilities. Media partners could not only provide opportunities for the presentation of event-related content, but also interim “touchpoints” for audience members, recruitment portals for future audience lists and promotional communications, and distribution points for relevant resources and connections to related advocacy efforts. Events can live on between iterations in participant networks and in the audience actions they inspire, but their impact can best be measured – and amplified – by the manner in which related content is presented, distributed, utilized, and consumed.

Ground the Narrative

As the first attempt at an event on such an ambitious scale, the American Justice Summit demanded an expansive take on the problem of mass incarceration and the contemporary currents of criminal justice reform. In practice, this meant encompassing issues as wide and varied as “broken windows”-style policing, “stop and frisk” practices, juvenile detention, criminal justice involvement of the mentally ill and substance-addicted, sentencing reform, in-prison services, prisoner reentry, victims' rights, and alternatives to incarceration, among others. All are essential factors in the creation of the current problem, and each is a necessary stop on the road to reform. Even with a full five hours of discussion, however, only the barest exploration of their mutual resonance, relevance, and impact was possible. Compounded with the imperative to present unique and challenging perspectives on each of these issues, some discussions appeared necessarily incomplete, some investigations reached only the surface level, some connections merely suggested rather than fully explored.

I thought they could have focused a little bit more though on real concrete, actionable solutions, programs that are out there, more initiatives.

[Audience member and reentry practitioner, interview](#)

There are previously incarcerated people who have organizations that are helping the youth, helping the community, but they're not highlighted. And because they don't get highlighted in movements like this, they're not seen as viable solutions.

[Audience member, exonerated person, and advocate, interview](#)

In light of this pioneering approach, future events in a similar mold may be better positioned to explore fully not only the breadth of social problems connected with criminal justice system overreach, but also the depth of causes, consequences, and reform efforts. Presenting each individual panel or presentation in the context of its resonances and connections with every other; considering themes, threads, through-lines and the constellation of related issues that surround them; placing each speaker, presenter, and participant within the broader network of reform efforts, policymaking, and practice set up to respond to the issue; and connecting their work and words throughout the day – all are possible and more easily accomplished, now that the American Justice Summit has introduced the concept. Accomplishing them does not necessarily require the narrow adherence to a specific, problem- or policy-defined theme – it simply requires that parallels and connections be more explicitly drawn, and more deeply grounded in the narrative of the event’s mission.

Bring the Debate to Decisions-Makers and Decisions-Makers to the Debate

“Breaking the Cycle” panelist David Kennedy has long used a technique, as part of the National Network for Safe Communities’ Ceasefire Initiative, called “pulling levers.” This technique involves focusing enforcement and intervention efforts on the individuals whom social network analysis and in-depth investigation have revealed as the influencers and decision-makers in the street organizations on which [the initiative](#) is focused – the individuals who in a prison environment would be referred to as the “shot-callers.”¹²

Future events in the mold of the American Justice Summit could potentially exercise a similar technique, in keeping with the idea of viable “small-frame” solutions discussed above, by engaging with the key policymakers, practitioners, and thought leaders within a specific criminal justice domain. For example, consider Fordham Law Professor [John Pfaff’s theory](#) that mass incarceration is primarily the result of prosecutorial charging decisions.¹³ This work has received considerable recent attention as a result of [Leon Neyfakh’s Slate article](#) on the subject.¹⁴ A future event taking this idea as a “small-frame” focus could emphasize the recruitment of influential prosecutors, state-level attorneys general, and the leadership of the US Justice Department as panelists and audience members alike – and in turn, situate the idea within the larger framework of mass incarceration’s destructive effects on American democracy and communities of color.

A direct interrogation asking why this phenomenon developed and why it persists, what the political incentive structures are that drive it, and what cultural, political, or legal shifts would be necessary to change it, would serve as an opportunity for reflection by these potentially responsible individuals. Nor would such an approach preclude the kind of synergies and emotional appeals that made the American Justice Summit such a success – a future event could take this issue as a starting point, and situate other, related issues in constellation around it. It would provide an occasion for journalists to explore this issue more deeply; it could also encourage advocates and analysts to draw more attention to this issue in their discussions of criminal justice and mass incarceration on federal, state, and local levels, and to organize advocacy campaigns around changing prosecutor-charging patterns and the public opinions or political calculus that underpin them. Personal narratives of those affected by overcharging could drive home the negative individual and community-level effects of these policies. Most important, all of this could proceed without detracting from the kind of breadth, balance, and universality that were the American Justice Summit’s signature accomplishments.

Section 5 | Conclusion: Policy and Reform Implications

The American Justice Summit created space for discussing mass incarceration and envisioning ways to reduce the prison population in the United States. During panels and interviews, participants and audience members proposed policy interventions and prioritized reforms across five broad categories: sentencing, alternative interventions, prison practices, collateral consequences, and policing. This report concludes by summarizing the policy and reform implications that emerged from the American Justice Summit 2014.

12. Kennedy 2011
13. Pfaff 2014
14. Neyfakh 2015

If we want to be an inclusive society, and a society that believes that once you’ve made an error you can pay your price and then get back on track – one that is more welcoming of individuals who have been to prison, and one that pays more respect to the needs of crime victims rather than sending someone to prison instead of dealing with the crime victim’s needs – we have a lot of rethinking to do about how we respond to crime.

[Jeremy Travis, interview](#)

Here we are, 40 years later, with no one getting served well by the criminal justice system, whether it’s the offender or the victim. And so the first thing I would do is to get rid of all of our mandatory minimums.

[Glenn Martin, Interview](#)

Sentencing Reform

Summit participants consistently mentioned how multitudes of incarcerated men and women do not belong in prison and proposed sentencing reform as a way to reduce prison populations. In particular, participants cited sentencing reforms surrounding life sentences without the possibility for parole, felony sentencing for non-violent drug users, and mandatory-minimum sentencing as appropriate targets for reform.

Whereas many panelists called for shorter sentencing, some specifically emphasized the injustices of life sentences without the possibility for parole. In addition to questionable ethics surrounding such sentences, this practice unnecessarily bloats the overall prison population. Keeping the elderly in prison exacerbates conditions in already overcrowded correctional facilities and misses opportunities to facilitate the social reintegration of older, formerly incarcerated people who are among the most unlikely to recidivate. Moreover, allowing parole eligibility for all incarcerated individuals would reduce the financial costs of continuing to imprison older people who have served significant time on the inside.

Panelists who connected overcrowded prisons to sentencing practices also identified non-violent drug users as inflating the costs of mass incarceration. Most agreed that the problems these offenders faced were only exacerbated by imprisonment. Banning felony sentences for non-violent drug users would yield immediate reductions in the prison population and reduce financial costs associated with what is seen as an ineffective, overly punitive approach. Further, eliminating felony sentences for non-violent drug users would spare this large subgroup of the incarcerated population the complications of reintegration and could instead free up resources for drug users to receive adequate treatment.

Participants cited mandatory minimums as obstacles to sentencing reforms for non-violent offenses, and viewed them as irrational, punitive, and rigid, ignoring the particularities of individual cases. Panelists suggested that tailoring the punishment to fit the crime and the responsible individual would allow the criminal justice system to more efficiently serve society. A rational efficiency associated with eliminating mandatory minimum sentencing would reduce the costs of mass incarceration and imbue the system with an underlying mission of rehabilitation rather than a spirit of arbitrary punishment.

Alternative Interventions

Summit participants called for reforming policies that mistakenly place mentally ill people, youth, and non-violent offenders in the criminal justice system and articulated sharp demands for instituting alternative interventions. Many mentally ill people end up entrenched in the criminal justice system, inflating prison populations, due to the lack of appropriate state-sponsored mental-health facilities, which were mostly closed or privatized throughout the 1970s and '80s. Participants highlighted the distinct needs of the mentally ill as well as ethical issues and the social and economic costs of failing to meet those needs. Some panelists suggested reallocating funds spent on incarcerating the mentally ill to a revitalized system of inpatient and outpatient mental-health treatment centers. Such shifts in current policy would significantly reduce the prison population and provide some of society's most vulnerable members with appropriate treatment.

Other panelists spotlighted missed opportunities for alternative interventions with adolescents who get into trouble and become entrenched in the criminal justice system. For a fraction of the cost of running youth detention facilities or incarcerating adolescents in adult prisons, youth programs that keep kids out of trouble could be implemented in the disadvantaged communities from which most incarcerated youth often come. Additional afterschool and evening programs that address the vulnerabilities of adolescents would institutionalize community-level safety nets and create positive alternatives for socialization. Long-term effects of such programs would include significant reductions in the costs of mass incarceration and prevent another "lost generation."

To embed alternative interventions within current practices, a handful of panelists recommended risk assessments to filter non-violent offenders out of trajectories leading to unnecessary prolonged incarceration. Along with significantly reducing the prison population and recidivism rates, risk assessments could curb circumstances in which a non-violent offender exits prison in a worse psychological state and with a higher propensity for violence than he or she had before entering.

I don't see any greater tragedy in this country than life without parole – the most barbaric sentence that we can have, and not even talking about the costs. It's just mind-boggling that we continue on a policy that we keep old people in prison when they can be easily integrated back into the community.

[Tyrone Werts, Interview](#)

Mandatory sentencing is a recipe for over-incarceration and excessive punishment. Sentencers who can't consider mental disability or abuse and neglect are going to impose sentences that are unfair and unjust, and that's the other part of what has created so much over-incarceration.

[Bryan Stevenson, Interview](#)

Our prisons are full of non-violent drug offenders. If we can deal with that, it would be an immediate bite out of our prison population. We're talking about individuals who in another time or smarter policy would actually get help with the problem, rather than have a felony conviction.

[Hill Harper, Interview](#)

I think the first priority that we should take as a nation is to get low-level, non-violent offenders, mentally ill people and people who are suffering from substance abuse as their primary issue out of the criminal justice system. They don't belong there.

[Piper Kerman, Interview](#)

More community programming; invest in community programs for youth, art programs, music programs, basketball programs, whatever it may be.

[Carmen Perez, Interview](#)

The legislature needs to spend money and open the mental health facilities they closed a while back. Difficult-to-manage patients, instead of being sent to a better facility to treat them, are criminalized and warehoused, and that's not right.

[Joanne Minich, Interview](#)

Unless somebody dies in prison, everybody comes back home. So reentry starts on day one. What that means is starting to plan for the eventual release – thinking about programs, engagement with family, ways to support that individual's successful reentry in terms of job skills and educational attainment. And just remembering that it's not long before that person's going back home.

[Jeremy Travis, Interview](#)

Some of the ways to change public opinion is through policy change, like some of the things we did with "Ban the Box" – work with companies and organizations to set a new policy that gives ex-offenders an opportunity to change. Provide them with the necessary services they need to reintegrate themselves back in the community, and change the whole dynamic of who an ex-offender is and what that means for our society.

[Tyrone Werts, Interview](#)

I think we have to approach law enforcement from the perspective of community building – a philosophy of engagement with the community, not punishing the community.

[Darren Walker, Interview](#)

Prison Practices

Though many panelists focused on reforms that would keep people from entering prisons at all, an equal share suggested reducing recidivism rates by reforming prison practices. Individuals of varied backgrounds and experiences condemned excessively punitive practices behind prison walls and emphasized a need to develop programs that prepare individuals for release at the beginning of their sentences. Providing prisoners with additional educational opportunities, job training, and frequent visitations with loved ones would foster positive socialization and scaffold efforts to rebuild families and communities before difficult processes of reentry. Effectively preparing individuals to return to life on the outside by developing their human and social capital would mitigate the likelihood that formerly incarcerated individuals would re-engage in the behaviors that landed them in prison. Accordingly, policies that increase spending on inside programs would have long-term, cost-saving consequences that would reduce recidivism rates and the overall prison population.

Full-Citizen-Status Restoration

Many panelists recognized, however, that reducing recidivism rates, which in turn would reduce the entire prison population, required policy reforms addressing the collateral consequences of incarceration and the stigmas associated with criminal records. Many jurisdictions implement policies that exacerbate difficult reentry processes for formerly incarcerated individuals. In addition to remaining less marketable for employment, individuals with criminal records are often ineligible for public housing, food stamps, and government-sponsored education grants, and are unable to vote. Accordingly, in many states formerly incarcerated individuals reenter society as second-class citizens, which complicates their ability to meet the requirements of parole and stay out of the criminal justice system permanently.

Panelists who work as prisoner advocates or inside the criminal justice system recognized the need for policies that abolish collateral consequences and make reentry more feasible. Participants specifically called for facilitating social reintegration and reducing recidivism by allowing formerly incarcerated individuals to be eligible for state-sponsored social safety nets and make them more likely to gain employment. These initiatives include "Ban the Box," which eliminates requirements to disclose criminal history on job applications. In addition, state and local governments could create incentives for employers to provide opportunities for formerly incarcerated individuals. Fostering legitimate employment opportunities for individuals with criminal records can reduce reliance on underground economies, and help individuals avoid the negative environments that contributed to their incarceration in the first place.

Policing

Summit participants also cited policing policies and practices as necessary targets of reform. Participants recognized the difficult task of law enforcement officers and called for better ways to help them thwart incarceration. Training law enforcement officials in community-building tactics could improve the circumstances surrounding many would-be offenders' first point of contact with the criminal justice system. Providing police forces with options other than putting offenders in handcuffs and arresting them would simultaneously improve police-community relations and reduce the number of individuals enmeshed in the criminal justice system with arrest records. Speakers advocated for policy reforms that would redefine the nature of police-community relations as community building rather than community punishment.

Concluding Remarks

The American Justice Summit 2014 was an important public discussion of a complex and urgent social problem. Mass incarceration was certainly created by a constellation of policies and practices; however, it is also an indication of strong and enduring cultural undercurrents. The scope and entrenched nature of the cultural forces at stake are suggested by considering not just rates of incarceration but also rates of [other forms of institutionalization across time](#).¹⁵ From this perspective, mass incarceration may simply be the latest form taken by a cultural syndrome with deep roots. Whether we lock our fellow citizens up in mental institutions, prisons, jails, immigrant detention centers, halfway houses, or poorhouses and workhouses as 19th-century America did, we are betraying through policy a seemingly irresistible cultural consensus that locking up the poor, the wretched, the different or difficult, removing their freedom, eroding their comfort, isolating them, and regulating their lives, is a better solution than learning how to live beside them and helping them live beside us, as neighbors, brothers, caretakers, or simply fellow human beings.

Acknowledging this backdrop is of particular importance for understanding the Summit's role in having served as a meeting place for reform ideas from across the spectrum of those who have a stake in publicizing, understanding, and changing mass incarceration. Even in a historical context marked by a cultural drive to classify, regulate, medicate, segregate, and punish, perhaps mass incarceration stands out. Perhaps it has concentrated these deep-seated issues to the point where citizens can no longer turn their faces away. It has certainly become so expensive that policymakers can no longer ignore it. Indeed, if there was one single thread that ran through the event it was that American society seems to be poised at the very brink of substantive justice reform. The American Justice Summit has done its part to help push the issue over the edge.

15. See Harcourt 2011, especially his now-famous graph showing rates of incarceration, mental hospital institutionalization, and aggregated institutionalization in the US between 1934 and 2001.

Participants quoted in this report

Neil Barsky, Chairman and Founder, The Marshall Project

Nell Bernstein, Author, *Burning Down the House: The End of Juvenile Prison*

Jennifer Bishop-Jenkins, Director, Marsy's Law for Illinois

Tina Brown, Founder and CEO, Tina Brown Live Media/Women in the World

The Honorable Eric Harmon, Judge of the Superior Court of Los Angeles, CA

Hill Harper, Actor; Author, *Letters to an Incarcerated Brother: Encouragement, Hope, and Healing for Inmates and Their Loved Ones*

Piper Kerman, Activist; Author, *Orange is the New Black: My Year in a Woman's Prison*

Glenn Martin, Founder and President, JustLeadershipUSA

Joanne Minich, Mental Health Advocate

Grover Norquist, President, Americans for Tax Reform

Dorsey Nunn, Executive Director, Legal Services for Prisoners with Children; Co-Founder, All of Us or None

Carmen Perez, Executive Director, The Gathering for Justice

Johnny Perez, Safe Reentry Mental Health Advocate, Urban Justice Center

Mitchell S. Rosenthal, M.D., Founder, Phoenix House

Bryan Stevenson, Executive Director, Equal Justice Initiative

Jeffrey Toobin, Staff Writer, *The New Yorker*; Senior Legal Analyst, CNN

Jeremy Travis, President, John Jay College of Criminal Justice

Darren Walker, President, Ford Foundation

Tyrone Werts, Co-Founder and Director, The End Crime Project

John Wetzel, Secretary, Pennsylvania Department of Corrections

The question is whether or not we only want to give our police officers one response to crime, which is handcuffs. Most of the time, when they put handcuffs on a person and take them to the police precinct, those are folks that could have easily been served in our public health system.

[Glenn Martin, Interview](#)

It's as if we have criminalized poverty, criminalized mental illness, criminalized being young, and criminalized being black. Mass incarceration is the ugliest face of America's social and economic divides.

[Tina Brown, onstage](#)

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City University of New York
524 West 59th Street
New York NY 10019
www.jjay.cuny.edu

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