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**REMARKS OF THE HONORABLE KAROL V. MASON
ASSISTANT ATTORNEY GENERAL, OFFICE OF JUSTICE PROGRAMS
AT THE JUSTICE REINVESTMENT SUMMIT, SAN DIEGO, CA**

Thank you, Denise [O'Donnell]. I'm delighted to join you here in San Diego and thrilled to address so many of our nation's leading criminal and juvenile justice policymakers, researchers, and practitioners. I come today bearing greetings from the Attorney General, who asked that I convey his deep appreciation for the groundbreaking work you are all doing – and in fact, leading – in your states and communities. As he has traveled the country promoting the Department's Smart on Crime Initiative, he has held up Justice Reinvestment as a model for how we think about crime and justice policy. He sees you as the vanguard of criminal justice reform in our country, and he commends you all.

I want to single out Adam [Gelb] and Mike [Thompson] and their staff and colleagues at the Pew Center on the States and the Council of State Governments Justice Center for their outstanding leadership and for their partnership with the Office of Justice Programs. They have brought such a high level of expertise and insight to the Justice Reinvestment Initiative. Our successes would not have been possible without their vital contributions. I want to praise, as well, the critical work being done by our other partners at the Vera Institute of Justice, the Urban Institute, the Center for Effective Public Policy, and the Crime and Justice Institute, all of whom have put the Justice Reinvestment Initiative on a steady forward course.

And of course, I want to thank my colleagues at OJP – particularly Denise O'Donnell and her very talented staff, especially Ruby Qazilbash and Julie James – who have led the charge in BJA. I'm appreciative, too, of my colleagues from our Office of Juvenile Justice and Delinquency Prevention, who have taken on juvenile justice reinvestment. I'm glad they are here with us, as well. And I want to single out my terrific senior advisor, Amy Solomon, who has championed all your efforts to the Attorney General.

I think it can legitimately be said that Justice Reinvestment has transformed the way we approach public safety in this country. It is no exaggeration to say that it has helped to redefine the missions of our criminal and juvenile justice agencies. Thanks in great part to the focus that your work has given to justice policies, corrections leaders, law enforcement officials, and

prosecutors have begun to measure their performance, not just by the narrow metrics of arrests, convictions, and confinement, but by actual improvements to public safety.

And this shift in attitude and approach is paying off. Many states that have engaged in Justice Reinvestment have seen drops in crime rates and imprisonment – and substantial taxpayer savings.

Having just emerged from the recent mid-term elections, it's worth remarking on another important aspect of Justice Reinvestment: It's an approach to justice policy that resonates on both sides of the aisle. We've seen lawmakers who disagree on just about every other policy matter rally around data-driven analysis focused on investing increasingly scarce public resources in programs and policies that work.

State and local governments, representing all political persuasions, have taken on major reforms designed to reduce prison-building costs and redirect precious public funds to programs aimed at reducing crime. It can honestly be said that, in a climate of intense partisanship, we are witnessing the growth of a broad, bipartisan consensus in city halls, state capitals, and Congress around crime and justice policy, thanks in great measure to Justice Reinvestment.

I'm proud that so much of this work is being done with the support of our Bureau of Justice Assistance – and now with the help of our Office of Juvenile Justice and Delinquency Prevention – in partnership with our good friends at Pew, the Council of State Governments, and our other allies. Together, we've worked with 24 states, 17 of whom are still active partners, and 5 of those states have undergone or are undertaking reforms to their juvenile justice systems. We're also working with 17 local jurisdictions. These sites have undertaken a number of different approaches to addressing public safety. That's the beauty of Justice Reinvestment – it enables jurisdictions to develop their own strategies, tailored to their own needs, challenges, and opportunities.

Some states – like Delaware and Kentucky – are focusing their efforts on pre-trial reform at the front end of the system. Others – like Arkansas and West Virginia – are expanding or creating problem-solving courts to address treatment needs. Still others – Louisiana, Ohio, Oregon, and South Dakota, for instance – are taking steps to improve probation and parole supervision at the back end.

And many states have made or are considering statutory changes based on Justice Reinvestment analyses. Take North Carolina. By 2010, the number of people incarcerated in North Carolina's prisons had climbed to more than 40,000, which was a 27 percent increase from a decade earlier. Corrections spending had risen almost 50 percent during the same period, to more than \$1.3 billion. It was projected to increase another half-billion dollars over the next seven years. In 2011, the state enacted Justice Reinvestment legislation that has helped lower the prison population by almost 3,400 people. North Carolina has closed 10 prisons as a result, and it has used some of the savings to add 175 probation and parole officers and invest in intervention and treatment programs. Now, a substantially greater number of people with felony convictions are exiting prison to supervision – rather than straight to the street – and the number

of probationers revoked to prison has fallen by half since the law was passed. At the same time, North Carolina has experienced an 11% drop in the crime rate.

Then there's Pennsylvania. Pennsylvania's corrections budget went up 76 percent between 2000 and 2011, and its prison population increased 40 percent. A law enacted two years ago redesigned residential community corrections programs into parole transition and violation centers and capped terms for technical parole violators. Since then, the prison population has declined by more than 700 inmates, and the three-year return-to-prison rate has dropped 7 percent. And preliminary studies indicate that performance-based contracts for community centers may have reduced recidivism by 16 percent!

My home state of Georgia was struggling with similar growth in its prison population. It more than doubled between 2000 and 2011. Without reform, it would likely have grown 8 percent by 2018, at a cost of \$264 million. The state passed a law that focused prison beds on serious offenders, expanded alternative sentencing options, and strengthened probation. Instead of growing, Georgia's prison population is now down by 8 percent. The state has saved over \$20 million alone in direct payments to the counties for holding state prisoners in local jails. And, of particular interest to me and the Department, the impact these changes have on people of color cannot be overlooked. While prison commitments of white males dropped 1.5 percent, commitments of black males dropped a full 19 percent from 2009 to 2013.

These examples are just three of many Justice Reinvestment successes. We're seeing similar progress in states across the nation, from Hawaii to New Hampshire, in places as politically diverse as Kansas and Connecticut.

This progress is reflected in a general downward trend in both crime and incarceration rates throughout the country. Before the FBI released its most recent data last week, crime had declined nationally by more than 11 percent since President Obama took office. The new FBI data show additional drops in 2013. On top of that, the rate of incarceration has gone down by more than 8 percent since 2009. It's the first time these two measures have fallen together in more than 40 years. This is truly historic! We're experiencing a moment of public safety unprecedented in most of our lifetimes.

But this is no time to relax. Those of you who've been in this business for a while know that the winds of justice and sentencing policies have always blown hot and cold. If we don't take advantage of the momentum we've built through Justice Reinvestment and embed this data-driven mindset into mainstream practice, we risk a return to the counterproductive practices of the past.

In fact, truth be told, we are still two nations when it comes to prison trends. The extraordinary success in reducing incarceration that we've been able to realize in many states has been offset by continued increases in others. Now, to be sure, these figures don't reflect that some of the states with increases are now working through Justice Reinvestment to change course. And I'm confident that now we have the wind at our back. But we will have to remain vigilant.

Nor can we be content to address the challenges facing the adult system. Perhaps an even greater test of our creativity and resourcefulness will be addressing the juvenile population. In many cases, we lack basic data on youth recidivism, and this means we don't have a complete picture of the nature of juvenile reoffending in our country. What we do know is that residential placement for juveniles is not always an effective intervention, it's more costly than alternative sanctions, and it may actually increase the likelihood of reoffending for some youth.

Fortunately, some states are beginning to tackle this very complex and important issue. And I'm pleased that, here again, we're working with Pew to make inroads. The Attorney General recently announced awards to three states under the Smart on Juvenile Justice Initiative, which is administered by our Office of Juvenile Justice and Delinquency Prevention. Georgia, Hawaii, and Kentucky are working with Pew to make reforms aimed at reducing recidivism, decreasing correctional spending, and improving public safety – and ultimately to reduce the number of youth who come into contact with the criminal justice system. In fact, just yesterday, OJJDP and our technical assistance provider – the Crime and Justice Institute – held a kick-off meeting with representatives of those states. We're already moving ahead, and I applaud all involved for taking on this critical challenge.

As we look to the future, there's another justice-involved population that deserves our attention – young adults. Research in neuroscience informs us that brain development continues well into the 20s. So even young adults – those between ages 18 and 24 – are vulnerable to the same risk factors as kids, factors like poor impulse control and negative peer influences. And that should matter to every person in this room, because young adults are involved in a disproportionate number of violent acts and recidivate at a higher rate than older adults.

But along with these vulnerabilities comes a huge bright spot. Because they are psychosocially similar to kids, they are amenable to treatment and intervention. By using developmentally-appropriate responses to hold young adults accountable, and by reserving incarceration only for the most serious cases, we have an opportunity to reduce future criminal activity – and reduce the number of future victims – while simultaneously helping to rebuild young lives.

Meeting the needs of our youth is only one of our challenges. Another critical test – one that, I believe, will determine the viability and legitimacy of our criminal and juvenile justice systems – is rectifying the racial and ethnic disparities that cloud the public safety landscape. One of the many things that our Justice Reinvestment work has taught us is that certain communities shoulder an unusually heavy burden of incarceration. While so many other areas of the country are prospering, these neighborhoods are watching as their young men are being arrested and imprisoned – often for low-level crimes. I don't have to tell you that these communities are low income, low opportunity, and heavily minority in composition.

The damage being done goes even beyond the immediate consequences of arrest and incarceration. An even larger problem is the erosion of trust that results when citizens of these communities feel that they are being singled out for hostile treatment for no legitimate reason. Addressing these disparities has been a top priority of the Attorney General's. He launched his Smart on Crime Initiative to right the balance by ensuring fair and proportionate punishments

and by expanding investments in proven crime prevention and reduction strategies. And this means curbing our over-reliance on incarceration and looking to evidence-based approaches that can actually stem recidivism and enhance safety.

This philosophy also informs the President's *My Brother's Keeper* Initiative, which is designed to give every young person who is willing to work hard and play by the rules the chance to reach his or her full potential – and that means to stop making our justice system the default institution for at-risk youth. The Department of Justice is playing a central role in *My Brother's Keeper*. One of our biggest contributions is through the National Initiative on Building Community Trust and Justice. This is a major effort that's designed to expand the base of knowledge about what works to improve procedural justice, reduce bias, and promote racial reconciliation, and to help communities address the challenges arising from suspicion and distrust between community members and local justice system agencies. We're partnering with a renowned group of experts across the country who will test and refine strategies that we hope will help communities and justice system agencies restore faith in one another and, in turn, build a strong foundation of public safety.

The lessons being learned through Justice Reinvestment will be crucial as we move to meet the challenge of re-establishing justice system legitimacy in our communities. In many places, rebuilding trust will be a long, tough battle. But if we can show, as you have shown, that we are willing to re-think our policies and re-design our approaches to make our system fair and effective, I feel certain that we will be able to secure the public safety gains that we have made in recent years and that our justice system will be able to live up to its potential as a bona fide agent of positive social change.

You are carrying the banner. You are showing what's possible when we look beyond the limits of our own specific areas of responsibility and embrace a higher goal. When we all hold ourselves accountable for the safety of our citizens, when we see the health of our communities as our number one priority, and when we work together to design smart, equitable, and lasting solutions to our problems – as all of you are doing – then will we be able to say that we are making a difference.

I applaud each and every one of you for your commitment to this work. You have given us reason to be optimistic about the future of public safety in America. I look forward to shaping that future with you.

Thank you.

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