

REMARKS

OF

THE HONORABLE KAROL V. MASON
ASSISTANT ATTORNEY GENERAL
OFFICE OF JUSTICE PROGRAMS

AT THE

NATIONAL AFRICAN AMERICAN DRUG POLICY COALITION
10TH ANNIVERSARY SUMMIT CONFERENCE

ON

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WASHINGTON, DC

Thank you, Judge Burnett. I'm very pleased to be here, and I'm delighted to have this opportunity to address so many of our nation's leading advocates for more just and humane drug laws.

The National African American Drug Policy Coalition has been working for over a decade to bring science and common sense to our nation's substance abuse policies. You've been laboring to make sure we're holding drug- and justice-involved individuals accountable while giving those who need treatment the help they need. I'm pleased to say that this Department of Justice shares your commitment to these principles, and we are working hard to achieve a fair and evidence-based system of sanctions and treatment.

Our commitment begins at the top. Under his "Smart on Crime" initiative, the Attorney General is working to expand investments in proven crime prevention and reduction strategies. He has modified the Department's charging policies to ensure that people convicted of certain low-level, non-violent federal drug crimes will face appropriate sentences, and he has encouraged reform of sentencing practices at the federal level. These are modest but important changes aimed, in his words, at disrupting "the destructive cycle of poverty, incarceration, and crime that traps too many Americans and weakens entire communities." These measures will also curb the growth of the federal prison budget and free up resources to aid in local crime-fighting. In other words, by letting reason and fairness guide our decisions, we will improve public safety.

We now know that these principles – fairness and effectiveness – are not only compatible, they are inherently necessary to each other. A criminal justice system that is perceived as unfair and biased has little hope of fulfilling its mission of keeping the peace. We've seen it too many times: communities where citizens and law enforcement don't talk to each other and look at one another with suspicion and distrust – they are so often the very communities where crime and distress have taken root. That is no accident.

Sadly, a disproportionate number of these communities are communities of color. They are neighborhoods where law enforcement officers believe that residents tolerate disrespect for the law and residents feel they are targeted for mistreatment. These attitudes have become a self-fulfilling prophecy. We see it in the statistics:

- Nearly half of all young men of color have at least one arrest by the age of 23.
- Black youth account for just 17 percent of the youth population but 28 percent of juvenile arrests, 37 percent of the detained population, 38 percent of those in secure placement, and 58 percent of youth committed to adult prisons.
- Thirty-eight percent of prison and jail inmates are African American, though they represent only 13 percent of the overall population.
- And nearly one out of every three black men in their twenties is in jail or prison, on probation or parole, or otherwise under criminal justice control.

These numbers are shameful, and they're unacceptable, and there is no way they can be said to reflect the principles of fairness and equity upon which our system of

justice should be based. The President shares our outrage about these conditions, and about other problems that disproportionately affect young men of color – limited access to education, unattainable jobs, and a general poverty of opportunity.

So he's taken action.

On February 27, he announced his My Brother's Keeper Initiative. This is a major public-private effort designed to give every boy and young man of color who is willing to work hard and play by the rules the chance to reach his full potential. It's aimed at finding ways that community leaders, businesses, philanthropies, and – of course – government can work together to create opportunities for these young men and send the message that our country wants them to be a full part of this society.

There are two parts to this effort. There's a federal task force set up to evaluate the impact of existing federal programs and lift up what works. The Attorney General has appointed me to be the Department of Justice representative on this task force. The second component is a group of leading foundations that have come together to support the President's call to action. They're joining together to identify the most effective ways of expanding access to opportunity in partnership with non-profit and private sector organizations.

Right now, we're in a listening and planning mode. The President's announcement at the White House marked the launch of a 90-day process to examine existing federal policies and programs, evaluate the results, and identify what works and key opportunities for action.

The focus of My Brother's Keeper is on several important areas – youth violence, contact with the juvenile and criminal justice systems, education, and economic mobility. Our role at the Department of Justice is on preventing and reducing violence among young men of color, addressing their overrepresentation in the justice system, and ensuring that those who are victimized are treated with dignity and respect and have access to services. We're also working with the Department of Education to keep youth in school and out of the criminal and juvenile justice systems. And we want to ensure that when there is contact with the justice system, it actually improves outcomes by helping these young men get the education, treatment, and training they need.

The Department of Justice is in the process of identifying evidence-based programs and practices aimed at preventing and reducing crime and victimization and reducing system disparities. Through our CrimeSolutions.gov Website, we have a robust and growing database of programs and practices that have shown their effectiveness under conditions of rigorous testing and evaluation. Other federal agencies are identifying the most appropriate and effective programs and practices in areas such as education, health, and workforce development.

Meanwhile, because we know this is an urgent problem, we are taking action. Last week, the Associate Attorney General announced a major new Department effort

that will promote the goals and objectives of My Brother's Keeper. It's called the National Center for Building Community Trust and Justice, and it involves offices from across the Department – the Office of Justice Programs, the COPS Office, DOJ's Civil Rights Division and Community Relations Service, and the Office on Violence Against Women.

The goal of this effort is to build on and expand our knowledge about what works to improve procedural fairness, reduce bias, and promote racial reconciliation in distressed communities. We just released the solicitation on Friday. We're making up to \$4.75 million available for this effort – a substantial investment of our resources, because this is important.

The National Center will support a variety of activities. It will fund pilot sites to test these approaches. It will create an information clearinghouse. It will support research and efforts to carry that research into practice. And it will promote public discussion of issues around race and policing. This is envisioned as a multi-year effort to comprehensively address fairness and trust in the criminal justice context – and I strongly encourage you to visit our Website and consider the solicitation. Our hope, as the Associate Attorney General said, is “that it will open doors to cooperation and trust that will ultimately lead to safer and healthier communities.”

We are engaged in other efforts, as well, that will support My Brother's Keeper. Our Community-Based Violence Prevention Demonstration Program, which is administered by our Office of Juvenile Justice and Delinquency Prevention, is one example. This program takes community-based models like CureViolence in Chicago and the Group Violence Reduction Strategy pioneered in Boston, and it seeks to replicate aspects of these models in other communities.

These programs have been successful in reducing crime because they involve community stakeholders working in partnership with law enforcement. They rely, not on suppression and arrest, but on prevention and helping community residents take the lead in establishing clear norms of behavior – because we know that we can't simply arrest our way out of these problems.

And even outside the technical scope of My Brother's Keeper, we continue to work in OJP to promote effective diversion and treatment alternatives like drug and mental health courts. You will hear tomorrow from Denise O'Donnell, Director of our Bureau of Justice Assistance. Her office continues to lead our efforts in support of drug and problem-solving courts, and they are working closely with the National Association of Drug Court Professionals to develop standards addressing historically disadvantaged groups.

Drug and mental courts should be a key part of our nation's response to drug-involved individuals. This makes sense, both from the standpoint of effectiveness and from the perspective of cost. Drug courts have been shown through research to reduce recidivism, decrease future drug use, and save taxpayer dollars.

Focusing on treatment is effective, not only for substance abusers, but for those suffering from mental illness. A study last year from North Carolina State University, the Research Triangle Institute, and the University of South Florida found that outpatient treatment of mental illness significantly reduces arrest rates for people with mental health problems and saves money.

Our investments in diversion and treatment alternatives are even more important when you consider the public health consequences of releasing jail inmates and prisoners with substance abuse and mental health issues. Estimates are that anywhere from 15 to 31 percent of men and women in jail meet the criteria for a serious mental illness, and almost two-thirds of inmates are in need of treatment for a substance abuse disorder.

Too few of these inmates are getting help. But we have an opportunity here. With the Affordable Care Act, Medicaid enrollment is now open to some 15 million low-income adults, about a third of whom are estimated to be justice-involved. One of the provisions of the law is that Medicaid now must ensure that certain essential benefits are provided, perhaps most notably that services for mental health and substance abuse treatment be covered on a par with other medical treatment.

This is good news, and at the Office of Justice Programs, we are working to connect the justice population with healthcare and substance abuse and mental health treatment. Our Bureau of Justice Assistance is leading our efforts here.

And under the umbrella of the Federal Interagency Reentry Council, which is chaired by the Attorney General and which you'll hear more about later today from Amy Solomon of my staff, our partners at the Department of Health and Human Services are engaged in helping community-based substance abuse and mental health providers enroll returning inmates in Medicaid and private insurance.

This is an exciting development, and an outstanding opportunity to expand treatment options to a population in need of these services.

Across the Administration, we are expanding our network of support in an effort to enhance public safety, improve public health, and give a leg up to those who need it most. Our response to those who come into contact with the criminal and juvenile justice systems is a barometer of our nation's priorities. Do we want policies that continue a cycle of crime, illness, and despair, or do we want to hold these individuals accountable with fair and proportionate sanctions accompanied by treatment that has such tremendous potential to change behavior?

I believe that the only real, sustainable choice – the only safe and humane option – is the one that broadens opportunity and widens the path to success. Each of you is helping to lead us in that direction, and we are marching forward with you. And I am optimistic that we will continue to see an America that is safer, healthier, and more just.

Thank you.

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