**Sustainable Justice Principles in Practice Part 2: A Systems Approach**

**Julia:** Thank you for joining us today. This is part two of “Sustainable Justice Principles in Practice,” which is a discussion on systems approach. In part one, we had a really good presentation of five or six case studies that described how sustainable justice principles were executed in their project planning and design.

In this presentation, we want to talk a little bit about emerging trends at the local municipal level in San Francisco, at the state level in Massachusetts, and at the federal level.

I’m Julia Hughes. I have with me a couple of other key members of the Sustainable Justice Committee, who are liaison with our featured speakers today. I have Larry Hartman and Beverly Prior.

We have three key speakers. We’re going to start with Richard “Pete” Velde. He is with the Law Enforcement Assistance Administration. He has practiced law in Washington, D.C., over 25 years and has almost 25 years of government experience. His public service includes 14 years as counsel on the U.S. Senate Judiciary Committee and counsel to Senator Bob Dole.

In the Senate, his areas of expertise included crime, gun control, and criminal justice reform legislation. He was a draftsman for Civil RICO and wiretap bills and the Dole “instant check” proposal for buying guns. He was also involved in corrections improvement legislation and federal assistance to state and local governments via block grants.

At the Justice Department, Richard served as deputy and administrator of the Law Enforcement Assistance Administration for eight years. He placed special emphasis on corrections reform and standards and goals for criminal justice. He initiated and fostered a National Clearinghouse of Criminal Justice Planning and Architecture at the University of Illinois as well as a $2 billion Part E program for corrections and improvements.

We also have Jeanne Woodford as a featured speaker today.

**Beverly:** I can introduce her really briefly when I do my session.

**Julia:** Okay.With us we have Liz Minnis. You can introduce yourself a little bit.

We have a little bit of an unconventional presentation medium today. Pete Velde is joining us via an Internet connection. We see him in the top right-hand corner. He is going to be speaking to us. Larry is going to be facilitating slide advancement for the visual presentation.

Liz is here in person. She will do her own slides. Beverly did a presentation interview with her two speakers, and she’ll have an audio recording that she’ll have playing along with a slideshow. Thanks.

**Larry:** Thank you, Julia. Pete, this is Larry. Are you ready to go?

**Richard:** Yes, sir.

**Larry:**  As we mentioned earlier, we had part one, the session prior to this. We’re at part two, the perspective for federal, state, and municipal levels. Here are the participants that Julia went over. Let’s start with Pete’s introduction on the federal system.

**Richard:** Thanks very much, Larry. I’m very pleased to be able to share some thoughts with you folks. Last time I was in Portland, we had been given a grant in the Portland Police Department for a new communications system. It happened to be cellular network number one – a few years ago, but it seems to have worked out pretty well.

I have had to alter my remarks today rather significantly after reading this morning’s newspapers here in Washington, because the attorney general announced yesterday implementation of new legislation – the Fair Sentencing Act – which will dramatically affect the federal inmate population.

It could affect as many as half of the incarcerated inmates now, and probably close to 7000 defendants who are in the federal criminal justice system who have not yet been incarcerated, and particularly, half of the inmates in the federal system who are in for various kinds of drug-related crime.

I will comment on that in specific terms a little later on. This is a really big deal, on one hand. And on the second hand, in this morning’s papers, is this round of the cosmic battle of the federal budget – whether or not the government is going to be sequestered, shut down, or whatever. That battle will be in the headlines for the next week and a half or two, or whatever. That’s a big deal here, and will affect the federal correctional system as well as the rest of government.

Now, I have slides on the history of corrections in the United States, starting out with the Philadelphia Quakers’ white paper in 1776, which was a forerunner of our current concept of incarceration and penitentiary, and then going on through to current time.

I’m going to skip over that and indicate on slide three that the federal prisons system was created in 1930. In 1940, there were 24,000 inmates. In 1980, there were 24,000 inmates. In 1990, that number had doubled. By 2000, it had doubled again to the current headcount, which is over 219,000. The projections are that the population by the end of fiscal 2014 will increase another at least 6000.

Generally speaking, that means the current federal system is 140% over designed capacity, yet there are five new prisons waiting to be opened. But because of the current budget crunch, they are not able to be occupied. If you look at the inmate count of maximum-security inmates, they are over 150% overcrowded.

When the Bureau of Prisons was set up in 1930, it acquired 11 prisons. Today, there are about 110. The inmate population is summarized. Particularly note about half of the inmates are incarcerated for various drugoffenses. The new policy enacted yesterday will dramatically affect the sentences of those inmates.

Again, I go back to some of the history, but the milestones: the original first penitentiary – Eastern State Penitentiary, Philadelphia – over 300 clones worldwide. It had a major impact, not just in the United States – that wagon wheel hub design – there were many other prisons built worldwide.

In 1946, the Bureau of Prisons issued a publication called “Handbook of Correctional Institution Design and Construction.” I have one here. I used to get it through the National Criminal Justice Reference Service. That had a major design impact on over 400 institutions, mostly in the United States, but worldwide.

The ALA-sponsored National Clearinghouse for Criminal Justice Planning and Architecture at University of Illinois School of Architecture had an impact on design of more than 2500 institutions. That was a very big deal.

In 1966, I had the privilege of doing staff work on a Congress-created national commission on reform of the federal criminal code. It hadn’t been revised or reformed since the late ’40s, and at the time, there were 400 laws and hundreds of federal regulations having sentencing provisions and sentencing alternatives.

One of the major rationales for the creation of that commission was major sentence disparity. Offenders confined for similar offenses were sent under dramatically disparate sentences. Of course, that had a major impact on what happened to the inmates, their morale, and how long they were confined to the federal system.

That commission issued its report in 1970. It took Congress until 1984 to, in effect, establish or enact one-third of the recommended changes. That was a biggie, because it meant that in the federal system, at least, parole is a violation, flat-time sentences were institute, along with a complete range of minimum mandatories.

That has been what the federal courts have followed until about a year and a half ago, when the Supreme Court held that the sentencing guidelines, the work of the Sentencing Commission, is now voluntary, not mandatory. Most of the federal courts have acted as if they’re still mandatory.

With the current changes announced yesterday, we’re now almost at full cycle with prison overcrowding, runaway cost, and yet moving back towards new sentencing alternatives that will dramatically affect the inmate population – federal, state, and local.

I’d like to talk just very briefly about the future of the federal prison system, particularly over the next 20 or 30 years. In the House version of the Department of Justice’s appropriations bill, there is authorization and funding to create a task force on the future of the federal system. The Senate version does a similar thing, but they direct the General Accountability Office to do that study, rather than a new taskforce.

In 1970, there were about 400 laws. Now, there are 4500 federal laws with criminal sanctions and over 300,000 federal regulations. Sentencing alternative and reform in a time of tight budget and sequestration, schools versus prisons, retrofitting, re-educating, shrinking inmate population –a really big deal.

At the state and local level, many of them are quite far ahead of the federal system in realizing that the sentencing practices, and the hard time, flat-time sentencing provisions of the last 20 or 30 years are now being revisited or modified, perhaps dramatically.

There’s the onrush of technology, also, that’s going to dramatically affect the way the federal prison system looks in design, energy, LED, drones, sensors, precise GPS, the onrush of cloud computing and new software, and relevant records – all of those are going to have major impacts.

**Larry:** You have your shameless plug here, and then we’ll be moving on.

**Richard:** The federal prison industries at many state and local prison industry programs are really hurting for new business. I think the architects – particularly those in the corrections and criminal justice business – have a unique opportunity to work with the industries.

At the federal level, only about 10% of the inmates actually have real jobs. At the state and local levels, only 2% have jobs with real experience that can substitute for idleness and give them at least a fighting chance for successful reintegration into society.

Talk about unemployment: released offenders – federal, state, and local – their unemployment rate is 50%, or 60%, or 70%, or more. It’s not just the institutions they’re in – it’s what happens to them in the future that we should all take a hard look at. Thanks very much.

**Larry:** Thanks for your perspective. Please hang on. Hopefully, we’ll have time at the end for some Q&As and additional points. Thank you.

**Elizabeth:** I’m Liz Minnis. I’m the Deputy Commissioner for the Division of Capital Asset Management and Maintenance in Massachusetts, which is the state agency that does vertical construction and now, actually, facilities maintenance. We’re basically doing the Design-Build-Finance-Maintain operation – kind of – ourselves.

I want to talk about three key things happening in our justice sector that relate to the operations and how I think we’re going towards more sustainable approach to how we do our work. It’s founded on data – a key, underlying piece to this.

In Massachusetts, as I mentioned in yesterday’s presentation, they have done their own strategic plan. This wasn’t something where my agency – the planning agency – came in and did a strategic plan for them. It really came from the courts. I think that’s key.

It’s a statewide system, five trial court departments, five chief justices, two appellate courts, the Supreme Court chief justice was over everybody, and they had an administrative chief justice running the business of the courts. He’s a judge. He’s not really a businessperson.

The legislature changed the law and said it should be a court administrator. They brought in a court administrator and hired Harry Spence, a change agent sort of guy who has done some work in New York and Boston, turning state agencies around. He brought in a strategic business management consultant who worked with the courts and put a lot of compelling data in front of them.

What you see here is the impact on the courts, too, that I think has made them ready to look at major changes to how they do their operations. It’s the reduction of staff that you see on the top, but also the caseload is reducing, too. There has got to be a way to do more with less. They shouldn’t really need more staff, and actually, they realized that they’re not going to get them anyway, so they have to change. They’re really ripe and ready for it.

They have come up with this overarching guide to where they’re going, which is called, “One Mission with Dignity and Speed.” That’s impacting a three-year tactical plan that they’re implementing with great involvement of all the trial court personnel. I encourage you to go to Mass.gov’s Massachusetts’s trial court website. You can see their entire strategic plan and read it.

One of the most compelling aspects of that strategic plan was they looked at the cost per case, because doesn’t it really come down to money and cost in the end? They looked at the caseload processing of each courthouse. That’s the chart on the right.

You can see some of the courts are much less efficient – typically, the smaller ones – and then when you get to larger case processing, 10,000 seems to be the magic number. Any courthouse processing less than 10,000 cases just really isn’t very efficient.

That really identifies some key courts for closure, outdated buildings that we should be able to consolidate into comprehensive justice centers. We never really had that data. We always knew we needed to close courts. I think it’s going to make a big difference.

The other underlying piece is that they looked at the cost per filing per courthouse, and across all of the five divisions of the trial court department, it ranges from $140 a case to $720 a case. That tells you something. You know they have no standard practices and procedures throughout the system, and that’s a thing they uncovered and realized they could do that. There are a lot of best practices they need to spread across their system.

Even within one same division, which happens to be the Boston Municipal Court, which is within the District Court Department – I’m not sure why they need a special court in Boston, because it’s really a statewide system; it’s just political – $235 to $660 per case. It is very compelling data. I think without that, people just weren’t listening. But they’re listening now, and they’re very mobilized. That’s really exciting.

As I said, they have a three-year tactical plan, and they’re really getting into the trenches and working on that.

Another thing that’s going on in the public safety sector is founded on some legislation that put a team together with legislators and all – called a Special Commission on Criminal Justice – to look at all of the issues we’ve been raising through all our various discussions about the justice system and its unsustainability, actually.

It has some key members on it. The public safety secretary is the chair, and the courts are represented, and the sheriffs, the DAs, the public defenders, the bar, and legislators but also mental health and substance abuse service providers, which is key, and probation, juvenile justice, and all of that. I think it has the components that are needed to bring everybody together.

It’s not like people didn’t want to collaborate or anything, but their systems were set up to prevent them from doing that. This group can figure out what those barriers are and try to make changes through legislation.

The other really cool thing they’re doing is working with the Pew Center on The States. I don’t know if you guys know them, but they are so cool. I love them. They are providing free services to the state of Massachusetts and the 12 or 13 other states they work with to get cost-benefit analysis for all kinds of government services but particularly in justice, and help them figure out where the investments are making the most sense so they can redirect those. Massachusetts is loving what’s being provided to them on this.

Their cost-benefit analysis is based on something that was developed in Washington State – right around here, so there may be some folks in here who are familiar with it. It’s a great service. That’s going to provide data to that commission to then be able to make a lot of changes.

The last thing that is so intriguing and compelling to me is termed social impact bonds or pay-for-success contracts.” I know Steve wrote an article in Correctional News about a year or so ago, and it’s really in its infancy. I don’t think it’s proven out or anything, but it’s so cool, and it’s turning on our head how we procure services for government for justice.

Basically, the government doesn’t pay for the services until the outcomes are proven. They get social investors to come in and pay for the services. In the case in Massachusetts, it’s going to be for juvenile justice work. It’s kids aging out of the system, and the recidivism rate is so high.

It’s a long-term contract, too. Usually, it’s yearly contracts that states enter into. Once you get something going, a new administration comes in, and they close the program. This is an eight-year commitment.

It’s founded on results. It brings into the actual procurement a reporting on your outcomes and how you’re doing, and the money is tied to that. It has all of the components of seeming success.

It started, interestingly, as a lot of the P3 stuff did, in the U.K. Around 2010, the first project was in Peterborough, England – the Peterborough prison project. They had a short-term prison with a 60% recidivism rate, and they thought, “You ought to be able to improve that.” They set a goal of reducing recidivism by at least 7.5% per year – very trackable, measurable, and it seems fairly achievable.

It’s a long-term commitment, and payments are going to be made in the fourth, sixth, and eighth year. We’re not there yet, but everybody is tracking it and watching how it’s performing. They use a non-profit intermediary who is this social finance group, who is actually doing it.

There is some kind of model there that tells you something, but I don’t know what it is. I can’t read it from here – take a look at it.

The fun thing – and I encourage you to go look at the video on the web – is a promo they did for the social impact bond program. They used James Bond theme for it, and they have all of these people talking about social impact *bonds*. It’s great. Check it out.

They think they’re going to get a 13% return on this. That’s what they have set out for their investors, but nobody knows what it’s going to be, I think.

In Massachusetts, we’ve committed $50 million to two different efforts. One is for juvenile justice, and the other is for homelessness – a great thing to tackle, too. The system and shelters just keeps them homeless. It’s got a long planning period, as typical alternative procurements, and so in 2011, they just started to develop it. An RFR **[? 27:30]** was issued in January of 2012, and right now, they’re in the negotiations with an intermediary and then a service provider.

There is a local service provider in Springfield, Massachusetts – who has been really engaged in a very well-respected community program that works with juveniles – who is going to be the provider for this, and a finance group whose name I can’t remember. It has some folks who used to work in public safety and the state – folks who really know what they’re doing.

They don’t know what the return is going to be yet. Frankly, to me, if the return was 1%, it would be worth it, because the outcomes are better. Social investors – I guess in New York, Goldman Sachs or something – I don’t know if I really want them investing in it. I worry about what that would do to it.

Given all of that, to me, it says analysis of data is really key. It’s all about change management, because we have to do things differently. You have to mobilize all of the stakeholders, have governance underneath it all or none of this will ever happen, and think about doing procurement of services differently– and we have to take a ton of risk.

There is a lot of talk about risks with the 3P, but I think the government has to take the risk of doing things really differently to change this stuff.

**Beverly:** I have two speakers. Jeanne Woodford is the former undersecretary of the California Department of Corrections and Rehabilitation. Some of you may know her, because she has spoken at our conferences in the past. She has also been a chief probation officer. She’s had various roles, and she is now a consultant in the industry. Wendy Still is the chief of probation for the city and county of San Francisco.

I have recorded interviews with them – individually, one at a time. We’re going to start with Jeanne. I think it’s an interesting link between the conversation with Pete and what Liz just shared, in terms of what the state of California and the locality…

Jeanne, I know that you’ve been very engaged at the state – and probably also thinking much bigger than that – and also at the local level in looking at the justice system, working within it.

I’m curious how you are experiencing our current economic crisis, and whether that has spurred new thinking, new policies in the justice system.

**Jeanne:**  I think it absolutely has, and for a very good reason: the state realized that they no longer could afford the system that we have. That combined with the federal court becoming involved in the prison system here and recognizing that inmates weren’t receiving constitutionally adequate medical or mental health treatment really challenged our leadership to rethink our policy.

That’s really been an amazing opportunity, because what our leaders – meaning those in the legislature and in the administration – have come to realize is that there are different approaches around the country and that locking people up is not always the answer. In fact, it can become the problem. I think our economic crisis has really helped us redefine public safety, and California’s Realignment Plan is one step in that direction.

**Beverly:**  Let’s talk a little bit about the Realignment Plan. What are you seeing in realignment, what is that process, and how is that being implemented? What do you have hope for about that?

**Jeanne:** I think realignment, in theory, is really the right step. It recognized that we were sending many thousands of inmates to the state prison system each year. As an example, in 2010, 47,000 inmates went to state prison for 90 days or less. People call that the “catch and release program.” It was expensive, and it did nothing to improve public safety.

When the state, with the help of researchers, looked at who those 47,000 people were, they recognized that those were parole violators often being sent back to state prison for a minor violation of parole, and they were individuals who had committed a non-serious, non-violent crime whose sentences were so short that by the time they went through their trials and left the county jail, they had a few days or a few weeks left on their sentence.

That system cost the state of California millions and millions of dollars, and it also allowed us to release people from state prison in no better shape than when they went in.

Realignment seeks to repair that policy. Those inmates now stay at the local level. Realignment also encourages counties to spend their resources – money given to them by the state of California – on alternatives to incarceration.

You have some very forward-thinking counties who are doing just that – further expanding drug treatment, daily reporting centers, and having centers where individuals are assessed to determine what their needs are, as San Francisco has done. It is a huge step in the right direction.

It has some problems, because in California, we have 58 counties who are implementing realignment 58 different ways. Some counties are spending money on programs that are actually evidence-based, while others are continuing to utilize that money for incarceration.

I think over time, we really will repair the problems that we have in this state, but it will take more time.

**Beverly:**  You mentioned San Francisco. What are some of the best programs that you’re seeing that you are hopeful for having positive outcomes?

**Jeanne:** She just won a national award for her reinventing probation in San Francisco. I think that she’s doing exactly what the evidence suggests she should do. She’s opened her assessment center where individuals are given a risk and needs assessment, and based on that, individualized treatment programs are developed for each of the individuals on probation.

In addition, San Francisco has taken a health care approach to many of the issues that impact people on probation. There has been a collaboration between the criminal justice system and the health care system in San Francisco to address the needs of offenders. I think San Francisco is really the model for the nation to look at.

**Beverly:**  That’s great. There are multiple players in the justice system, as well as in the treatment and social services aspects of it that you were just referring to. What about on the judicial side, in terms of realignment? Are you seeing changes in looking at the way sentencing is done, or that piece of the justice system?

**Jeanne:** I think that there are some very forward-thinking judges and court systems around the state. Many of them have become what I refer to as problem-solving courts. I know other people call them specialty courts, and there are other names given to them. For me, the concept that courts need to be problem solving is very important, so I continue to utilize that term.

Those courts, in fact, have developed special courts to handle the special needs of people by the issue, such as having a veteran’s court, a drug treatment court, or a mental health court. There are many other types of courts around the state. They are being closely evaluated to determine what works. Those best practices, I think, will grow throughout our system.

You mentioned sentencing, and I do think that that is an area where the state of California – and some other states – really need to take another look at how we sentence people, and what the purpose of prison is. Because in California, the penal code says the purpose of prison is punishment.

We spend over $50,000 per year per inmate to incarcerate, on average. If that’s all we want for that money, I just think that’s wrong. We really should be expecting much more from our prison system, because as we all know, more than 90% of the inmates who go into prison return to our communities at some point.

**Beverly:**  Very powerful statements there. I really appreciate that. Are there other things that you would want to share in terms of your vision or aspirations for a sustainable justice system as we look out 10 or 20 years?

**Jeanne:** I think – and I’m sure architects would agree – that when you give a system a different mission, the architecture must follow. When you look at our prisons, they’re really designed for containment and control, for the most part. I think we need to rethink that, as well. Prisons really need to be designed in a way where treatment, programming and other types of programs are really a part of the fabric of that prison design.

**Beverly:**  Next, we’re going to Wendy Still from city and county of San Francisco.

Wendy, here you are part of a group thinking about policy, and on the other hand, here you are on the ground, working with California’s AB 109 Realignment in San Francisco, actually being an action, trying things out. Do you want to talk about some of the things you’re doing in San Francisco?

**Wendy:** In San Francisco, we really are held as a progressive model for how to implement realignment in the way that realignment was originally envisioned by the governor and the legislature.

San Francisco’s approach to realignment is very different than the majority of the counties. We have really focused our resources and our values on creating alternatives to incarceration. San Francisco started back in 2008 with creating a Re-entry Council, recognizing that we have to break down the barriers for those who are re-entering, whether it be from jail or prison.

We built on that work in 2000 when evidence-based probation – Senate Bill 678 – came out, which starts rewarding counties fiscally implementing a performance-based system. If you reduce your failures to state prison in a county, then you receive a monetary amount, a grant, for that amount that you’ve reduced it by.

San Francisco has taken the approach that all of the funding – which has been over $3 million that we’ve received from implementing what they call evidence-based probation, and that is using science and data and risk-assessment tools to create individual treatment and rehabilitation plans for the clients who we service. By investing all of our resources into services in that first part of our reform effort, we really set a solid foundation.

SB 678 also created a Community Corrections Partnership Council, and that involves the district attorney, the sheriff, the public defender, the district attorney, the courts, and also social service agencies, education, Department of Public Health, Health and Human Services, child support, and also community partners.

The whole goal is to create a system where we’re leveraging the public and private resources that are out there and creating a system approach to how we are dealing, from a sentencing standpoint and evidence-based sentencing, to where now we know what the risk and needs of an individual is, so our recommendations to the court are based upon those individual needs and risk factors.

Much like when you go to the doctor, you would never get a prescription or a diagnosis without having an individual evaluation and tests. That’s what’s happening now in criminal justice. Risk assessments are those individual assessments that we do so we can identify what the criminogenic needs are, and then we build the program for that individual or the plan around those needs.

If you then take it up to a larger system standpoint, we look at what all of the needs are of those in our county, and then we build the system around that.

**Beverly:** When I was talking with Jeanne, she called them problem-solving courts, and as she talked about it, it struck me that it’s almost like you’re partnering with the individual who’s in the system to come up with a solution that’s going to work for them and work for the community, the society, or whatever.

It seems like a real advancement, that in this day and age, maybe with technology and the intelligence that we have, we can start to support those types of individualized solutions.

**Wendy:** They are very much individualized. We have our problem-solving or collaborative courts. Other really important components to our community approach to criminal justice include the Re-entry Councils, the Community Corrections Partnership, and education. Education is so much a part of it.

In San Francisco, we’re also unique in that we have our own charter school – the Five Keys Charter School – that specifically was developed to provide education to those who are in jail. Now, inside the probation department and inside our new Community Assessment and Services Center that we’ve created as a one-stop, we actually have the facilities for an individual, one of our clients, to get a GED or a high school diploma.

Then, with realignment, we’ve taken that a step further, and we have also added to our Community Assessment and Services Center, which is a 20,000 square foot facility, where we have our staff on the second floor, and the first floor is a one-stop, basically, where we bring access to education, to housing, to public health services, to substance abuse services, and to child support, with the goal to create one location where our individual clients or the offenders can go.

Getting around town is very difficult. That, in and of itself, is a barrier. By bringing all those services to one location with a non-profit to provide those services, you have broken down all of those barriers and delays.

San Francisco was already headed in the direction of what we call the community partnerships – with criminal justice, non-profits, and other agencies within the city county. With the Re-entry Council that was started in 2008, we also have individuals who have been previously incarcerated on that Council.

Then when the evidence-based probation supervision SB 678 came into play, we even broadened that and we added the district attorney, the public defender, and the sheriff in a more focused way.

Also, thinking about AB 109, I think why San Francisco is really looked at as the model within the 58 counties and why we’ve received such legislative interest is because we’re continuing to try to refine it.

For example, one of the things San Francisco is also a first at doing is creating a re-entry pod inside the jail. That would have not been thought of prior to realignment or prior to SB 678. This is where my probation officers are inside staffing a pod of 56, and we will be bringing our state inmates back 60 days early to re-enter them and to do all of that upfront work – to get them engaged, enrolled in their GED, their high school, their education, to sign them up to whatever benefit eligibility that they will have under the Affordable Healthcare Act or other access to city services and county services.

Also, we have them go through a cognitive behavioral thinking class and other types of services so that we’re not waiting until the day they’re released from state prison to try to re-enter them. We are bringing our inmates back 60 days early, and those who are in jail also go into this re-entry pod so we can do a pre-entry plan.

We went to the legislature – I personally did – and wrote the legislation that would allow these pilot programs in four counties to exist. That wouldn’t have been thought of.

Even right now, with where the state is at and the majority of the counties in realignment, the majority of counties are saying, “We can’t take any more,” because of overcrowding that they have in their own local jurisdiction.

But because San Francisco has focused on so much of a model alternative to incarceration, that has freed us up. We have hundreds of empty jail beds. We have a closed jail, and we’re getting ready this month to close a second jail, because these approaches that we’re taking are not relying upon beds and incapacitation.

We’re looking at alternatives within the community and providing services, which is ultimately reducing recidivism and victimization. Our numbers are showing that – our successful terminations are up, our crime is not going up, and our costs are going down.

The reduced victimization is exactly what we should want to see for victims, and reduced cost is what we should want to see for our taxpayer. There should be a demand by the public for better return on investment for their public safety dollar. I think that San Francisco has embraced realignment in the sentiment that it was written. We’re producing the results.

**Beverly:** Julia is now going to facilitate the Q&A.

**Julia:** First, I want to thank Pete, Liz, Jeanne, and Wendy. Great stuff. I’m hoping that there are some questions in the audience. Yes, Jay?

**Jay:** This is more a comment than a question. I’ve had the privilege and fun of working with the city and county of San Francisco. I just finished a project for them. Despite what Wendy said, it’s for a replacement jail for the Hall of Justice jail. It’s a linear jail with bars. It’s a tremendous facility to provide program space, and there are many things wrong with it.

The thing is, I love San Francisco, but I’m skeptical about the idea that it’s a model. By model, I mean that we would really expect very many other counties in California to follow in their footsteps to anything like the degree or extent that they’ve been able to do it.

I’ve worked with some other pretty progressive counties in California, as well, and nobody comes close to doing what San Francisco is doing, for probably a really wide variety of reasons. They have a new sheriff now, but they had a progressive sheriff for many years. The political situation, it’s a progressive city. I think of it more as a paragon than a model – maybe I’m mincing words here.

I think what California as a state is doing to incentivize these kinds of changes is great, and San Francisco is probably making the most use of those incentives compared to any of the other counties. It’s a good thing, but the rest of California isn’t San Francisco.

**Beverly:** Absolutely. On the other hand, sometimes I think as San Francisco goes, so goes the state, and as California goes, so goes the nation. It could just be that San Francisco is the early adopter.

But I would also say that because the state of California is incentivizing through realignment, they now have grant funds that used to go completely toward beds – replacement beds, new additional beds, and all that.

They’re now saying, “Our criteria is more around what programs you’re providing.” Because it’s aligned with this whole probation and re-entry into the community and all that, they’re very much more interested.

We could talk about red states and blue states. San Francisco is obviously a blue county, but I’ve been to some red counties who are starting to stretch their thinking because they’re incentivized by the programs that are coming out. I think one of the most exciting programs I heard about was one from a red county that wants to…

**Jay:** Want to name names?

**Beverly:** No. …Who is really thinking about creating a whole vocational education – really creating some programs that will help people, and creating incentives within their housing units.

I thought what was interesting is when they first enter the program, they’re in dormitories. You often think of dormitories as the most desirable – it’s the least restrictive and all that. They’ve actually found that inmates would like to work toward having their own individual room.

That’s the incentive. As you get better performance and work better with others and all that, you can then move into an individual sleeping room. I think there is a lot of creativity that’s starting to happen just out of this incentivization.

**Julia:** I know Larry has a question.

**Larry:** Pete, in 1972, the National Clearinghouse established a normative environment for inmates that would include outside light and view in their rooms. Of course, over the last 15 or so years, there is a move in a lot of cases for windowless cells. What’s your thought on that?

**Richard:** To me, it looks like they’re almost coming full circle. You look back as early as 1272 A.D. at the old Newgate Prison in London – that was a dungeon. The debtors got out when they repaid their debt, and a lot of them never did. Of course, there was no light, there was no outside access, no nothing.

Now, in the name of cost reduction and efficiency, I guess, it seems like it’s almost going full circle and going backwards from the standards that were set. As I indicated, probably more than 2000 projects were designed based on those standards. To me, it’s pretty perplexing that, in the name of efficiency and cost reduction, the inmates would be incarcerated in conditions more suitable for animals rather than human beings.

**Julia:** Thanks, Pete. I’m going to ask the audience if there are any other questions. We have a couple of minutes. Raphael?

**Raphael:** I want to follow up on what Beverly was saying. I think it is pretty striking that you are incentivizing an inmate by giving them a private room, where historically, it’s been, “If you’re in the least perspective environment, it’s going to be dormitory.”

I think it shows the change in focus from putting the convenience of the prison operators first to putting the wellbeing or the dignity of the prisoners as one of the key goals and one of the key stakeholders of our project.

Liz, you were talking about dignity as one of the key elements of the Massachusetts strategic plan. If somebody else’s convenience is more important than your wellbeing, that’s not really dignified situation to be in. It’s interesting that you can address that in counties all around in California.

**Beverly:** I think from a societal perspective – but maybe more of a local aspect of the societal – I was really struck in the interviews with Jeanne and Wendy by this talk about individualization.

I think because of our technology, we’re so more able to track, study, and develop concepts that are going to be appropriate to the individuals and then start to say, “30% of our individuals need drug and alcohol treatment. Let’s put money into the programs to support those 30%.”

But then, there’s this other group that needs these other services, and it’s a back and forth between what the individuals need and then designing your services for them, rather than just saying, “Wow, we’ve got all of these other ways of doing it,” but it might not correlate with people’s needs.”

**Speaker:** Make sure, if you can, to join us for the Joint Sustainability Research Workshop tomorrow morning. Thank you all for coming.