

THE SQUARE ONE PROJECT
ROUNDTABLE ON THE FUTURE OF JUSTICE POLICY
EXAMINING JUSTICE REFORM AND THE SOCIAL CONTRACT
IN THE UNITED STATES:
IMPLICATIONS FOR
JUSTICE POLICY AND PRACTICE

Zoom meeting

4:00 p.m. EST

Wednesday,
August 12, 2020

ON THE RECORD REPORTING
(512) 450-0342

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I N D E X

<u>AGENDA ITEM</u>	<u>PAGE</u>
Welcome and Roundtable Framework	5
1) The History of Criminal Justice and Community Membership	19
2) The Social Contract: A Comparative Study	
Wrap-Up	63
Session End	108

P R O C E E D I N G S

1
2 MS. HUFFMAN: Yes. Welcome to everyone. It is
3 great to see you all here again today. Again, I am
4 Katharine Huffman. I am the Executive Director here at
5 Square One.

6 It was such a pleasure to start getting to know
7 all of you last week. And we are really looking forward
8 to digging in on our first two discussion sessions for
9 this roundtable today, focused on justice and the social
10 contract.

11 So I am going to start out with just a few
12 quick reminders and updates before I hand this over to our
13 facilitator, Jeremy Travis, who will remind us where we
14 have been, introduce a few newcomers, and get us started.

15 So first, a couple of reminders about events coming up.

16 Next week, on Tuesday, August 18th, we wanted
17 to let you all know that Square One will be participating
18 in a side event, a virtual side event at the virtual
19 Democratic National Convention as part of the Raben
20 Respite Convention Series. So we hope you will join us.

21 And several of your colleagues here at the
22 roundtable today, Bruce Western, Emily Wang, Danielle
23 Allen, Sukyi McMahon, and a couple of others will be
24 leading us in a conversation titled Justice on the Trail:
25 The Future of Justice and Democracy. Our colleague

1 Madison is going to post the registration link in the chat
2 box now so you will have that right now, and we will also
3 be forwarding information to all of you. So we hope you
4 can join, and that you will share with others.

5 Second, and just as important, a reminder that
6 at the close of our session today, for anyone who is able
7 to stay on for a little bit longer, we are looking forward
8 to an informal virtual happy hour together, where we can
9 just talk informally, and get to know each other a little
10 better. No pressure at all. This is not required. You
11 have not committed to this.

12 But if you would like to stay online for an
13 extra few minutes, please do. Kids, pets, partners,
14 anyone else in your near vicinity are welcome to join you
15 on your screen as well. So if folks are able to stay on,
16 we invite you to do that.

17 So now, a little bit of housekeeping for
18 today's session. Today we are going to be beginning our
19 work together, digging in on some important topics.

20 First, Elizabeth Hinton will provide a
21 historical perspective on social change and the social
22 contract in the U.S., with particularly what we can learn
23 from the past half century or so. And second, David
24 Garland will share his insights on what we can learn about
25 making change to our own system of justice in the U.S. by

1 examining the justice systems and other social systems in
2 some other wealthy countries with a comparative look.

3 So for each of these approximately one-hour
4 conversations, our paper authors will start us off by
5 talking for just about ten minutes, to give us an
6 overview. And then we will move into a group
7 conversation.

8 For the authors, Elizabeth and David, our
9 Square One colleague Madison will be our timekeeper today.

10 She will send you little time checks during the course of
11 your ten minutes, so you will know how far along you are.

12 Those will come in your chat box.

13 And then after each of you starts us off, we
14 will take a quick moment for any clarifying questions
15 directly to the authors. But then we will move into a
16 group discussion, which we hope and expect will be free
17 flowing, as it was at the end of our gathering last week
18 together.

19 So for that discussion, just a quick reminder
20 for everybody about how to get into the queue. Jeremy
21 will be facilitating us. And he will be calling on us, in
22 the order in which we sort of raise our hands in the
23 queue.

24 I think Sukyi is going to post this. Sukyi,
25 are you going to post the instructions again? Yes. There

1 it is. The magic of Zoom. As you can see there, if you
2 would like -- if you have something you would like to
3 contribute, just go to the participants button at the
4 bottom of your screen.

5 Click on raise your hand, and you will be
6 joining the queue. You will be coming into the queue on
7 Jeremy's screen, showing up in the order in which you
8 raised your hand. And so, he will be moving through that.

9 But as Jeremy explained to us last week, if you
10 have an urgent comment that needs to come in response to
11 something right away, something that won't make sense if
12 you don't get to jump in quickly, or that really is
13 important to that particular moment in the discussion, you
14 are welcome to do that. You can just do that by getting
15 Jeremy's attention. Ideally, by physically waving your
16 hand.

17 We are all on a screen. Jeremy can see all of
18 our faces. And so, he will almost certainly see you doing
19 that. You can also send a private chat message. But the
20 hand waving is better, because I happen to know how much
21 he focuses on the faces before him in the screen. And
22 that would be a good way to do that.

23 So with that, I will just say, welcome again.
24 It is really great to see you all. And we, I think,
25 Jeremy, are ready to go ahead and get started.

1 MR. TRAVIS: Great. So let me, again, add my
2 welcome and my thanks to everybody who participated in the
3 first session last week. If you haven't had a chance to
4 look at it, the session was recorded and is posted on the
5 Square One YouTube channel.

6 And it is really a rich, deep, far ranging
7 discussion that we had. And as happens often in these
8 types of meetings, even if it is not on Zoom, we lose a
9 lot of the nuance and the complexity of the substance.
10 Just because things happen so quickly.

11 So I encourage you -- we also keep a
12 transcript. But I encourage you, if you want to spend
13 some time reliving this experience, we have that luxury,
14 because we are connected this way. This is an advantage
15 of our technology.

16 The second thing I would like to do is just
17 remind you where we are in the longer process. So we are
18 meeting every week at this time. And I'm really impressed
19 with the turnout. And the turnout last week was great.

20 And in each of these sessions, as Katharine
21 laid out, we will have a paper presenter who gets to
22 administer. So we talk about summarizing their paper, and
23 what they would like us to take away from it. And then a
24 discussion, starting with clarifying questions and then a
25 discussion that I will facilitate around that paper.

1 This is not an academic conference. We are not
2 responding to the paper. We are responding to the ideas
3 that are put into the conversation by the paper writer.
4 And of course, the paper matters, because we are framing
5 up some very big topics here.

6 But my goal as the facilitator is to keep
7 things moving quickly, so that we can cover as much ground
8 as possible. Get as many ideas into the mix as possible.

9 And to the extent that we have some back and
10 forth, and maybe some disagreement, that is a good thing,
11 that we want to encourage and be respectful, and direct
12 and constructive in their comments. And of course, to
13 keep them terse and short.

14 You did great last time. I was really, really
15 impressed with this group, in the sense that we were able
16 to make -- give everybody a voice. And we'll try to do
17 that again today. No guarantee, but we will do our best
18 in that regard.

19 We meet again next week, and we have another
20 session, very much like this one. Two papers -- I am
21 sorry, three papers, on various elements of the social
22 contract. And we meet once again, then we meet once
23 again.

24 So we are on a journey together. And today, we
25 are focusing on these two issues of history, with

1 Elizabeth Hinton's paper. And the comparative look at the
2 social contract with Dave Garland's paper, getting us
3 started.

4 A couple of more housekeeping things, if you
5 don't mind. Do get my attention, if you want to
6 intervene, with what we call the urgent wave.

7 And please just be respectful of others. And
8 if I make some note, motion like this, that probably means
9 time to cut it off and move on. We have a lot of time to
10 be together, and a lot of airtime for everybody.

11 So let's realize that we have some people who
12 have joined us for the first time. And we want to give
13 them a moment to introduce themselves. But I want to
14 thank you.

15 Thank you to those people who made some
16 contributions by email after the last session. And just
17 to thank them, and to recognize some of the afterthoughts.

18 A lot happens after we leave our time together.

19 Hedy Lee suggested, the academic that she is,
20 things we can read, homework to look at. There are great
21 articles that will elevate some of the points that were
22 made last time. My favorite one was on the social
23 contract as property, particularly white privilege as
24 property. So take a look at Hedy's recommendations.

25 Kimá Joy Taylor made some suggestions that we

1 think about the difficulty of bringing equity into our
2 conversation about the social contract, and the sacrifices
3 that people should make in order for the social contract
4 to be actionable. Great suggestion.

5 And Marcia Rincon-Gallardo did something that
6 we did at the end of last session. Remember, that we did
7 this little exercise of asking people to nominate
8 something that somebody else had said as something to hold
9 on to, that was new to them, as opposed to going back to
10 what they had said before.

11 And Marcia, after last time, said, in
12 reflection, I want to lift up two contributions of others.

13 It was just a very generous sentiment. I like that a
14 lot. But one was, Ananya's recognition of the original
15 peoples or land. That conversation, that observation was
16 made a number of times, last time. And it is, and
17 remains, worth our continuing recognition of that.
18 Marcia, I thank you a lot for that.

19 And Chas Moore, who made a lot of very
20 important contributions last time, Marcia wanted to just
21 remind us what he said about the importance of youth
22 involved voices. Those were system-involved young people,
23 leadership, potential, it was really driving a lot of
24 movement these days. And the risk of overly concentrating
25 on systems, as opposed to people.

1 (Ringing.)

2 MR. TRAVIS: Sorry about that. That one will
3 disappear. We have some people with us today who could
4 not make last session. We have one person, colleague, who
5 couldn't make it this time, and that is Deanna Van Buren
6 had another obligation.

7 I also want to acknowledge that we have a
8 couple of observers with us. Jasmin Sandelson from the
9 Columbia Justice Lab, who is here, and is doing a lot of
10 writing about Square One.

11 And Nancy Fishman from the Schusterman Family
12 Foundation is joining us and is a funder. And we are
13 grateful for her contribution then, for her years and
14 years of work on justice reform.

15 So I am going to name five people who are with
16 us today. I think they are all here, and ask them just to
17 say their name, their institutional affiliation, and just
18 once sentence, I really mean it, one sentence of what
19 draws them to this particular topic.

20 So that is a challenge. Name, institutional
21 affiliation, and what brings you to this topic. So that
22 we could just get your voice in play, since you weren't
23 able to join us last time.

24 And those people are Amara Johns, Vesla Weaver,
25 Danielle Allen, Fatima Loren Dreier, and Aswad Thomas, who

1 has joined us for the first time. We are grateful that
2 you could join us, Aswad.

3 But let me start with Amara Johns. And looking
4 at the screen. And is Amara here? If so, the floor is
5 yours.

6 MS. McMAHON: I apologize, Jeremy. Amara let
7 us know she will be an hour late. And also, Danielle is
8 having trouble entering. I will get her in immediately.

9 MR. TRAVIS: Okay. I saw Danielle's picture
10 there.

11 MS. ALLEN: Yes. Thank you. I am not sure. I
12 don't know.

13 MR. TRAVIS: Now you are muted.

14 MS. ALLEN: Sorry. But I am here. Apologies.

15 MR. TRAVIS: Hi, Danielle. Good to see you.

16 MS. ALLEN: Good to see you, as well.

17 MR. TRAVIS: Yes. So and Vesla, we know is
18 here, because we already heard from her. But Vesla, what
19 would you like to say about who you are, your
20 institutional affiliation, and a sentence. Maybe two.
21 What brings you to this topic, of the future of the social
22 contract in America, and how it applies to justice.

23 You are also muted. There we go.

24 MS. WEAVER: Sorry. Thanks, Jeremy. I am
25 Vesla Weaver, and I am at Johns Hopkins University. I am

1 a political scientist. And what draws me to this work is
2 that I have long known that this is -- and tried to
3 theorize that this is -- the policing that the criminal
4 justice system, the carceral state, is a central aspect of
5 what the state is and does, is a key feature defining
6 American citizenship. Is a key way that we come to know
7 about government.

8 And so I was told early on not to write about
9 that, that that wasn't a concern of political scientists.

10 And I am glad that I didn't listen.

11 MR. TRAVIS: Great. Love it. Yes. Danielle,
12 welcome. As you are -- and what brings you to this party.

13 MS. ALLEN: So I am a political philosopher,
14 based at Harvard, and Director of the Edmund J. Sacker
15 Center for Ethics. And you know, it is hard to give a
16 short answer to that question. I mean, everything Vesla
17 said, I would put a check by.

18 My first book was on punishment in antiquity,
19 of all things. A long time ago, already. But I realize
20 that I wrote that book.

21 It was a project that I got started on as an
22 undergraduate at Princeton in the late early '90s, because
23 I had grown up in Southern California. And over the
24 course of the '80s, just saw the massive growth of the
25 carceral system around me.

1 And I was, as an undergraduate, struck in
2 reading the sort of literature on antiquity, about the
3 fact that they didn't use imprisonment. It seemed to be
4 sort of non-existent in their courtroom speeches and so
5 forth. You would never have known that such a thing
6 existed.

7 I couldn't imagine a world -- I couldn't
8 believe there was a world that existed that where prisons
9 were kind of just growing and growing and taking up more
10 and more space. And so, I guess, like just literally
11 since then, I have been wanting to try to find a community
12 of people who could collectively achieve an alternative to
13 what we have.

14 So this looks like that community of people.
15 So I am happy to be part of it.

16 MR. TRAVIS: Great. We are happy to have you.

17 And Fatimah, it is nice to see you. Fatimah is a
18 roundtable veteran from our Detroit roundtable.

19 MS. DREIER: Hi there.

20 MR. TRAVIS: Hi.

21 MS. DREIER: It is good to see you.

22 MR. TRAVIS: Nice to see you. What brings you
23 to this work, Fatimah?

24 MS. DREIER: Sure. So hello, everyone.
25 Fatimah Loren Dreier. Recently married, Executive

1 Director of the Health Alliance for Violence Intervention.

2 We are a national network of hospital-based violence
3 intervention programs. I am also newly named Posen-
4 Commonwealth Fellow at the Yale School of Management.

5 And what brings me to this work really is the
6 paradigm shift of our time. And we really are at this
7 particular moment, with an incredible moment of global
8 uprising.

9 And I feel a particular responsibility to do
10 our part, to contribute to the realm of ideas and to
11 really build, you know, what are the alternatives? What
12 is that infrastructure that we are imagining when we tear
13 all this down, the carceral state and policing as we know
14 it.

15 MR. TRAVIS: Thanks, Fatimah. Wonderful to
16 have you here. And thanks, congratulations on that new
17 appointment. And Aswad Thomas has joined us.

18 Aswad, give a sense of who you are, what you
19 do, and what brings you to this work?

20 MR. THOMAS: Thank you all for having me.
21 Aswad Thomas. I am the Managing Director of Crime
22 Survivors for Safety and Justice. A fellowship project of
23 the Alliance for Safety and Justice, CSSJ is a national
24 network of crime victims across the country. And what
25 kind of led me to this work is, I am also a victim of gun

1 violence.

2 You know, like many crime victims across the
3 country, the criminal justice system and traditional
4 victim services, we have been left out of the
5 conversation, out of policy making, out of program -- out
6 of funding. So being able to organize crime survivors
7 across the country to make sure that we have a voice at
8 public tables, but also influencing programming and
9 funding at the state level.

10 MR. TRAVIS: Thank you, Aswad. Thank you for
11 joining us. And this gives me a chance to say that your
12 participation in an earlier Square One event has stuck
13 with me, ever since. And so, I commend it to everybody to
14 take a look at Aswad's remarks on another occasion.

15 So we are now about to jump into our work.
16 Just to see if there are any questions, let us know
17 through chat. But I am ready to get going, and I hope
18 that you are as well.

19 So again, the drill is, we will turn first to
20 Elizabeth to take ten minutes or so to say whatever she
21 thinks will spur conversation in this group. She already
22 knows who we are and knows what we are about. And it may
23 not be a summary of the paper, but it could be. We don't
24 know.

25 And as you know, she is asking this really

1 radical question about almost what if, what if our country
2 had taken a different turn years ago and taken community
3 participation seriously. She will do that for ten
4 minutes.

5 I will pause to ask for clarifying questions.
6 And then we will open it up to whoever is in the queue.
7 If you want to react, please get in the queue.

8 The insistent wave gets you in more quickly,
9 and we'll move pretty quickly. It will feel like we are
10 moving quickly through this, because it is a big topic.
11 But that is how we put a lot of things in our pressure
12 cooker, hoping that they will generate some life.

13 So the floor is yours, Elizabeth. If you would
14 like to take it away.

15 MS. HINTON: Thanks so much, Jeremy. And
16 thanks also, Bruce and Katharine and Sukyi, and Evie, and
17 everybody who helped make this possible. It is really
18 wonderful to be here. And I am going to try to be as
19 brief as possible, because I am really looking forward to
20 this discussion.

21 And I do think there is a lot of really
22 important overlap between some of the issues that I am
23 raising in my paper, and also David's paper. So I think
24 it will be a lively and important day. I wrote this just
25 like, I think, most other paper contributors in the pre-

1 COVID world. So this was back in February or March.

2 And after COVID and after George Floyd, these
3 issues about community representation and the policy
4 precedent of maximum feasible participation seems even
5 more urgent to me. And so, I turned parts of this into a
6 *New York Times* op-ed, that is again kind of propping up
7 maximum feasible participation as this really important
8 policy precedent.

9 So last week, many of us raised some skepticism
10 about the social -- the idea of a social contract. And if
11 that contract ever really extended or was meant for poor
12 people and people of color. And you know, which raises
13 the question, is the system broken?

14 Is mass incarceration and our problems with
15 policing and punishment the result of a system that
16 doesn't work? Or is it working exactly the way that it
17 has been designed.

18 And I think since the election of Donald Trump,
19 at least -- I am a historian. And so, increasingly among
20 historians, there are new discussions kind of pushing back
21 on this narrative of the U.S., U.S. history as one of kind
22 of continued progress. And rethinking it as something
23 that has always been about punishment, that has always
24 been about repression.

25 And I think, you know, a lot of our work shows

1 just what a tremendous policy failure mass incarceration
2 has been. And in my own work that this draws from, which
3 this work is part of the research I did for my first book,
4 which is called *From The War of Poverty to The War on*
5 *Crime: The Making of Mass Incarceration in America*. And
6 it is a history of federal crime policy from the Kennedy
7 administration through the Reagan administration.

8 When I started doing the work in the early
9 2000s, you know, many people had kind of located the rise
10 of mass incarceration in the Reagan administration in the
11 1980s. And you know, as I began to do the research,
12 looking at these federal documents, my primary source base
13 was the White House central files of these
14 administrations.

15 I kept on having to go back and back and back
16 to the source, all of the way to Kennedy, which is kind of
17 surprising, right. We don't typically think of, you know,
18 the moment of the war on poverty and the civil rights
19 revolution as also being the moment where policies were
20 introduced that fostered the widespread criminalization of
21 targeted low-income communities of color, which I argue is
22 largely a response to the threat of demographic
23 transformations and urban uprisings happening in many
24 cities at this point.

25 But, so you know, the question is, in the midst

1 of all these repressive policies, you know -- and I get
2 asked this a lot. Like, what are the things that worked?

3 You know, what are the things that we could turn to that
4 might help us think about transformation in the future?

5 And this concept, as critical as I am of the
6 war on poverty and the Johnson administration in my book,
7 the concept of maximum feasible participation is a really,
8 really important policy precedent. That means that when
9 we talk about community-based alternatives, we don't have
10 to -- you know, it is not pie in the sky things. This is
11 a program the federal government supported.

12 And basically, the centerpiece of the early war
13 on poverty was this idea that structures many justice
14 reform movements today, in particularly those founded and
15 directed by formerly incarcerated people, which is that
16 those closest to the problem are closest to the solution.

17 So in the first year of the war on poverty,
18 Congress introduced this principle of maximum feasible
19 participation, which allowed the federal government to
20 begin granting autonomous grassroots organizations funding
21 directly. So the federal government kind of bypassed the
22 states and you know, gave millions of dollars in grants to
23 community organizations like the Woodlawn Organization in
24 Chicago, and the Syracuse Development Organization and
25 Mobilization for Youth in the lower east side, that

1 basically said, you know, you know much better how to
2 respond to the problems of poverty than we do in
3 Washington.

4 So you know, we are entrusting you to solve
5 poverty. And we are going to take taxpayer dollars to
6 support you in that process. This idea and community
7 action programs end up being discussed as kind of the main
8 steering force of the war on poverty.

9 But really, this direct kind of funding channel
10 only lasted for a year, from 1964 to 1965. And by 1965,
11 1966, especially in the aftermath of rebellion in places
12 like Watts, and Los Angeles in '65, local officials really
13 bristled at this, right. Because the problem, when you
14 are giving millions of dollars to poor people, this kind
15 of vision of governance really does threaten, right, to
16 undermine longstanding systems of racial hierarchy.

17 So eventually, policymakers fought back. And
18 increasingly, these grants were tied to municipal
19 officials and civic organizations and police that became
20 involved in implementing these programs. So for many
21 organizations, if they wanted to receive funding, they had
22 to have some kind of municipal oversight which, as we
23 know, can really compromise the programs themselves.

24 So the root -- for me, the root of some of
25 these shortcomings in these policies has to do, of course,

1 with policymakers on racism, with the emphasis on kind of
2 behavior as being the root cause of poverty, rather than
3 socioeconomic exclusion and systemic racism. And you
4 know, as such, the war on poverty was limited, even though
5 it has this you know, sexy terminology. But it wasn't a
6 major structural intervention.

7 Johnson and others believed that Black
8 pathology was the root cause of Black poverty. And so,
9 the idea is, we can actually fight Black poverty cheaply,
10 because you know, the kinds of programs that are necessary
11 are self-help programs, remedial education. The war on
12 poverty was not a job creation program for poor people.

13 But the war on crime that Johnson then launched
14 in the second year of the war on poverty became a job
15 creation program for police. So I am kind of all over the
16 place. But this really important -- you know, as Jeremy
17 introduced this.

18 You know, going back to the '60s, this is a
19 really important kind of crossroads in domestic policy
20 that these twinned domestic programs, one is warring on
21 poverty, one warring on crime, were at the center of
22 domestic policy. And eventually the crime war is what
23 ended up winning out and what ended up getting
24 implemented.

25 And you know, we can think about, you know,

1 what -- again, this how I end the piece, you know, what
2 the U.S. would look like if policymakers got behind the
3 war on poverty and this idea of empowering marginalized
4 communities with the same kind of length and level of
5 commitment and resources that they dedicated to the war on
6 crime, the war on drugs, the war on gangs throughout the
7 remainder of the 20th century and into the 21st.

8 So I will stop there. And looking forward to
9 discuss it.

10 MR. TRAVIS: Thank you very much, Elizabeth. A
11 perfect launch for a good discussion. So we always ask if
12 there are clarifying questions, something that didn't
13 quite come across in ways that you could understand what
14 Elizabeth meant.

15 And you can do that just by waving at me.
16 Otherwise, we will start. Yes, Heather.

17 MS. RICE-MINUS: So I apologize, Jeremy. I am
18 not sure whether this is a clarifying -- counts as
19 clarifying or not. But there are questions.

20 MR. TRAVIS: Go ahead.

21 MS. RICE-MINUS: So two related to the example
22 that you gave, Elizabeth, in the programs that were funded
23 in '65 to '66. Were there any signs, even within that
24 year of outcomes from those programs? And I am also
25 wondering just overall, for your theory, what were the

1 metrics of success?

2 MS. HINTON: Well, I think from many of the
3 residents' perspectives, you know, they had been
4 registered to vote. They had successfully challenged
5 landlords with the help of groups like the Syracuse
6 Development Organization, so, ostensibly improving their
7 conditions. Community programs were launched for youth.

8 I mean, I think it is also, because the program
9 was so short lived, before it became essentially -- these
10 programs became more institutionalized and more tied to
11 the civic organizations, and in some cases, the police.
12 You know, the pertinent point is, they weren't ever really
13 given the chance to work before many of these local
14 officials felt as though their power was threatened.

15 And what was the second part of your question?

16 Sorry.

17 MS. RICE-MINUS: I am just wondering, like
18 overall, for the theory to work, like, how would we
19 measure? So if we were to pour resources in, as you are
20 suggesting, to community-based or to the community itself,
21 how would we know if it was working? What metrics would
22 you use to define that?

23 MS. HINTON: Well, I think, you know, talking
24 to people, talking to people in the community and seeing
25 how they are responding to this investment. I think the

1 other thing is that, you know, we have to be prepared to
2 be patient. And we have to be prepared to have some of
3 these -- to have this kind of change not always, you know,
4 demonstrate success maybe by traditional metrics.

5 Certainly, with respect to, you know, crime
6 control programs on the other end, many failed programs
7 that didn't succeed in reducing crime continue to be
8 funded. I think one of the ironies behind this is that,
9 you know, those community-based crime prevention programs
10 that did receive federal grants into the '70s, like tenant
11 patrol organizations and community block watches and
12 things like that were much cheaper than the policing
13 programs that the federal government supported, and did
14 have a measurable impact on crime.

15 Yet, consistently across region, across city,
16 these community-based efforts were quickly defunded. So
17 you know, I think part of it is, and this is one of the
18 points of the paper, elites, people in power, people who
19 have control over these kinds of investments and funds
20 need to trust that people in communities know what they
21 are doing.

22 And I think that there has been, historically,
23 a real resistance to that, as if outsiders have a better
24 understanding of community problems than people in
25 communities themselves. And that doesn't mean that there

1 aren't different kinds of expertise that need to be
2 brought to the table. But that we just need a different
3 way of imagining, you know, how to govern and what change,
4 what success might look like.

5 MR. TRAVIS: Thanks, Elizabeth. So we are
6 going to start taking questions from the queue. At this
7 point, the way this works, Elizabeth recedes, because this
8 is not about her at this point. It is not about her
9 paper. It is about, how does her paper suggest questions
10 and discussion.

11 And remember, even though that half an hour
12 plus or so doesn't feel like a long time, we are weaving a
13 big tapestry here, over our four weeks together. So it
14 will all make sense at some point. So any sort of first
15 thoughts.

16 And we have Ananya is first up. And David is
17 next, triggered by Elizabeth's paper and her
18 recommendation. And remember at the end, we are going to
19 ask Bruce, of course, to do his wrap-up at the very end to
20 bring all of this together.

21 So Ananya, you are up.

22 MS. ROY: I thought I saw Chas waving his hand
23 earlier. Chas, did you have a -- you are fine. Okay.
24 And so, I am hoping to be on a first name basis, here. So
25 I am going to say Elizabeth, rather than Professor Hinton,

1 I really enjoyed the paper.

2 MR. TRAVIS: Yes.

3 MS. ROY: The paper speaks so much to the
4 present moment. I love teaching about the community
5 action programs, and I teach about them as almost a hinge
6 of history.

7 But the paper poses the question for us, as to
8 whether our present moment is that kind of hinge, or
9 whether it is, as being commonly talked about, a portal.
10 But it also raises the persistent question of whether or
11 not the revolution can be funded, and what that effort
12 means.

13 But two specific comments that might ought to
14 be questioned related to the paper. So the first has to
15 do with the ways in which community action programs
16 morphed into something that we, and I say we who work with
17 cities, in cities, and communities, continue to have to
18 live with, which is this thing called community
19 development. So community action quickly became the
20 matters [audio skip] out of a bureaucracy that is
21 community development.

22 And more specifically, of course, it became
23 model cities, led by Banfield. So that line is really
24 interesting. And I guess the question related to this for
25 Elizabeth, as well as for the group, is whether we see any

1 political openings that might still linger within
2 community development.

3 The second point has to do more with a longer
4 arc of history. So the work that I have done on these
5 programs in Oakland, California, around there for many
6 years, community action was preceded by a Ford Foundation
7 program called Gray Areas. Oakland was an experimental
8 city.

9 But it also goes to programs that were morphed
10 into community action and then morphed into the poverty
11 bureaucracy modeled cities. But it is in that bureaucracy
12 that emerged a Black Panther party that rose to power, an
13 established power in Oakland, by seizing control of the
14 poverty bureaucracies.

15 So I am very interested in how the Ford
16 Foundation efforts at pacification, and I would call it
17 that, actually sort of fell apart and were taken over for
18 one glorious moment in Oakland by a Black liberation
19 movement. So again, there is a question there about
20 political openings. Hopeful questions.

21 MR. TRAVIS: David is up next. And we will
22 come back and ask Elizabeth to respond to anything she
23 wants to respond to in this discussion, but we are
24 directing our conversation to the group. Elizabeth is
25 listening attentively.

1 And David Garland is up next.

2 MR. GARLAND: Great. So I thought this paper
3 was super interesting. And I want to talk about maximum
4 feasible participation, which is what you highlighted just
5 now. But also, one of the other issues about -- to do
6 with the complications surrounding responding to the
7 immediate problem of crimes in the community, and the risk
8 of blaming the victims that are involved.

9 You kind of referenced this in the paper quite
10 extensively. So on maximum feasible participation, normal
11 community groups and ordinary action groups come with the
12 same kind of politics, the same kind of legitimacy, and
13 the same kind of, I would say, progressive credentials.

14 And so, the question of which groups are to be
15 funded and given authority to operate in this way becomes
16 a key one. These are not democratically elected. They
17 are singled out, selected for federal funding, or state
18 funding and so on.

19 And you know, the -- my first response is to
20 think there is a very powerful argument that says, one
21 reason the USA is so punitive, one reason the USA
22 retained, say, the death penalty, is that we have in our
23 political structure the kind of radical level of local
24 majoritarian democracy. And when you allow very local
25 people to decide things about, you know, who they elect as

1 a prosecutor, who they elect as a state judge, who is on
2 the jury, quite often you get politics that are not
3 permissive in the least.

4 They turn out to be the reverse. You could
5 imagine community groups that claimed, you know, we are
6 white militias, we work in Michigan. We should be funded
7 too.

8 So all the issues about the oversight, the
9 involvement of your public officials in community action
10 that you identify as being kind of problematic seem at the
11 same time to be linked to some kind of safeguard, some
12 kind of sense of ensuring that the people that are being
13 funded are not illiberal in their use of the funds. So
14 that was one question about funding at that level and
15 involving, participating.

16 The other issue is really, just to say how
17 complicated and important I consider the issue that you
18 talked about in the paper, where actually, you were
19 talking about like, the '60s and how projects to bring
20 about socioeconomic reform and kind of structural change
21 to deal with the underlying problems that were causing
22 crime and various social problems in Black communities
23 particularly, they were displaced by a concern to police
24 and to punish.

25 And you kind of signaled, or you kind of gave a

1 sense of a contemporary version of that, by talking about
2 Pete Buttigieg responding to his record as a Mayor in
3 South Bend. And why it was that Blacks in that community
4 were four times more likely to be arrested for marijuana.

5 And you described his response as being, he
6 justified it because that is where guns were, and violence
7 was, and that is where the police were sent. And this was
8 the consequence. And you were describing that as a "blame
9 the victim" approach, basically.

10 So that is for me, a really crucial issue in
11 all of this, because we are constantly working with the
12 same stuff. Look, the immediate victim might be the
13 person who has just been mugged, or the person who has
14 been raped, the person who has been killed in a crossfire.

15 And they surely should be provided with support of
16 prosecution, policing and so on.

17 But you also want to say, actually, a lot of
18 these gang members or offenders or adults who are now
19 violent are themselves the victim. And this -- Bruce
20 Western's work on this has been very important, that they
21 themselves have become prone to violent behavior because
22 of the violence they have experienced in upbringing and so
23 on.

24 And so, what we need to do is respond to that
25 deeper question with, you know, structural change in the

1 character of these neighborhoods, with violence control,
2 with family support, with jobs, and so on. But you know,
3 the temporality of these responses are entirely different.

4 That is to say that one can bring about kind of
5 a response to a crime incident within the hour. You can
6 bring about a change in the conduct of youth in that area
7 only over generations, really, and in terms of investment.

8 The level of government that is involved is
9 different. I mean, mayors and city governments will
10 respond with police. They can hardly respond with the
11 kind of social and economic transformation that requires
12 federal dollars and requires major improved resources.

13 And bringing these two conversations together
14 and thinking not in terms of, you know, victims and
15 offenders, but in a more kind of complicated ethical set
16 of questions and political set of priorities and
17 requirements. That seems to me, like, central to what we
18 are talking about here.

19 And I found, reading the paper, that I was kind
20 of thinking, we just need to have more of a conversation
21 about it. Because it is more complicated than either
22 blame the victim by punishing and controlling and policing
23 or invest in economic justice and solve the problem.

24 MR. TRAVIS: So provocative questions. Those
25 will linger in the air. Let me turn to Lynda Zeller who

1 is in the queue next.

2 MS. ZELLER: Thank you so much, Jeremy. So in
3 the paper, when I was reading, I was struck by a couple of
4 things.

5 One was maximum feasible participation. I
6 represent a statewide philanthropy fund, and prior was the
7 state Commissioner for behavioral health. And prior to
8 that, did health care for Michigan's prisons. So in my
9 current role around philanthropy, I really think this
10 paper has me thinking about what do we need to do this
11 time to try to get the maximum feasible participation so
12 that it really is the, and I am quoting from your paper
13 now, Elizabeth, autonomous and self-managed organization
14 that is competent to exert political influence.

15 So it feels to me like the learning from
16 history that you raised for me, in this paper, is that
17 somewhere along the line, we decided that municipalities
18 and other existing sort of systems could be that entity
19 that helps provide for maximum participation. In fact,
20 that was sort of a fatal flaw, in my opinion.

21 So as a philanthropist, we are extremely
22 interested in trying to find a way to get maximum
23 community participation. The challenges communities
24 define some -- you know. There is just no consistent way
25 to define that community.

1 So when you are trying to invest, it is so
2 dynamic. And so, if this amazing think tank of people
3 could help inform how we move forward with those types of
4 investments, when there is an ability to invest, either
5 financially or in empowering people with authority and
6 ability to control their own environment, resources and
7 destiny.

8 So I don't have an idea to fix it. But it is
9 just -- it really got me thinking. So thank you for the
10 paper. I appreciate it.

11 MR. TRAVIS: So I would like to just encourage
12 a discussion that represents our colleagues on the screen
13 who do community-level work. So just note who has jumped
14 in already. We have academics and funders.

15 Because this is an issue that has come up in
16 Square One, every roundtable we have had. Because we make
17 efforts to have strong community voices, community
18 activists at the table.

19 And it comes up, certainly, the political
20 discourse of the day. Talk about defund the police, and
21 where does money go. Who controls the money. For what
22 purpose. And how do we think about what might be other
23 ways to produce safety.

24 So this is a central question of the day, of
25 the moment, of the day, literally. And I think we are

1 onto something here that would benefit from hearing from
2 those who do community level work. And I am not going to
3 call on anybody, other than to say that Chas had a lot to
4 say last time.

5 So if you are so inclined, I would love to hear
6 from you. Or others, who are really on the front line of
7 community engagement and activating. Kristian, you are up
8 next, and then Fatimah. Yes.

9 MS. CABALLERO: Yes. So speaking as a
10 community organizer and activist on a variety of social
11 justice issues, I think something to keep in mind is,
12 while the ideal to directly invest in community-based
13 programs and services and so forth, and making sure that
14 we are properly identifying those marginalized communities
15 that need those resources, and that are better
16 interconnected to distribute those resources, something
17 that I think needs to change on an institutional level in
18 you know, every sector, where there is an hierarchy is
19 looking at leadership.

20 You know, if you are with a foundation or an
21 organization or an institution, looking at, you know, the
22 Boards, the directors, supervisors, you know, anybody that
23 is in some sort of leadership position, if there is not
24 true inclusion and diversity there, that is a problem. It
25 doesn't matter how many community organizations, how many

1 community groups might be receiving some level of funding
2 or resources.

3 If you are not changing the whole dynamic of
4 institutional representation, especially how it
5 perpetuates racism, we are going to still see the same,
6 you know, issues, at the end of the day. So another thing
7 to keep in mind, too, is, even when you eventually
8 diversify in your leadership and your boards and so forth,
9 and you identify the community groups that you want to
10 support and fund, a lot of these community groups at the
11 end of the day feel exploited, because they fit an image
12 that the organization or the institution wants to portray.

13 And so, keeping that in mind, that you are
14 truly being inclusive. You are truly being considerate.
15 You are truly being supportive of these communities, and
16 what their needs are.

17 And I think a huge part of that too, is not
18 just doing your homework and identifying needs, but doing
19 regular assessments and regular evaluations where you are
20 providing that oversight that needs to happen.

21 MR. TRAVIS: Thanks very much, Kristian.
22 Fatimah, and then, Chas. And then Dona. Thank you.

23 MS. DREIER: You know, I want to echo a point,
24 I think, Elizabeth, you raised here, about you know, we
25 are burdened in some ways by these questions about, well,

1 how would it look in reality? Right.

2 We are talking about dynamics of power and how
3 do you avoid reifying systems at a local level. David, I
4 think I heard you say, you know, with new players who are
5 dominating, and aren't actually equitably, and with
6 accountability, supporting what needs to happen at a local
7 level.

8 And what is hard about those questions, I
9 think, is we have not tried in earnest ever to do it in
10 the first place. Right, an array that brings it to scale.

11 Like, can we give people a space to fail, and
12 to learn, and to be reorganized with a set of values. And
13 I think this is, you know, this piece, like how do we set.

14 How do we bake into investment restorative
15 accountability? How do we bake?

16 Well, you know, we have learned a lot over the
17 last few decades about those sorts of things. And it is
18 not to say -- it is not to kind of make the ideals that we
19 imagined for these structures. Let's anticipate that
20 there will be failure. How do we bake that in? And how
21 do we adjust when failure.

22 And let's be surprised about the places where
23 there is innovation. I think that I am fascinated by, you
24 know, the startup community and venture capital, and this
25 idea that you invest big in big ideas. You empower

1 people. You set up structures. You advise. Right.
2 There are these ideas.

3 And with enough grassroots infrastructure,
4 people iterate. And what does it mean to iterate in a way
5 that allows communities to try things and invite others to
6 participate, and to adjust, and iterate as they grow. And
7 this question is about, well, how do we evaluate it.

8 Well, we have learned a lot about participatory
9 research. We have learned a lot about how to shift power.
10 How to listen to those who have been most impacted,
11 right. Those sorts of processes.

12 As someone who is kind of involved in the
13 trauma-informed movement, thinks about this at local
14 levels. How to inform in local processes and recognize
15 that oftentimes when we are actually -- when you look with
16 a microscope at some of the dynamics that play out in
17 communities, they are often based on scarcity, on a lack
18 of resources. And frankly, a tremendous amount of trauma
19 like those who have been impacted have.

20 And there are supports that can be provided at,
21 particularly, units of development in local communities
22 that I think are really compelling. People are trying
23 this out all over the country and the world.

24 So I want us to be bold in imagining, and not
25 be caught up by these -- they are very good questions.

1 But I think that we need to give people space. And to
2 talk first about investment and then about what it looks
3 like.

4 MR. TRAVIS: Great. Excellent. So we have an
5 active queue. And we have some members of our group who
6 wondered where did all those blue hands come from, and how
7 do I get mine up there?

8 So we will take a moment for Sukyi to do a
9 little reminder tutorial on what it takes to get in the
10 queue. And then I think I had Dona next, and then Chas.

11 MS. MURPHEY: Yes. So also I think, from the
12 perspective of a community --

13 MR. TRAVIS: Let me ask you just to hold one
14 second. Sukyi, do you want to come in, just to --

15 MS. MURPHEY: I am sorry. Yes.

16 MR. TRAVIS: Yes. Tell people what they should
17 do on their screen.

18 MS. McMAHON: Sure. So just, if you will go
19 down to the bottom of your screen in Zoom, you will see a
20 button labeled, Participants. You will click that and
21 then click Raise Hand in the participants box. And on the
22 host end, we will see your hand raise, and what order it
23 comes in.

24 MR. TRAVIS: Hey, Jorge. Great.

25 MS. McMAHON: Yes. And when you are done

1 speaking, you can also lower your hand by also managing
2 that as well. That is all.

3 MR. TRAVIS: Great. Okay. And so the queue we
4 have now, and this will be all we can do before we ask
5 Elizabeth to give some reactions to what she heard and
6 then move on to our next paper.

7 The queue we have now, if I have got it right,
8 is Dona, Chas, Jorge, Marcia, and Vesla. I think that is
9 it. And if I missed anybody, I apologize, but I think
10 that is it. So Dona, you are next.

11 MS. MURPHEY: Yes. So as a community
12 organizer, also, as an activist and as someone who has run
13 for local political office, like I feel that --

14 MR. TRAVIS: Aha.

15 MS. MURPHEY: I am sorry. Can you hear me?

16 MR. TRAVIS: I just said, ah, right. I am
17 always impressed by people who take the plunge. Okay.

18 MS. MURPHEY: I think that it is really
19 critical to elect activists into public office. And I
20 think a lot of people have a lot of reservations about
21 that.

22 But I think honestly, it is really the way to
23 empower the people who are closest to that struggle, to
24 make some real political change in a way that is -- it is
25 kind of bringing that kind of outside the box thinking

1 into institutions, right. And I think that what is
2 important about doing that is to not get caught up, first
3 of all, in the cult of celebrity which I think really
4 pollutes our political participation in this country.

5 And we tend to do that. We have these local
6 activists who, I think, people get wrapped up in who they
7 are, and not so much in what they offer, in terms of
8 bringing transformative change to our communities. And
9 so, I think, you know, kind of mobilizing the community
10 around people who can bring real political change, who
11 have really intimately experienced some of the problems
12 that they are offering to solve, that is really crucially
13 important.

14 I think also, you have to move these people out
15 of these. I mean, I think it is human nature, when you
16 are put into a position where you can become complacent
17 and do. And the systems, as we have built them, I think,
18 they are vulnerable to that.

19 And so, insofar as, or as long as we have the
20 systems that we do, I think it is important to move people
21 in and to move them out. But you know, as a community
22 organizer, what I think part of the responsibility of that
23 person who has moved into that position is to continually
24 engage in the community as they had as activists, as
25 organizers, and to, basically, organize themselves out of

1 the job, right.

2 So that is what we aspire to do as community
3 organizers. We should be cultivating leadership among
4 activists and organizers, to replace us in those systems.

5 And I don't think that this is unique to
6 elected office. I think this is also -- it is also
7 something that we should see happening. I think it would
8 be very valuable to see it happening in other institutions
9 as well: in academia, in the non-profit industrial
10 complex, in all of these places.

11 MR. TRAVIS: Okay. Thanks, Dona. Chas, and
12 then, Marcia.

13 MR. MOORE: Man, I am like, I started here, and
14 then people kept talking and bringing up other stuff. So
15 now I am in, like, this other place. But I will try to
16 compact it a lot.

17 One, I want to go back to the funding piece.
18 Before, you know, we were in a place and position to where
19 we were getting grants and funding, I didn't really
20 understand. I didn't understand how it works.

21 But now that I know how it works, like, I think
22 philanthropy needs its ass kicked just as much. We are
23 talking about policing, education, and prisons because
24 they perpetuate very much the white supremacy, the
25 privilege, and all of the things that, you know, like that

1 we are fighting against. They perpetuate it, very much
2 so, even in ways that it causes us, you know, the advocacy
3 groups, the community groups to compete with one another,
4 right. And our approaches to the work are now going
5 against one another.

6 And I think it is enough money out there for us
7 to be able to do the work the way we need to. But
8 philanthropy just has to radically change how we give that
9 money out, one.

10 Two, like, you know, I am really still
11 struggling with, you know, trying to get people on board
12 with my idea. I feel like I am the only person on this
13 ark at this time. But like, I really think, as we are
14 talking about rebuilding and transformation, somebody said
15 it earlier, really beautifully. Like, I think we have to
16 allow that space for innovation.

17 I think it was Fatimah. You know, because the
18 place where we are going, the only place I have seen it,
19 at least, you know, in my mind is like, in a bell hooks
20 book, or a Toni Morrison novel. Like, it doesn't exist in
21 the real world, right.

22 This place where, you know, like women can make
23 a rap song and it not be the end of the world, because men
24 have been doing it for decades. Like, we haven't been to
25 that place.

1 So you know like, even today, I was talking to
2 somebody about, well, like what does a world without
3 police look like? And the funny look -- like, well, I
4 don't know. But you know, like that is okay not to know
5 what it looks like, because we are all going to have to
6 collectively come together and build that world.

7 And also, you know, again, I am going to keep
8 saying this. Like, tearing down white supremacist
9 institutions means nothing if we keep the white
10 supremacist ideologies, right. Like, if we bring you
11 know, patriarchy, misogyny with us, it doesn't matter.
12 Right.

13 So I think, as much as we keep talking about
14 institutions and the systems, we have to, like, really let
15 that go. And maybe not even have a word for, like, this
16 new ideology what we are talking about, because it needs
17 to get to a sense of humanity and existence.

18 And then I think another thing that Dona just
19 brought up for me was, while I agree that we need to let
20 people, you know, that have been impacted by the systems,
21 and people that are closest to the problem, I also think
22 we need to be aware that when we do let people into these
23 systems and institutions -- that if we don't free up the
24 institutions for people to actually bring that
25 transformative change that they may want, it doesn't

1 matter, right.

2 Like, you know, we have some -- we have a
3 couple of great elected folks here on council. Maybe one
4 or two. Jorge might disagree with that, and Kristian.
5 But it is only so much they can do, because the way the
6 system is set up and designed, right.

7 And that is why, I think, so badly, you know,
8 when we are talking about Square One and the reason I like
9 this space is because I think we need to think boldly.
10 And boldly, to me, means maybe like rewriting the
11 Constitution to make it actually be inclusive of everybody
12 and all, and really just kind of restructuring who we are
13 as an American society today, because we are not the same.

14 We are not allowing ourselves to be the same,
15 who we were, because we are very much are still the same.

16 But like now, because, again, of the leadership of Black
17 women, women of color, queer folks, we are saying uh-uh.
18 Something has to give.

19 And I think we have to really reflect that
20 systemically, to make sure that you know, we can still --
21 because there is really nothing wrong with having a
22 representative and council. But if they are not able to
23 operate to the wills and ways of how the people want, then
24 we just frustrate ourselves, right.

25 So it is like, how do we, how do we get people

1 that have been impacted in positions? But how do we also
2 not set them up to fail?

3 MR. TRAVIS: Great.

4 MR. MOORE: Jeremy, thank you for cutting me
5 off.

6 MR. TRAVIS: Your mind is going, and that is a
7 good thing. I can see it. You said it at the outset.

8 So we have got a very active queue. No
9 surprise. Marcia, Jorge, Vesla, and then I know that
10 Bruce was there somewhere.

11 So we are going to extend our time a little
12 bit, if you don't mind, to five minutes after. Then go
13 back to Elizabeth, and then on to our next paper
14 presenter.

15 Marcia, if you could give us some, as brief as
16 you can, comments about what you have heard so far. What
17 is prompted in your thought-processor?

18 MS. RINCON-GALLARDO: Sure. So can everyone
19 hear me okay?

20 MR. TRAVIS: Yes. You are good.

21 MS. RINCON-GALLARDO: Okay. So I wanted to
22 respond to the first paper by Elizabeth. Really
23 exceptional.

24 I really appreciated reading about maximum
25 feasible participation myself, as a community activist

1 early on in my life, particularly in Native American and
2 Latino communities in the country. It seems to me that we
3 are still talking about structural racism, though.

4 That given that you know, where we are talking
5 about residence, for citizens' participation, the
6 differentiation for a lot of immigrants, what that means.

7 Even though that for Native American, and lots of
8 Latinos, they are born here, but still, when you talk
9 about elections, and who are elected officials, and then
10 who are elected to be systems players, the administrators
11 of systems, it was never people that looked like us.

12 And so, for them to be the ones making
13 decisions about what the system needed, and what it didn't
14 need, and even most recently, in my comments that I made
15 earlier, when we only rely on systems people -- so
16 foundations pouring, year after year after year, money
17 into systems leaders, and building their leadership to be
18 better leaders, to reform the system, that was the moot
19 point. Because you know, they were taught to have a
20 hammer and a nail. And that is all.

21 And so, they were going to always come at this
22 system with that perspective in mind. They never included
23 the people most impacted, those people from the community.

24 You have to look at the data and then go to
25 those communities and those neighborhoods where the data

1 said that the people coming, sitting in juvenile halls,
2 were coming from those neighborhoods, and go to those
3 neighborhoods. But no one ever saw them as, you know, the
4 experts, or the officials, the administrators, to be able
5 to say, and/or to give validity to what they were saying
6 as appropriate ways to respond.

7 And last but not least, yes. We use the word
8 innovation. But I want to, with all due respect, I want
9 to say something about how we as people, we had ancestors
10 that never used cages to hold our youth or our adults to
11 change their behavior. And so for us, that still believe
12 in our traditions and in our teachings, there is a wealth
13 of beautiful information there that can be utilized to
14 teach us about who we are.

15 How to live our life. How to be as human
16 beings, and not have this colorism and racism. And so,
17 when we say innovation, we always think like it is
18 something out there that we have never done, as opposed to
19 the fact that we have beautiful ways of being that we just
20 need to go back into our past to bring forward. So those
21 are a few points.

22 MR. TRAVIS: Great point. Okay. Thank you so
23 much. So our queue is now, Jorge is next. And after him,
24 I will get it up in a second, is Vesla.

25 MR. RENAUD: Thank you, Marcia, for the nod to

1 *la gente*. I want to comment on the fact that maybe one of
2 the first comments having to do with this paper had to do
3 with metrics and had to do with outcomes.

4 I think that one of the things that we
5 sometimes, or that I know that funders or whatever --
6 people sometimes lose sight that were maybe aren't as
7 easily impressed by whatever is the fundamental
8 philosophical change that needs to occur before we can
9 accurately measure anything.

10 We sometimes -- myself and some other radical
11 organizers, we refuse to make the cost benefit analysis
12 when we go testify in front of committees that offer
13 funding, or whatever. If it is based on the argument,
14 look, if you have so many prisons, and if you quit funding
15 prisons, you can fund so many colleges.

16 But the Koch Brothers can come in tomorrow,
17 fund all the damn prisons, and then what are you left
18 with. You cannot simply make the argument on dollars.
19 You cannot simply say, okay. You can come back with all
20 these numbers. And if you can show that you can come back
21 with these numbers, then we are going to give you so many
22 dollars.

23 Despite the fact that historically, we have
24 raped and pillaged and exploited the same communities, and
25 maybe they are deserving of some funds. And they are

1 going to fail sometimes. They are not going to come up
2 with the metrics that we want.

3 They are not going to be able to prove
4 something that maybe we can go back to Zuckerberg and say,
5 look. Give us half the money that you put into your
6 yacht, right, for this city, please. And if you lose half
7 the money that you need to get your yacht, that is okay.
8 Right. That is okay. Because look at the people who are
9 otherwise dead in that community.

10 I just want to say that I think that either we
11 are going to buy into the idea, or we are going to
12 actually push the idea, or internalize the idea that those
13 closest to the problem, that those communities from which
14 these individuals have been pulled from and these
15 communities that we devastated, deserve that funding,
16 right.

17 And if they are going to fail -- and to refer
18 back to something that Dr. Garland said, right, that it's
19 not something that's going to happen right now, but it may
20 happen over the course of a generation or two, or three
21 generations, that is okay. But that you are not going to
22 get a return on your dollar tomorrow or next year. And
23 that is okay.

24 MR. TRAVIS: Yes. Great. Thanks, Jorge.
25 Vesla.

1 MS. WEAVER: Thank you. So Elizabeth, I think
2 the paper, for me, brought up -- and this is maybe a
3 question for you, and maybe just a chance for us to think
4 about where this can go. What you are talking about with
5 maximum feasible participation is from the government.

6 But as your work shows, as, you know, Simon
7 Balto and Max Felker-Kantor and others, and you know, some
8 of the work I have been doing on the 1970s shows, is that
9 there are so many ways that communities without a precious
10 little penny developed radical alternatives to safety
11 deprivation, right. We didn't need -- I mean, yes.

12 Maximum feasible participation is the core of
13 your paper. But what it kept calling out to me is this
14 robust understudied, right -- as academics, we don't know
15 the metrics. We don't have the metrics because we never
16 studied groups like 300 Gangstas in Baltimore.

17 We never studied the hood claimers. We never
18 studied the efforts in a particularly social scientific
19 way of the Panthers, right, and their programs. We never
20 studied the efforts and measured the efforts of Woodlawn,
21 of all of the efforts from the '60s on forward, of
22 communities to actually propose something different, and
23 to give us an idea of safety grounded in communal
24 knowledge, right.

25 And so, I just wanted to add to this that one

1 of the biggest themes in my own portals work, which is the
2 biggest archive, I think, that has ever been collected of
3 policing narratives by people who have been policed. One
4 of the biggest themes -- one of the biggest things they
5 call for is exactly at the heart of your paper, which is
6 self-determination, collective autonomy, and the right to
7 design and implement their own notions of safety.

8 And in many ways, the police themselves
9 interrupt efforts to set up Black indigenous economies, to
10 set up survival strategies. So in my own city, Baltimore,
11 right, the police constantly are surveilling the squeegee
12 kids, right. The kids who go and squeegee the cars for
13 money, right. That is a Black independent, informal
14 economy, and a means of sustenance.

15 And I just wanted to, you know, read one little
16 tiny excerpt to just, you know, underscore this. In this
17 conversation between two people, they are talking about
18 how none of the community centers that they relied on in
19 their own youth, all of them had been shut down.

20 And now, somebody comes along and sets up an
21 informal basketball court, just to have a place for kids
22 to play. And as soon as he sets it up, the police are
23 circling the basketball court, right. Looking for them to
24 get in a fight, so that they can come in and surveil.

25 And so, I think one of the things that we need

1 to bring to this conversation is the role of police
2 themselves in limiting efforts, maximum feasible
3 participation and efforts by communities themselves to
4 police their own, to provide safety, to informally set up
5 structures of care, and economic independence. And I see
6 this again, and again -- the role of policing constraining
7 the ability of communities to actually provide safety to
8 one another.

9 MR. TRAVIS: Right. Thanks. Vesla. I just
10 want to confirm that Bruce took his hand down. True?
11 Yes. Okay. We have two more of our colleagues who want
12 to come in, before we come back to Elizabeth. Vivian and
13 Gabriel.

14 (Pause.)

15 MR. TRAVIS: Vivian?

16 (Pause.)

17 MR. TRAVIS: I am not quite sure what is going
18 on here. I can't hear anything. Okay. Vivian, I don't
19 know if you are working with your mute button or -- try
20 one more time. No.

21 MR. WESTERN: Jeremy, she's muted --

22 MR. TRAVIS: But then she is not. So we are
23 going to ask Evie to work with you, to figure this out.
24 Because we definitely want to hear what you have to say.
25 So while we are doing that, we will come back to -- oh,

1 there you are. Are you there?

2 MS. NIXON: Yes. I fixed it.

3 MR. TRAVIS: Yes. Okay.

4 MS. NIXON: I didn't know my computer had two
5 microphones.

6 MR. TRAVIS: The things we learn. Right.

7 MS. NIXON: The things we learn. Yes. So a
8 couple of things. Like, I -- Elizabeth, I'm really
9 interested to the point like, of obsession right now,
10 about whether or not you looked at any of these community
11 action programs or Community Development Corporations that
12 were developed outside of urban areas, and what happened
13 in those communities after the programs were shut down.

14 And it is really a very specific and kind of
15 personal question. Because we had both in -- on Long
16 Island and Nassau County, we had Community Development
17 Corporations, the EEOC, and we had community action
18 programs in every town.

19 And the funding did go away. But somehow, even
20 when the funding got connected to the municipal county
21 seat, nothing changed. I remember, because I was there.
22 And I grew up in those community centers.

23 And everybody that grew up in those community
24 centers with me is the reason that my neighborhood is
25 still able to force them to rebuild the park when the park

1 is crumbling. Right. It is my -- the people I grew up
2 with are, like, making it happen.

3 That whole generation is making a difference.
4 Because our program stayed the same, right up until like,
5 1973. Nothing changed in our community. We had, it was a
6 mix of you know, traditional civil rights organizations
7 like the NAACP, plus the Panthers, plus other groups.
8 Nothing changed.

9 And has any study ever been done, of the folks
10 who grew up in that era, who were teenagers and young
11 adults in that era, who participated in those programs.
12 What are they doing now? And I think that is a really
13 important question. Because that is where your results
14 are.

15 And they may not have been immediate results,
16 but the long-term implications are massive. Because over
17 time, these folks have made a difference in their
18 communities.

19 And the other thing I want to lift up again is
20 this question of what funding looks like. We know that of
21 all of the philanthropic dollars that are invested, very
22 little is invested in, first of all, in issues of
23 defunding or reducing the size of the carceral system.
24 And what is invested in that area, it is -- a tiny bit of
25 that is directed at people impacted.

1 But it is not just about the dollars. It is
2 about the opportunity to fail, and what are your
3 measurements. If we want to say, we want to tear down
4 something that is not working, you can't do it under the
5 capitalist structure.

6 Because the capitalist structure is going to
7 look for a return on investment. And that is the problem.
8 The revolution won't be funded under a capitalist
9 structure. And that is the answer to that question.

10 It can be funded, if it is not under the
11 capitalist structure. But if it is under that structure,
12 it will always look to return on investment. And return
13 on investment as defined by the investor, not by the
14 people who are being invested in.

15 MR. TRAVIS: Good. And I am going to cut you
16 off there to ask Gabriel to say what he would like to say.

17 And then get back to Elizabeth. We are a little behind
18 schedule, and we want to give adequate time to David and
19 his paper.

20 So Gabriel?

21 MR. SALGUERO: Elizabeth, thank you. A few
22 quick comments. Number one is, when we are talking both
23 about funding, collaboration, and empowerment of
24 communities, how have you seen the work of embracing the
25 hybridity of the communities, right.

1 So I am thinking, I am a -- I work with faith-
2 based organizations, FBOs, and what those studies have.
3 By hybridity, I mean, I think David alluded to this, you
4 know, in our communities, we have the kind of, both the
5 progressive and liberative, and justice-oriented bent.
6 But there is this internalized, I think Chas spoke to
7 that, colonization, hierarchy, patriarchy, right.

8 And sometimes, we want the autonomy and the
9 voice of the community, but there is a kind of
10 romanticizing of what that community is like, right. And
11 so, the community may have something else to say. And
12 some of it is not liberative or justice-oriented. And so,
13 how have we dealt with that collaboration and empowerment
14 and funding.

15 Especially with, you know, I am Puerto Rican,
16 and I grew up in el barrio. A lot of those FBOs were long
17 standing, very liberative, very empowerment, but
18 simultaneously, very oppressive and very hierarchical.
19 But they were there for 50, 60, 70 years. And so, how do
20 you partner with that hybrid community that helps and
21 hurts, I think, is a simple way to say that.

22 The second thing is about, I appreciate what
23 you had to say about process and time, right. I think
24 there is something that needs to be said about time. What
25 do we consider time -- enough time? Enough time

1 commitment and enough time in the process.

2 Jorge talked about freedom to fail, or freedom
3 to reinvent or freedom to innovate, or to pull back from
4 the best of our traditions, as Marcia said. I think that
5 the question of process needs to be clearly defined when
6 we are talking about maximum feasible participation.

7 And the last thing I want to talk about
8 ingenuity and tradition. What does creating space for
9 both tradition and ingenuity look like? Creating space.

10 And I don't just mean physical space, although
11 I do mean physical space, but time, reflection. My former
12 life was as an academic in Princeton, but now I work as a
13 pastor of a church under a coalition. And there is not a
14 lot of space, because we are putting out a lot of fires.
15 So the ingenuity space has not been created, and how do we
16 fund space for ingenuity.

17 And thanks, Elizabeth.

18 MR. TRAVIS: Yes. Good point. So Elizabeth,
19 you have 38 seconds to react. What a great conversation.

20 I hope you are taking it all in and remembering
21 it and that it will influence your work. But are there
22 two or three points that you would like to respond to,
23 before we move on?

24 MS. HINTON: Well, this has just been such an
25 enriching and informative, and mind-blowing discussion.

1 So I am still processing it, and taking it all in. So
2 thank you all.

3 I am very much [audio skip] the work, and all
4 the points that you raised. I think this is a really
5 amazing jumping off point for subsequent sessions, but
6 also our conversation today.

7 Because I think, you know, one of the themes
8 that keeps on coming up is, how limited we are in our
9 current economic system, but also our world view, and our
10 frame of mind. And I think that these are some of the
11 issues that David raises in his paper.

12 And the danger here is, you know, as we are
13 trying to bring about a kind of transformation, how do we
14 prevent reifying the very inequalities and hierarchies
15 that we are challenging. Especially when, you know, those
16 are so ingrained in our society.

17 Anyways, I have so much to say. But hopefully,
18 it will end up coming out over the course of weeks. Thank
19 you all so much.

20 MR. TRAVIS: Good. Great. And that, we just
21 have to, you know, come to grips with the fact that we are
22 not tying up any loose ends here. Even at the end of our
23 time together, there will be lots of them.

24 But that is the point, is to keep things fluid
25 and learn from each other, and to not come back and forth,

1 and back and forth, and try to resolve anything. But it
2 is really to develop the big tapestry that I mentioned
3 before. So we are going to turn next to David.

4 Before I do that, just a reminder. And I
5 should have done this at the outset. We use -- we try not
6 to use the chat function to message each other during the
7 session so that we can stay focused on what is happening
8 in the screen, and in the moment. We do ask people, if
9 they have things they want to share with people later,
10 like there is a great article you want people to read, to
11 do that in the comments that Sukyi contributes afterwards.

12 Bruce, what are you holding up? What is that?
13 You are muted. I don't know what you are doing.

14 MR. WESTERN: This is Danielle's publication,
15 the link that she shared with me.

16 MR. TRAVIS: Okay.

17 MS. ALLEN: Yes. So I know there are rules
18 now. I am sorry.

19 MR. TRAVIS: Yes. I had you in mind. I didn't
20 want to --

21 MS. ALLEN: No worries. I get it.

22 MR. TRAVIS: -- personal.

23 MS. ALLEN: Of course.

24 MR. TRAVIS: I had you in mind, when I should
25 have said. So Bruce has actually illustrated your chat.

1 There we go. That is pretty powerful. So David, give us
2 ten minutes of additions to this crazy brew we have got
3 going here.

4 MR. GARLAND: So I do have a ten-minute summary
5 of my paper. Would it be preferable just to skip that and
6 go straight to general discussion, in the interest of
7 time? I don't mind either way.

8 MR. TRAVIS: I think it would be useful for you
9 to frame up what you think. And if you can be a bridge
10 from where we were to where we are going to be, that is
11 even better.

12 MR. GARLAND: Okay.

13 MR. TRAVIS: So it is not just a continuation.

14 MR. GARLAND: Okay. So here is a summary of
15 what I think are the key points. I think all of them are
16 pretty simple.

17 In fact, I am stunned by the extent to which
18 most of these ideas, which I thought were insight, have
19 just become headlines and slogans in the last few months.

20 So I don't think I am telling anybody anything they don't
21 already know.

22 So the paper argues that American criminal
23 justice uses penal controls more extensively and more
24 intensively than anyone else on the planet. Other western
25 nations obviously use punishment, but they use controls

1 less extensively. The policing and punishment are less
2 harsh and more humane.

3 I want to try and suggest in the paper that
4 this is not just a question, although it is this too, over
5 recurring policy choices. It actually reflects underlying
6 durable social and economic structures. And then
7 particularly, the political economy is the USA.

8 Other affluent nations I am claiming, and of
9 course, by the way, here the comparison is a kind of
10 optimistic one, as if the USA should be compared with
11 other liberal democratic affluent nations. Maybe that is
12 wrong.

13 Maybe we should be compared with, I don't know,
14 high crime nations, or former settler societies, or I
15 don't know, illiberal authoritarian nations. But if you
16 compare us with Western Europe, Australia, New Zealand,
17 Canada, what I think is that these other societies are
18 less reliant on harsh policing and harsh punishment, first
19 of all, because the social milieu of poor people in these
20 societies is less disadvantaged and less dangerous than is
21 true here.

22 And secondly, because states in these
23 societies, because it's a kind of soft car and a social
24 infrastructure that allows them to regulate and shape
25 behavior in non-penal ways that aren't just -- aren't

1 available to U.S. government in the same way. The lesson
2 I take from this is kind of simple but also rather somber.
3 What I think it means is that without big structural
4 change of the kind that Elizabeth Warren and Bernie
5 Sanders have been talking about, the prospects for ending
6 criminal injustice are really quite limited in this
7 country.

8 Less incarceration, worry of policing, just
9 like high rates of criminal violence, have deep roots in
10 America's political economy, and they are unlikely to
11 disappear without wider socioeconomic transformation. So
12 that is the overall thesis, right.

13 The comparative points in the paper, made
14 sometimes with some detail, usually with a broad brush,
15 are that other nations obviously are dismayed by criminal
16 events, that they regard, you know, offenders as people to
17 be condemned. Violence is something to be feared. Public
18 safety is something to be promoted.

19 But the way that they undertake that process
20 continues on the whole, I mean, there is a lot of
21 variation, to treat offenders as individual citizens whose
22 social rights and even welfare state entitlements continue
23 while they are being punished. In contrast here, we have
24 this kind of war mentality that individual offenders
25 basically lose their liberty and trust, are to be regarded

1 as dangerous, and to be, you know, subjected to whatever
2 kind of continuing controls the public feels safest to
3 impose.

4 The claim I am making is that this is true, not
5 because European nations are more civilized. Not because
6 they don't have a tendency to be punitive or racist. But
7 rather, because they have in place economic arrangements
8 and welfare states and forms of political association that
9 are more egalitarian and more inclusive and which have the
10 effect of reducing the need for penal control.

11 So one of the things I want to emphasize, and
12 often enough, when we talk about punishment and policing
13 in the current context, especially after a long-term
14 reduction in crime and violence in the society, we tend to
15 forget that even now, the USA continues to be a remarkably
16 violent place. In terms of homicide rates, America's
17 homicide rate continues to be three times as high as
18 Canada's and between five and ten times as high as Western
19 European nations.

20 And of course, these rates are much worse, if
21 you focus on communities of color, African American youth.

22 But even if you think just about white people, they are
23 killed at a higher rate here in the USA than any of these
24 other countries.

25 And we think about guns. But if you think

1 about non-firearm homicides, they are higher in the USA
2 than in any of the comparable countries. So basically,
3 what I am suggesting is, we need to focus on the USA as a
4 high violence society.

5 We also have to remember that that is not the
6 only social problem where the USA comes bottom of the
7 league. Basically, child poverty, relative poverty,
8 poverty while in work, infant mortality, teenage
9 birthrates, mental illness, high school non-completion,
10 drug addiction, drug death. All of these are higher in
11 the USA, or worse in the USA than they are elsewhere. And
12 of course, nearly all of these problems are worse in
13 minority communities than in general.

14 So why is this the case? What are the
15 structural sources of violence and disorder in the USA?
16 And what the paper suggests is that if you look at
17 comparative research, it suggests that societies that are
18 more unequal and societies that have less generous, less
19 comprehensive welfare states are prone to have higher
20 rates of violence and higher levels of punishment than
21 more equal or generous societies.

22 And of course, on that scale, if you look at
23 America's political economy, its quality, its welfare
24 state, it is no surprise to find that levels of violence
25 in this country, and levels of punishment in this country

1 are so high because we are the most unequal of these
2 societies, and have the least generous welfare state for
3 the poor.

4 So the claim is that America's political
5 economy, its labor market, and the lack of poverty-
6 reducing effort by the government ensures that the risks
7 that markets impose are left to lie where they fall. And
8 that individuals and families in these communities are
9 less secured against market risk than is true in any of
10 these other countries.

11 Which means that the work of -- the important
12 work, which I kind of emphasized in the paper, of
13 socializing and raising and integrating and controlling
14 individuals that kind of goes on, on a routine day to day
15 basis, that is less successfully done, on the whole, in
16 many of these communities, with the consequence that we
17 have more disorder, and the most dislocation. And margins
18 in which illegal economies, violence, and crime prosper.

19 So there's a section in the paper where I talk
20 a lot about this. It is important to remember that when
21 we talk about inequality and poverty and lack of welfare
22 provision and crime, it is not because most crime is, you
23 know, like 19th century crimes of poverty, where women are
24 stealing to feed their families. That is not the
25 relationship between poverty and inequality and crime we

1 are talking about.

2 The problem is really -- and in fact the
3 important problem is one of violence in this country. And
4 violence is complex. And violence has all sorts of social
5 and psychological and environmental triggers and formative
6 and developmental processes.

7 But what I am claiming in the paper, and what I
8 think is borne out by the research is, that in society
9 [audio skip] where the families and the employers and the
10 schools and the communities that are charged with the kind
11 of routine work of raising kids, socializing kids,
12 integrating kids, and controlling kids, do a much less
13 good job of that work. Difficult work. Work that always
14 kind of is prone to going wrong in any kind of setting.

15 If these families are stressed, if these
16 families have few resources, if they have poor housing, if
17 they have low levels of employment, and less security, if
18 they are -- you know, if both parents are working, if one
19 parent is incarcerated, if there is just no resources to
20 do that work, the possibilities of doing it, especially in
21 a context where schools and employment and the background
22 informal controls of community are undermined by these
23 circumstances.

24 It is no surprise that levels of violence,
25 levels of crime will tend to grow in these settings. And

1 in the USA, that is exactly what we find.

2 So where social order is fragile, what you find
3 is that it ends up being the state and its control agency,
4 the police, prisons, and probation and parole that move in
5 and do more of that work. Where families and employers
6 and schools are functioning better, law and order stays in
7 the background. Law and order is for the abberational
8 case, not for the routine community. In America, we have
9 got too many cases like the former.

10 And by the way, just because, you know, talk
11 about families and talk about social controls and talk
12 about the social criminal deficit often seems like blaming
13 the victims. As if, you know, there is a family values
14 problem here.

15 The key point to emphasize is that routine
16 social control by families is enabled or inhibited by the
17 supply of resources that the social system, the political
18 system, the economic system provides. And in the paper, I
19 talk about what these resources are.

20 But basically, this is a political economy
21 story. It operates through the mediation of families and
22 communities and schools and neighborhoods. And it ends up
23 in individual violence. It is not a story about
24 individual characteristics, or even about family failure.

25 Okay. Just a couple of moments more. Welfare

1 states we think of as being kind of tax and spending
2 redistribution machines. But welfare states are also
3 apparatuses that build infrastructures of social services
4 and public health and educational provision and
5 employment, that basically provide an infrastructure that
6 provides social support and social controls to aid
7 families and communities to do this work.

8 And of course, in the USA, that apparatus is,
9 by comparison, much less effective. Now we see this, what
10 we are really talking about is a kind of weakness of the
11 social infrastructure in the USA.

12 You see this in response to the pandemic. Not
13 just in terms of leadership by, you know, the Trump
14 administration. But in terms of the actual infrastructure
15 of capable control that central government is capable of
16 exerting at the level of individual behavior and family
17 behavior.

18 In this country, it doesn't exist in all sorts
19 of places. And of course, it is always tripped up and
20 opposed by the levels of government and the levels of kind
21 of, you know, veto opposition by different parties and
22 different politics and different places. This is a
23 nation, a huge nation that is governed very poorly in
24 domestic terms, even when the administration is working
25 well. Not just when it is dysfunctional.

1 So what tends to happen is that when we have
2 social problems, when we have violence and crime, the
3 default solution tends to be to resort to harsh policing
4 and penal control. And that is partly because of politics
5 and partly because of the lack of value accorded to the
6 lives of poor people and poor people of color in
7 particular.

8 But it is also a story about just capacity, and
9 what is available to government, particularly city
10 government. Particularly governments that would like to
11 invest in communities but are faced with the need to
12 control violence.

13 And so, what I am suggesting on the whole is a
14 rather kind of simple but rather somber conclusion, which
15 is that basically, if the USA is to move away from high
16 levels of violence, move away from aggressive [audio
17 skip], move away from mass incarceration, it won't be just
18 because criminal justice movements and movements for
19 criminal justice reform exist.

20 It will because these movements somehow managed
21 to hitch themselves to, and embed themselves within wider
22 struggles for economic justice, for transforming the labor
23 market, for building a welfare state. And of course, none
24 of these struggles will happen because of crime and
25 criminal justice.

1 They will happen because working people demand
2 these things. But in the meantime, criminal justice
3 activists can, you know, shape criminal justice thinking,
4 crime control thinking in a way that accords with these
5 transformations rather than seems separate from them.

6 So for example, and I will finish on this. We
7 need to emphasize the whole time that punishment is not an
8 efficient form of crime control, that punishment is
9 necessary, that you know, we have to impose some kind of
10 punishment to do justice, to deter offenders, to contain
11 dangerous individuals. But criminal punishment, if it
12 happens at all, and most of the time, offenders go
13 unpunished, tends to be after the fact, and tends to
14 reinforce criminality and social exclusion, rather than
15 reform offenders.

16 We should think of punishment instead as a kind
17 of tragic necessity to be minimized, not a social tool to
18 be deployed everywhere. We should remember, and this is
19 the important point of the paper, I think, that real crime
20 control, crime prevention, responses to criminal behavior,
21 particularly at the early stages, that occurs in the
22 mainstream, routine practices of social control.

23 It is done by parents, and teachers, and
24 neighbors, and employers, and communities, not by law and
25 order activity. And that is precisely why other nations,

1 other affluent western nations, tend to, you know, do
2 without the level of punishment we have, enjoy lower
3 levels of violence than we do.

4 Basically, because they are supporting families
5 and communities to socialize and integrate and ultimately
6 to control generations of youth. Not to expose them to
7 the kind of risks that we do.

8 That is the paper, I think, in a nutshell. I
9 look forward very much to hearing what your responses are.
10 Thanks so much.

11 MR. TRAVIS: Well, thank you so much, David. I
12 am glad we asked you to summarize and present it the way
13 you did. And I think I speak for others.

14 Just to say what a collection from Elizabeth to
15 David, of some big ideas, at a moment in our country's
16 history, where we would like to think that big ideas are
17 in play in our political system. And maybe that is being
18 overly optimistic.

19 So we always allow for a little bit of time for
20 people to ask clarifying questions. And I hope they are
21 truly that. I want to privilege people who have not
22 spoken yet today, when we open it up.

23 And I am going to ask for Sukyi to help me on
24 sort of culling out whoever -- she has a list of those
25 people who haven't spoken. It is a little hard for me to

1 do that.

2 We have about 25 minutes. So this is not
3 enough time to take on a big topic. So I am going to ask
4 for really, really tight observations. And forgive me if
5 I ask you to move it along, if it is going on a bit too
6 long. We have a lot to talk about.

7 We want to get to Bruce's summary. We give
8 David a chance to respond to any observations. And we are
9 going to 6:15. Just reminding people that we have
10 extended to 6:15.

11 So clarifying questions first. And this is not
12 the queue. This is just, wave your hand at me if
13 something was not clear in what David said, or in his
14 paper, that you want to focus on.

15 (No response.)

16 MR. TRAVIS: Seeing none. So Sukyi, help me
17 out here with privileging those who have not spoken first.

18 I know Aisha has not. So we will do that one next. And
19 then you can just help me to think about who might be
20 next. We will get those done, because I would like to
21 have everybody have a chance to say something. And then
22 it will come back to those who have already spoken before
23 we wrap it up.

24 Aisha.

25 MS. McWEAY: There is a lot in that that I want

1 to talk about, but we have 25 minutes. So I am going to
2 try to zone in on one particular aspect.

3 And I think you hit it towards the end, David.

4 Because in reading these two pieces together, I thought
5 it was a great juxtaposition of, like, what is the cart,
6 what is the horse. What is the -- like, how do we engage
7 with this.

8 And one of the pieces that I just want to
9 amplify, sort of mimicking what we did last week, is the
10 piece about any of the reform that we are doing, or that
11 the revolution can't be separated. And so, when we talk
12 about criminal justice reform, to me, that was one of the
13 strongest points that resonated, that I just want to,
14 like, parse out. That economic justice and an overhaul of
15 the child welfare system.

16 An overhaul of all of these, like, social sort
17 of constructs that exist that impact the lives of our
18 communities, however broadly you define that term, or
19 narrow. I think it is really inextricably tied.

20 And when we talk about violence and the rate of
21 violence, we cannot separate those discussions from trauma
22 and the, like, generations of perpetuated trauma. And so,
23 I don't actually know what to do with this.

24 And I have been struggling during the first
25 session of how to take all of this in. And like, and

1 chime in, in these like really quick bits. Because I want
2 to talk for hours about this.

3 But I would just say that I want to amplify
4 this idea and this notion that if you are talking, if
5 we're figuring out where do we go next in overhauling the
6 criminal justice system. I don't think we can --

7 MR. TRAVIS: Yes.

8 MS. McWEAY: -- the question there. It has to
9 be much broader.

10 MR. TRAVIS: Yes. That is a central premise of
11 this roundtable of Square One. You can't do that,
12 criminal justice reform, without doing this. And there is
13 a sequencing issue, obviously.

14 So Sukyi, I am going to rely on the queue. Is
15 Kimá next, is that right?

16 MS. McMAHON: We have Hedy, Kimá, Aswad, and
17 Elizabeth.

18 MR. TRAVIS: Great. Okay. Hedy is next.

19 MS. TAYLOR: So I do [inaudible]. I think in
20 similar ways as Aisha. But the other piece. You know, we
21 want individuals, families, communities to thrive, not
22 just survive, not just be part of the criminal justice
23 system. And that requires real thought in education and
24 partnership with these other systems.

25 What David said resonated so strong with me.

1 But one piece I have been struggling with, even as a lot
2 of criminal justice reform work has gone on, is that we
3 are a very punitive nation.

4 Even if we don't put people in the criminal
5 justice system, we look at the education system. Who are
6 we expelling and suspending first. When we look at the
7 child welfare, as soon as people are using drugs, you
8 know, take their babies away, and it is punitive in that
9 system.

10 So how do you reframe systems? And reframe
11 systems really means we have to understand the intricacies
12 of other systems. And one particular piece I have
13 struggled with in the substance use space, and even just
14 in here, is people say, well, we will take people out of
15 the criminal justice system, which I completely believe
16 in, and put them in Medicaid, and the health care system.

17 But what the health care system, the Medicaid,
18 is like the place we want to reform. We want universal
19 health care. Medicaid isn't great. It has huge
20 disparities. It is hard to get into. Yadda yadda yadda.

21 And so, it would be great. It is not only
22 creating a shared vision, but it is making sure that we
23 really truly understand what the ideal goals are for each
24 of those different sectors, so that we truly have a
25 restructured nation into having different communities

1 thrive. Because sometimes we accidentally kind of take
2 each other out and make another sector kind of take two
3 steps back.

4 MR. TRAVIS: Great. Thank you so much, Kimá.
5 Perfect. And Hedy Lee is up next, and then Aswad. Thank
6 you.

7 MR. BOCANEGRA: Thanks a lot.

8 MR. TRAVIS: Eddie, I think you -- it's
9 actually, Hedy was next. And then we will figure out
10 where you are in the queue. I know Hedy was --

11 MR. BOCANEGRA: [inaudible].

12 MR. TRAVIS: Yes. Sorry about that.

13 MS. LEE: I think it was because it was Eddie,
14 and our names rhyme.

15 MR. TRAVIS: Yes.

16 MS. LEE: Sorry, Eddie. I will be quick. Just
17 one thing that I was thinking about, from what David was
18 talking about, is this idea that inequality is killing us.

19 But isn't it killing us all?

20 I mean, so some of the compare -- we spoke a
21 lot on comparisons of African Americans and lower
22 socioeconomic status groups. But I think at least the
23 work in health inequality literature shows that if you
24 compare even millionaires in the U.S. to these other
25 countries, I don't know if they are the perfect comparison

1 countries as you alluded to, our health -- I'm not a
2 millionaire. Their health is also way worse. Higher
3 risks of mortality, more risk to experiencing violence as
4 well.

5 And so, I am just wondering how we should be
6 taking or framing these discussions to ensure that when we
7 are talking about violence in the United States, when we
8 are talking about the social problems, that these are
9 things that are impacting all of us, not just particular
10 segments. And so anyway, this is something that I wanted
11 to bring up. And hopefully, you can reflect upon, after
12 everybody has asked questions.

13 MR. TRAVIS: Great. Continuing through our
14 queue. Aswad is next.

15 MR. THOMAS: I thought it was a great article,
16 David. Just an observation. When we think about the
17 criminal justice system, you know, we think about more
18 policing. You know, for the criminal justice system,
19 victims of crime has played a lead role in that.

20 And it has primarily have been victims of crime
21 that are often have one single victim experience, often
22 it's a white woman or a white male. And for the past few
23 decades, you know, crime victims in communities of color,
24 from parents who have lost children to violence to victims
25 of gun violence themselves, to Black and Brown women and

1 men that are impacted by domestic violence and sexual
2 assault, like, have been totally excluded out of the
3 conversation. Right.

4 And when we look at criminal justice reform
5 today, that still stands true. The majority of crime
6 victims in those communities most harmed by crime and
7 violence and incarceration are the least supported by
8 these systems.

9 So until we actually, you know, talk with crime
10 victims about what makes them safe, we will continue to
11 build a system that haven't been supported and don't meet
12 the needs of crime victims. And think about law
13 enforcement, you think about politicians. They are always
14 speaking on behalf of victims.

15 Across the country, I sit on Committee
16 hearings. And everyone is talking about the victims and
17 speaking on behalf of the victims. But in those committee
18 rooms, there aren't any victims of color who are at the
19 tables.

20 And so, the important work of community
21 organizing, the work that I lead, is to organize those
22 survivors that have been neglected, that have been
23 mistreated. And we think about the organizations who are
24 on the frontlines doing the work in the community that
25 hasn't been investment into the infrastructure and the

1 capacity building of those organizations who have the
2 solutions.

3 When something -- violence happen in the
4 community, folks in the community aren't calling police.
5 They are calling the organizations, the interventionist
6 groups. They are calling the gang intervention.

7 They are calling the mothers and fathers and
8 the pastors that have lost individuals to violence, have
9 all started their own organization as a result of that.
10 And so, I think we have come a long way. But still today,
11 we have got a long way to go.

12 And the more that we don't include the voices
13 of crime victims in communities of color, we are going to
14 continue to have those challenges. Whether it is through
15 research, policy making.

16 But most importantly, we cannot do what we have
17 been doing for the past 30 years of not listening to crime
18 victims in communities of color. And you know, what are
19 their priorities for the justice system.

20 We will see there is more intervention
21 programs. You know, trauma recovery centers. You know,
22 more and investment to health treatment, which is what
23 crime victims and communities of color want more jobs.
24 Not just more policing.

25 And the victims' landscape for the past few

1 years have played a lead role in advocating for tough on
2 crime policies. And still today, there are those groups
3 that are out there.

4 And we see a shift, but we must continue to
5 have the voices of crime victims at all policymaking
6 tables. And also shift the narrative in the media as
7 well.

8 MR. TRAVIS: So the wonderful problem that we
9 have is that everybody wants to get in right now. Not
10 everybody, but many of you. This is a good problem for a
11 facilitator to have.

12 So I am going to ask again for brevity. I am
13 going to ask Elizabeth who is next up in the queue, just
14 to hold a minute, if you would. So we can get people who
15 have not yet made a contribution to the conversation.

16 And starting with Courtney, next. Just,
17 whatever the punchiest points you want to make. Make sure
18 that we get your contribution.

19 And then we will see where we are. In the
20 interests of time, we are going to have to close it out
21 early. But I do want to make sure that we give an
22 opportunity for those who have not yet said what they
23 would like to say.

24 Lots of people want to be in right now.
25 Courtney, you are up. Elizabeth, please be patient.

1 MS. ROBINSON: I am going to try and make it as
2 brief and quick as I possibly can.

3 MR. TRAVIS: Okay.

4 MS. ROBINSON: The thing that sort of kept
5 coming up for me is this notion of fellow citizen. And
6 the Mr. Smith, and sort of the normal, the treatment of
7 people.

8 And so, that led me to think about in what ways
9 are we comparing ourselves to other colonized countries,
10 and how are we reckoning with our own history of violence.

11 And how that violence continues to perpetuate itself over
12 and over again in our systems, and sort of maintaining how
13 we understand violence and crime in our country.

14 So I will stop there, so someone else --

15 MR. TRAVIS: Yes. Great. Very important. It
16 links to our first conversation, which I like a lot. We
17 can do that. Ananya Roy, you are next in the queue.

18 MS. ROY: So Elizabeth, I think, is before me.

19 MR. TRAVIS: Yes. I am asking Elizabeth, since
20 she had a lot of airtime in the first session, just to
21 hold on a little bit. I won't forget her.

22 MS. ROY: Okay.

23 MR. TRAVIS: But I want to make sure we get new
24 voices in quickly.

25 MS. ROY: I appreciate that. I have a lot of

1 questions about the paper. And I have concerns about how
2 the paper frames certain issues related to the political
3 economy of the U.S., but I will be brief and mention two.

4 MR. TRAVIS: Please.

5 MS. ROY: So my concern is that the penal
6 control argument rests on an argument about fragile social
7 order, which in turn, is equated with racialized poverty.

8 But what it elides is a system of predation. Some of us
9 would call that racial capitalism, where there is the
10 holding of wealth and power.

11 The U.S. is exceptional, not just in mass
12 incarceration. It is exceptional, for example, in
13 taxation policy. It is exceptional in its enablement of
14 the looting of the economy by those who are at the very
15 top of the economic food chain. And I am worried that the
16 paper elides that.

17 But second is that there are many arguments in
18 the paper that seem to be in tension with one another.
19 And then what I heard David present is yet in tension with
20 that, around the relationship between poverty, crime,
21 violence, and policing.

22 And that is, of course, central to the work we
23 are trying to do. So I am going to say that of course we
24 know that there is no direct relationship between poverty
25 and crime. We do know that in the U.S., policing creates

1 crime. And that too, is obscured in the paper.

2 But I am also going to say that we need a bit
3 more time, not now, but in the roundtable, to talk about
4 violence. How we are thinking about it and thinking about
5 its relationship to what is being conceptualized as
6 impoverishment.

7 Damaged environments is what the paper used.
8 Those are all things that need much more discussion.

9 MR. TRAVIS: The topic of violence, we devoted
10 two and a half days to it in Detroit. Very complicated.
11 And this is obviously directly related to this discussion
12 as well. So thanks for bringing that into our midst here.

13 So the queue that I have right now, and let's
14 see if I am getting this right, is Emily, Kristian, and
15 then Elizabeth. And then if that -- that will take us to
16 the point where we would normally ask David to react. And
17 if that works out that way, that is great. But we might
18 have room for one more.

19 So Emily.

20 MS. WANG: Great. Thank you. So you know, I
21 have, similarly, I found that there are parts, David,
22 where the paper -- there was a tension.

23 And in particular, I thought that there was
24 real tension between kind of, you know, an understanding,
25 and a reflection of the structural issues that place

1 people at risk and then the kind of individual narrative
2 that is like, these folks are at risk. They do things.
3 The behaviors argument, I found that throughout.

4 One place that I really wanted to unpack more
5 with you, because I actually fundamentally disagree with
6 this, is this sentence. And I think that this is a
7 sentence that goes to the values. I know it is the fifth
8 roundtable. But it is, "Granted, we need some level of
9 punishment to deter would-be offenders, to impose deserved
10 retribution on wrongdoers, to contain dangerous
11 individuals, and to uphold the law."

12 And to me, this is core of what we are talking
13 about. And really thinking about how it is that we step
14 back from -- to a Square One is that issue of punishment,
15 which I think is really distinct.

16 We have been in other settings. We have talked
17 to a colleague, Danielle Sered, about accountability, of a
18 justice system that holds people accountable, but doesn't
19 necessarily punish them. And it is in conversations where
20 patients that have been incarcerated, that have been
21 victims in the south, that are not necessarily looking to
22 punish, but to hold individuals accountable. And that
23 creates systems, I think, that are more kind of deeply
24 humane.

25 It is also, you know, the health system -- this

1 is to Kimá's point, is also deeply punishing. And so, if
2 we end up in systems where punishment is something that we
3 call normative, I think we are going to see a slipping
4 back into the same kind of hierarchies and kind of
5 oppressive situations in which we live right now.

6 MR. TRAVIS: Great. I'd love to hear more
7 conversation on that. Maybe David will take it up as
8 well. Kristian, Elizabeth, and then Eddie, I realize that
9 you are on the phone and can't raise your hand. So you
10 will get the last observation to comment before we turn
11 back to David.

12 Kristian?

13 MS. CABALLERO: Yes. I just simply wanted to
14 emphasize, you know, how these systems, especially that
15 are punitive, do perpetuate racial inequity. You know, it
16 creates a cycle of debt, a cycle of poverty, that people
17 just can't get out of.

18 And so, I think as far as being more solution-
19 oriented in our conversations, I would like to -- for
20 everyone to kind of emphasize how a lot of these issues
21 not only intersect, but how a lot of the solutions to
22 these issues are intersectional as well. Especially
23 pertaining to equity. I will just keep it short like
24 that, for now.

25 MR. TRAVIS: Yes. Great. Thanks. Elizabeth.

1 MS. HINTON: Just building off some of what
2 Courtney and Emily said, I just have two really quick
3 things. The first is that I wondered a lot in the paper,
4 the ways in which the legacy of dispossession and genocide
5 of indigenous people and slavery in the U.S., but also in
6 the western hemisphere, profoundly shapes our notions of
7 punishment.

8 So you know, I wondered the ways in which
9 our -- how we punish people compares to other countries
10 that have a legacy of genocide of indigenous people and
11 slavery. And I guess that the second point is, and it
12 goes to like, the end of -- where you end. Which is, that
13 we need to kind of build the citizen's welfare state.

14 And this is what, I think, we have been talking
15 about, really, for the past two hours. And so, this gets
16 to Emily's question. Like, is there a place for prisons
17 within that kind of a welfare state?

18 And even as you say in the paper, if these
19 controls are in place and if people have resources,
20 will -- the kind of resources that you are talking
21 about -- will we still see crime and harm and violence in
22 the ways that we do today?

23 MR. TRAVIS: Great. Thank you, Elizabeth. So
24 we touch against -- touch up to the abolition argument
25 again and again. And thanks for putting it in the mix.

1 Eddie, I want to give you a chance.

2 MR. BOCANEGRA: Yes. I saw --

3 MR. TRAVIS: And then, Marcia, I saw your hand.

4 So go ahead. Marcia, we will come to you, and then ask
5 David to respond. Thanks.

6 MR. BOCANEGRA: Thank you again. So just a
7 quick comment. I think that there is a lot that we could
8 learn, obviously, from other countries, while recognizing
9 the differences as well.

10 I think about what is happening here in the
11 state of Illinois. Just a couple of weeks ago, Heidi
12 Mueller, the Executive Director of the juvenile prisons
13 here pretty much started closing down all the juvenile
14 facilities in the State of Illinois.

15 And so, just about five, maybe six years ago,
16 Candice Jones, who is now the CEO of a major foundation
17 out in the east coast, the Public Welfare Foundation, you
18 know, when she was in that same position and they were
19 closing down one of the state prisons for juveniles down
20 south, it was interesting in the story that she shared,
21 which I am going to paraphrase, which ultimately is you
22 have all these, you know, rural kind of county folks, you
23 know, predominantly all whites, who are depending on these
24 jobs, right, for corrections. And they didn't see, right,
25 how challenging it was. Or they didn't see the value of

1 the fact that they are incarcerating young kids,
2 particularly Black and Brown kids.

3 And so, it is not until we are able to change
4 that culture, right, that we are going to be able to see
5 the value in human needs. And I think part of it is how
6 does -- from a business perspective, do we see the value
7 of this population. And I think that is something that
8 we, in the last maybe ten years, we started kind of
9 realizing more and more that there is actually potential
10 untapped resource there.

11 I don't want to go -- obviously, spend more
12 time on that. Because I am also going to be contradicting
13 many of our comments here, including myself. But I think
14 there is -- what I would ask from David is that in his
15 comparison when he is doing his research, were there any
16 other examples in the U.S. that are worth noting, so that
17 we could gravitate, and say hey. How do we look at this
18 example, and think about magnifying that, and going deeper
19 as part of our larger strategy.

20 MR. TRAVIS: Great. A chance for here, a
21 commercial announcement to a Square One paper by Vince
22 Schiraldi, calling for the abolition of youth prisons, and
23 noting some progress in that direction.

24 So Marcia, we will turn to you. And then,
25 David, we are coming back to you for any reactions to what

1 you have heard.

2 MS. RINCON-GALLARDO: Yes. Okay. So I wanted
3 to just follow up. Eddie kind of touched on the point
4 that I wanted to make, which was, what I found missing
5 from this report, along with some of what the other
6 colleagues have already mentioned, is this notion of it is
7 a huge institution all over this country that is who works
8 in it.

9 You know, judges, prosecutors, public
10 defenders, so on and so forth. They have livelihoods.
11 They don't -- if we undo this system, and do away with it,
12 where do they go to work? Right.

13 And so -- and it is the same thing with when we
14 talk about reforming or defunding or divesting of the
15 police department. What happens to all -- you know,
16 people pay mortgages. People send their kids off to
17 college.

18 So there is a whole area of work that needs to
19 be well thought out about. And what is it that we need to
20 lead in thinking about these things as we also dismantle
21 these systems. So yes.

22 MR. TRAVIS: Yes. So we are going to turn to
23 David for his reactions to what he has heard. I want to
24 acknowledge that after we got started, we were joined
25 midway by two of our colleagues, Erik Bringswhite who was

1 with us at our first session. And I want to thank Erik
2 for being with us.

3 And Imara Jones. Imara, I am going to -- when
4 we get together next time, I am going to ask you to do, as
5 I have with everyone else, take a moment to introduce
6 yourself, so that we get a sense of the work you are
7 doing.

8 And I have already said that I am jealous of
9 your title. But something about Special Advisor for the
10 Social Contract, something like that. But we will give
11 you that floor next time we get together. It was good to
12 have you here.

13 So David. So quick reactions. And then we
14 will turn to Bruce for our wrap-up. You are on mute. You
15 are on mute. David, you are on mute.

16 MR. GARLAND: Can you hear me now?

17 MR. TRAVIS: Yes.

18 MR. GARLAND: Okay. Sorry about that. So I
19 have written down mostly what people said. And I take
20 them to be kind of friendly amendments requiring me to
21 complicate notions that are in the paper, of political
22 economy, of crime, of the various mediations and responses
23 that are going on.

24 The one thing that I find really interesting
25 and want to take issue with, and it might be helpful for

1 the group as a whole, Emily's point about punishment. And
2 I think we need to differentiate between American
3 conceptions of punishment, the contemporary practice of
4 punishment, the way the people in the USA assume
5 punishment means imprisonment and it means lengthy terms
6 of imprisonment.

7 So none of that is essential. None of that is
8 required. There is no universal commitment to that kind
9 of behavior.

10 But I do think, and I want to emphasize this,
11 that punishment, by which I mean, an authoritative
12 condemnation of wrongful behavior backed up by some kind
13 of sanction. But I think that is essential to group life.

14 I don't think you are going to have a normative
15 morality without being, you know, backed up by punishment,
16 and enforced by punishment. But punishment needn't be
17 anything other than like, a raised eyebrow. It needn't be
18 anything more than a fine, if we are talking about
19 criminal justice real.

20 But there is no escaping the importance of
21 punishment as a backup to law and to norms. So I do think
22 that some kind of punishment is always necessary. I think
23 that you know, is that going from 100 to one in terms of
24 where the U.S. is currently, and what the kind of
25 necessary minimum would look like.

1 So that is simply a kind of, I think an
2 analytical point, that there is no escaping some notion of
3 punishment. And of course, in pragmatic real terms, if we
4 got to the rate of imprisonment that we used to have in
5 1980, we would be enormously improved, and we'd still be
6 way higher than Western European countries are.

7 So we are not talking about abolishing
8 punishment, any more than you can talk about, I think,
9 abolishing policing. We can talk about abolishing warrior
10 policing or American style policing, or American style
11 punishment. These are very different things.

12 Thank you.

13 MR. WESTERN: You're muted, Jeremy.

14 MR. TRAVIS: Could you sit with that for one
15 more second? Emily made a suggestion about the use of the
16 word accountability as different. I am not sure. She
17 said, as a substitute, but as a different concept.

18 Could you just react to that part of what she
19 said as well, before we move on?

20 MR. GARLAND: Are you asking me, Jeremy?

21 MR. TRAVIS: Yes. Please.

22 MR. GARLAND: So I missed the point about
23 accountability. Accountability, holding people to
24 account, making someone responsible for something, I think
25 the condemnation of wrongful behavior is more than just

1 that. And I think that there is a requirement.

2 If we regard something as being morally
3 required, like a criminal law is morally required. Not
4 all criminal laws in this over criminalized, create a
5 penal code society. But in most societies, there is a
6 core of you know, mala in se, things that every society
7 criminalizes. And we regard them not just as being
8 against criminal law but regard them as wrongful.

9 And I think to say something is wrongful is not
10 just to say, you know, you are responsible for this, and
11 therefore, we will hold you accountable. You know, maybe
12 you didn't bring the budget in properly, but you
13 overspent. You are accountable and responsible for that.

14 But it is not to be condemned necessarily.

15 But if you are -- if the budget is off because
16 you corruptly appropriated some money, that is to be
17 condemned and punished. I think these are different
18 things.

19 MR. TRAVIS: Okay. Thank you.

20 MR. GARLAND: They overlap. But different.

21 MR. TRAVIS: So we always look for these
22 moments of disagreement in any group. So this helps us
23 think about issues in their complexity.

24 It helps us respect the views of colleagues.
25 We hopefully take out of this something that will stick

1 with us after today. And what an important question. So
2 thank you, Emily, for raising it as clearly as you did.
3 And David, for responding as clearly as you did.

4 So we turn next to Bruce. And for those who
5 are with us for the first time, Bruce is the person we
6 turn to, to just help us reflect on the journey we have
7 traveled in this particular session. And this is always a
8 good setup for the next step in our journey, as we get
9 together next time.

10 Bruce.

11 MR. WESTERN: Yes. Yes. A conversation, just
12 a footnote on the exchange between David and Emily. I
13 think what David landed for me is very, very close
14 actually to a restorative justice idea. The starting
15 point of which is, causing harm to someone else incurs
16 obligations.

17 And you know, that is the starting point for a
18 restorative justice process. I think the ideas are very
19 close. I wouldn't say exactly identical, but very close.

20 MR. TRAVIS: We clearly need another Square One
21 paper here. Just saying.

22 MR. WESTERN: I know. I know. Okay. Three
23 ideas. I feel I was kind of -- Aisha's comment, what is
24 cart, what is horse, in reflecting on the two papers. I
25 think I was in the same boat. So here are my three big

1 ideas.

2 So in a way I see the two papers as really in
3 dialogue with each other. Now, the discussion in the
4 first hour and in the second hour are bookends.

5 And in Elizabeth's paper, the way I hear it in
6 the following discussion, we are really talking about a
7 transfer of power. And the direct funding of communities
8 was a way of empowering those communities.

9 The second hour was about structural change.
10 We look to Western Europe in David's analysis as a
11 fundamentally, structurally different political economy
12 that has an entirely different set of justice institutions
13 and an entirely different set of social outcomes.
14 Transferring power.

15 So what do you -- what was power in our
16 discussion. And I think this is kind of a key question
17 that we are all wrestling with in this moment, actually.
18 And definitely, in the historical example that Elizabeth
19 is talking about, in the contemporary experience of people
20 around the table, too, how power means money and
21 organization.

22 And part of what the community investment of
23 the Great Society Era was doing was providing money. Not
24 in an indiscriminate way. Not through social transfers,
25 but to organizations who were representing in some sense,

1 the communities.

2 And I felt a lot of our conversation was --
3 tried to elaborate this idea of what power is. Yes, it is
4 organization. Yes, it does involve money. But I thought
5 different ideas of power also arose in the discussion.
6 And I really think they are relevant, the processes, when
7 confronting today.

8 Different kinds of players in the field have
9 different kinds of symbolic power. And as Aswad spoke to
10 the power of victims and victim voice as having a special
11 kind of power in the political conversation about justice.
12 Courtney spoke about the power of history.

13 And I think this means that making change
14 right, if we are -- if there is going to be a transfer of
15 power, which is how we can think about change from the
16 starting point that Elizabeth gave us, then all of the
17 residue of historical inequalities and injustices that we
18 are living with today, the transfer of power is going to
19 have to deal with that historical residue in some way. So
20 history does have to be dealt with, because it is a
21 repository of enormous power.

22 The thrust of Elizabeth's analysis, right, is
23 power is transferred to community. So my second point is,
24 community. And we talked a lot about that in different
25 ways.

1 Community is complex, right. And I think our
2 starting point in our conversation was empowerment of
3 communities could lead to really significant change. That
4 is the transfer of power that we are talking about and are
5 interested in.

6 But communities are complex. They are subject
7 to their own inequalities. For one, when I think David
8 talks about local majoritarianism, he is pointing to that.

9 I think Gabriel is also speaking to that. You know,
10 there are inequalities within localities that don't want
11 to unwittingly reproduce.

12 Communities are also struggling with an
13 enormous amount of harm. And the disadvantage that many
14 communities have been subject to affects their capacity to
15 seize the reins of power. To take full advantage of the
16 power that they might have.

17 That is how I hear Fatimah saying, you know,
18 she is doing work around trauma, and the people who work
19 in that space are themselves having to contend with
20 trauma, in their own biographies. And so, this idea of
21 you know, transferring power to communities is
22 complicated.

23 Communities are shot through with their own
24 power relations. The capacity of communities, in many
25 cases, has been constrained by all of the harm that has

1 been piled onto them.

2 This makes me think that, you know, we should
3 be thinking of a sort of a CAP 2.0 rather than you know,
4 doing CAP again but better. But in which there is a role
5 for government, I tend to think, to support community
6 power in a more robust way.

7 It means more than just transferring funds to a
8 community organization. It also means actively supporting
9 the development of political capacity, I think. That is
10 what I would take away. And I think that is qualitatively
11 different from the kind of historical example that
12 Elizabeth was describing about the 1960s.

13 So a third point, transformational change. So
14 we are transferring power to produce this big structural
15 change, right. What does that look like?

16 It is at least two things. It is an
17 institutional change, right. And David spoke a lot about
18 the change in our justice institutions and also
19 fundamentally, a change in our social policy in
20 institutions as well. The development, I think, this was
21 a list of words. The citizens welfare state. So it is an
22 institutional change.

23 And a lot of people also spoke to a change of
24 ideology, right. A change of -- a shared sense of who is
25 deserving. Who has a seat at the table. And in different

1 ways, I heard Chas talk about this, and Jorge, and Eddie.

2 So what is this, what is this change. It is
3 this citizens welfare state that David described. And
4 Europe is the exemplar. I think that an implication here
5 for us is that we often point to social policy as the
6 ideal kind of justice reform we would like to see in the
7 United States.

8 But the problem is, American social policy is
9 very emaciated. It is very inequality reproducing. You
10 know, if you look at Medicaid. And you know, half the
11 states still have not adopted Medicaid expansion under the
12 ACA.

13 So our social policy institutions are not going
14 to be the answer to justice reform. It will be social
15 policy of a different kind again. And Kimá, I thought,
16 really made that point explicit.

17 And part of the consequence of this more robust
18 citizens welfare state that David was describing is that
19 you know, community safety itself becomes a different
20 thing. The agents of safety are not our criminal justice
21 institutions. They are families and businesses and faith
22 organizations. And all of the web of social life that
23 does all of the work of informal control and socialization
24 that David was talking about.

25 And I thought Aisha's point here was right on.

1 That the whole project of justice reform, in this very
2 transformational way, is just inescapably an economic and
3 an economic justice project. And I think an implication
4 is that we need to be facile with that language and those
5 policy instruments as we are with the criminal justice
6 system.

7 The big unanswered question that I have is the
8 how question. Right. How do we produce the social
9 process, the transfers of power in this meaningful way,
10 and create this transformational change? We have got
11 glimpses of it in the discussion.

12 I would sort of like to put a pin in that as a
13 theme that we return to in subsequent meetings. I feel
14 that we have got sort of the template of a discussion
15 here. But there is still critical pieces that we need to
16 fill in.

17 MR. TRAVIS: Great. Thank you, Bruce. Before
18 I offer some closing remarks, I want to just acknowledge
19 that this is that time of day where if you are feeling
20 like you have got a headache, or there is just too much
21 going on, or it is just like hard to sort through what you
22 just heard, that is what we wanted.

23 So that is the goal here, is to just keep
24 filling your head with ideas, keep thinking about ways
25 that we can relate to each other in the future, and get

1 some more sort of conversations going. And remember, at
2 the end, our last time together, we were talking about,
3 so, what might this all look like? So we do -- without
4 wanting to tie a ribbon on it, we do want to sort of try
5 to pull these threads together before our time is up.

6 Aisha, I see you have your hand up. Would you
7 like to say something before we wrap up?

8 MS. McWEAY: Yes. Really quickly. Next week
9 we are going to talk about three different papers. And I
10 just wanted to maybe flag that I think that is going to be
11 really hard, given the topics. And I am just wondering if
12 it would be worth considering moving one of those papers
13 to the session with Bruce. I am not trying to tell you
14 how to run your program.

15 I just -- I am not trying to be disrespectful
16 to the program. I think that the conversations, based off
17 the ones we have had so far with those three topics
18 together, I just don't want it to be -- I would wish for
19 that to happen to elevate it in front of people and not --

20 MR. TRAVIS: And don't apologize, please. We
21 like suggestions and comments. We will take it up with
22 our group as to how we manage the rest of the time
23 together.

24 And yes, when you look at housing, education,
25 and health, these are three big topics. Right. So we

1 will try to do them all in two hours. Yes. Okay. We are
2 nothing if not ambitious.

3 MS. HUFFMAN: I will say, just to give a little
4 comfort, if that is the -- we will talk about it. Because
5 we knew that particularly in this new format that we are
6 driven into, where we don't have as much time for each
7 thing that we would -- we always walk away feeling that we
8 don't have enough time.

9 And that is even the case here. Our current
10 plan is that we will hear from our authors briefly all
11 together, and then have a conversation for an hour and a
12 half or more on the topics collectively. Just so that we
13 aren't going to try to have everybody only have 22 minutes
14 to be able to talk about the paper.

15 So, but I think you are right. And we will be
16 thinking about how we can best work together over this
17 remaining little bit of time that we have. And so, thank
18 you.

19 MR. TRAVIS: Particularly given your
20 observation, Aisha, we can't do justice reform without
21 this. Right. So it is like a precondition.

22 So I will have some close out observations.
23 But let me just turn it over to Sukyi to give her parting
24 thoughts.

25 MS. McMAHON: Thank you, Jeremy. So just real

1 quickly, a little housekeeping. As usual, you are going
2 to get your survey. Tomorrow, it is just a quick Google
3 form, asking if you have any follow up thoughts based on
4 the conversation we had here today, and also, following up
5 on any tech issues you might have had.

6 So we want you all to be comfortable during
7 these sessions. And yes, it will also include in your
8 feedback some of the comments that were captured in the
9 chat today. I will be sure that those are pulled out of
10 there.

11 Erik, I caught yours as well. He sent me an
12 awesome comment, privately. So I can't have that stand.
13 So I am going to share that. I will make sure I get your
14 permission, but it is too good to not share publicly.

15 So that is it. You will get that tomorrow.
16 And we will ask that you complete it by the end of
17 business on Friday.

18 MR. TRAVIS: Okay. This is an appropriate
19 opportunity for me to thank Sukyi for helping us do what
20 we are doing here. Not just in terms of the technology,
21 but more importantly, substantively. This is a very rich
22 conversation.

23 And we had great participation today, for which
24 I am grateful. And what a group we have assembled, thanks
25 to the Square One team. And I feel just privileged to be

1 with you.

2 So we are going to switch gears now. And,
3 Sukyi, just help me understand how we are going to do this
4 happy hour thing. For those who want to stay with us, we
5 are going to have a chance just to get together in a more
6 informal way.

7 Sukyi, what is the plan?

8 MS. McMAHON: Well, if anyone who would like to
9 stay on would like to stay on, I have stopped recording.
10 So you can go and get your beverages and hang out with us
11 for a little bit.

12 MR. TRAVIS: All right.

13 MS. McMAHON: Typically, we have receptions
14 like crazy. We are getting together, and we are really
15 getting to know one another.

16 MR. TRAVIS: Yes.

17 MS. McMAHON: So we invite you all, if you
18 would like to, to just hang out. It doesn't have to be
19 long. You don't even have to have a drink. We can just
20 talk. There is ten, there is twelve, fourteen of us,
21 which is a good amount of folks for a nice little
22 conversation.

23 MR. TRAVIS: And I will back out as the
24 facilitator. I am also going to go get a glass of wine.
25 But this open to -- we do miss, you know, in the Square

1 One format, we have music. We have spoken word. We go
2 out to dinner.

3 We have drinks late, late in the night
4 sometimes, just continuing the discussion. So what we are
5 trying to create is at least a little opportunity for us
6 to continue to get to know each other. So I am headed off
7 to get a drink. I will be back in a sec.

8 (Whereupon, at 6:25 p.m. EST, the meeting was
9 concluded.)

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MEETING OF: The Square One Project

LOCATION: via Zoom

DATE: August 12, 2020

I do hereby certify that the foregoing pages, numbers 1 through 109, inclusive, are the true, accurate, and complete transcript prepared from the verbal recording made by electronic recording by Latrice Porter.

DATE: August 17, 2020

/s/ Carol Bourgeois
(Transcriber)

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