

Roundtable on the Future of Justice Policy

The Values of the Justice System: Implications for Justice Policy and Practice

Hosted by the Justice Lab at Columbia University

Generously supported by the J.C. Flowers Foundation

ROUNDTABLE AGENDA

The fifth and final Roundtable on the Future of Justice Policy asks, What are the values that guide efforts to create safety and reduce harm? One of the themes that has emerged over the course of the Square One Project, and that we see emerging in our broader societal and cultural conversation, is that a different future for justice policy must be guided by a clear articulation of the values it should be built upon and uphold. At this Roundtable, we will focus on identifying the values that provide our framework for justice, grappling with how they relate to racial reckoning, and examining the questions, opportunities, challenges, and ultimately the future such clarity about these values might bring.

WEEK 1

APRIL 15 - INTRODUCTORY EVENING GATHERING

5:00 pm ET **Welcome and Introductions** (All participants)

6:45 pm ET **Wrap-up Remarks**

7:00 pm ET **Session End**

APRIL 16 - ROUNDTABLE SESSIONS

12:00 pm ET **Roundtable Launch**

12:30 pm ET **The Role of Values** (Panel followed by full group discussion)

Moderator:

Katharine Huffman - Executive Director, Square One Project, Columbia Justice Lab; Founding Principal, The Raben Group

Panelists:

Monica Bell - Associate Professor of Law, Yale Law School

Leah Wright Rigueur - Assistant Professor of Public Policy, Harvard Kennedy School

In recent years, there is increased recognition that the United States' reliance on mass incarceration to create justice and safety has not achieved those goals, and has actually often created harm - to people, communities, and systems. We have begun to seek ways to increase safety and lessen harms within the system: reentry supports, jail diversion programs, reversals of some long mandatory sentences. Focused on the practical tools available, and working within the political constraints of elections every few years, these efforts are beginning to change the discourse, policy, and practice around justice and justice reform. But conflicts and inconsistencies arise from this narrowly scoped focus. While understandable on a practical or political level, reacting to a narrowly defined problem with a narrowly drawn response has shirked the core task of reckoning with the justice system and with the damage it has wrought.

Without serious consideration of lessons from the past or possibilities for the future, the potential for impact is limited and we risk the repetition of past mistakes and missteps. What is the role of values in breaking out of these constraints? Would a focus on our shared values allow us to foundationally reimagine justice and achieve safety for all?

- How does a diverse society develop and agree upon shared values?
- Would a focus on our shared values allow us to foundationally reimagine justice and achieve safety for all?
- How can centering values mobilize a reckoning with the justice system and the urgency around collective action for change?
- What are the aspirational values that can come out of a sober reckoning with our history?
- Can identifying and building shared values unite us across differences? Can they persuade people to consider new ideas, and lead diverse groups into constructive conversations that they might not otherwise be ready to have?
- Can values give us common ground even if we express those values very differently?

2:30 *pm ET* **Break**

3:00 *pm ET* **The Values of Justice** (Opening remarks followed by breakout sessions)

Opening Speakers:

Fatimah Dreier Loren - Executive Director, The Health Alliance for Violence Intervention (HAVI)

Abbey Stamp - Executive Director, Multnomah County Local Public Safety Coordinating Council

Keith Wattle - Founder and Executive Director, UnCommon Law

Values can guide decision making for both institutions and individuals—about what policies should be set, what practices are acceptable, what budgets should look like, and more. Square One has identified organizational values that include anti-racism, racial reckoning, human dignity, redemption, parsimony, and healing and recovery. Do these values answer the call? How are they reflected in the day-to-day work of achieving safety and justice?

- How can shared values be used to evaluate the efficacy of particular policies and practices?
- What are the indicators that tell us whether these values animate and guide the pursuit of justice?
- What are examples of the successful actualization of our values of justice?
- What do we do when the values themselves conflict with each other?

4:30 *pm ET* **Break**

4:45 *pm ET* **Breakout Room Report Out and Full Group Discussion**

5:45 *pm ET* **Session Wrap Up**

6:00 *pm ET* **Session End**

Week 2

APRIL 22 - KEYNOTE EVENING GATHERING

5:00 *pm ET* **Week 1 Reflections**

6:00 *pm ET* **Keynote Event: A Conversation on Reckoning with the Justice System**

Speakers:

Daryl Atkinson - Founder and Co-Director, Forward Justice

Marlon Peterson - Host of the Decarcerated Podcast; Founder and Chief Re-imaginator, The Precedential Group

7:30 *pm ET* **Event End**

APRIL 23 - ROUNDTABLE SESSIONS, CONTINUED

12:00 *pm ET* **Session Launch**

12:30 *pm ET* **The Irreducible Minimum and Abolition** (Opening remarks followed by breakout sessions)

Opening Speakers:

Marcia Rincon-Gillardo - Executive Director, NOXTIN

Jonathan Simon - Faculty Director, Center for the Study of Law and Society and Lance Robbins Professor of Criminal Justice Law, University of California, Berkeley

Nneka Jones Tapia - Managing Director of Justice Initiatives, Chicago Beyond

The role of government—local, state, and federal—in creating safety and responding to harm in the United States is complex in its history and functioning. Asserting this role, our government has at times designed effective approaches to adjudicating incidents of danger or harm; but it has also used this power for control, racial domination, and maintaining class privilege. This conflict has created enormous tension when considering what civic functions should be maintained as a public good, how state power should be exercised and how it should be constrained, and whether the illegitimate misuse of the criminal justice system requires its abolition in favor of the institution of something categorically different.

In order to address this conflict and reimagine justice free of racism, classism, and other forms of domination and degradation, we must start with the values that guide us, and *then* determine what functions are legitimate in pursuit of those values. The reimagining process separates the legitimate and illegitimate aspects of the system, and allows us to determine whether or not there is legitimate “irreducible minimum” to the justice system - and if so, what that irreducible minimum is.

- Is there an irreducible minimum of the criminal justice system?
- How does this core function sit with the abolitionist mindset?
- What are the values that help us resolve this tension?
- What is the role of values in specifying the positive functions of the criminal justice system?

2:00 *pm ET* **Break**

2:30 *pm ET* **Breakout Room Report Out and Full Group Discussion**

3:30 *pm ET* **Break**

3:45 *pm ET* **Operationalizing the Values of Justice: The Guiding Principles** (Presentation followed by full group discussion)

Presenter:

Danielle Allen - James Bryant Conant University Professor and Director, Edmond J. Safra Center for Ethics, Harvard University

Building from the previous discussion on the test of values, we must examine guiding principles—the mechanisms that will put the organizational values into practice. They can guide decision-making for both institutions and individuals such as what policies should be set, what practices are acceptable, what budgets should look like, and more.

- What are the guiding principles that put the organizational values into practice?
- How do we measure the success of the implementation of our new values? What are the milestones for success?
- Are there places where these principles are practiced yet still fail to reflect our values?

5:45 pm ET **Session Wrap Up**

6:00 pm ET **Session End**

Week 3 - Justice in New York

APRIL 30 - ROUNDTABLE SESSIONS

12:00 pm ET **Session Launch**

12:30 pm ET **Justice in New York** (Locals-only discussion followed by full group discussion)

There have been significant community- and city-led efforts in New York to reimagine justice by introducing and incorporating a different set of values along with solutions for safety in efforts to promote community responses to public safety and to address the challenges of the current criminal justice system.

- How are these values already gaining traction and how is the progress maintained, becoming entrenched, and expanding?
- What are the hurdles in New York, and how do these affect the institution of a new value system for the community and justice system?
- What unintentional harms have arisen from these values and how were they identified and addressed?
- What are the ideas of young people, and how were they brought in as equal partners?

3:00 pm ET **Break**

3:30 pm ET **Aspirations for the Values of Justice** (Panel followed by full group discussion)

Moderator:

Katharine Huffman - Executive Director, Square One Project, Columbia Justice Lab; Founding Principal, The Raben Group

Panelists:

Eric Cumberbatch - Executive Director, Office to Prevent Gun Violence, NYC Mayor's Office

Vivian Nixon - Executive Director, College and Community Fellowship

Danielle Sered - Executive Director, Common Justice

Promising practices and solutions exist that radically change the values and principles of justice, and have already gained ground in the justice system and in the ways communities create and manage safety.

- What can we learn from communities that have made headway or already established community safety practices?
- Who is responsible for putting values into practice?
- What does success look like and how is it measured?
- What values and principles are used to organize (eg. inclusion, power sharing)?
- What are their successes and their challenges?
- How can we learn from and amplify their work?

5:30 pm ET **Session Wrap Up**

6:00 pm ET **Roundtable End**