

A photograph of President Barack Obama sitting at a table in a prison setting, engaged in a conversation with several inmates. He is wearing a white dress shirt and a blue patterned tie. The inmates are wearing light-colored, plain clothing. The background shows dark prison doors with gold handles. A semi-transparent grey banner is overlaid across the bottom half of the image, containing the title text.

# Criminal Justice Reform Under President Obama

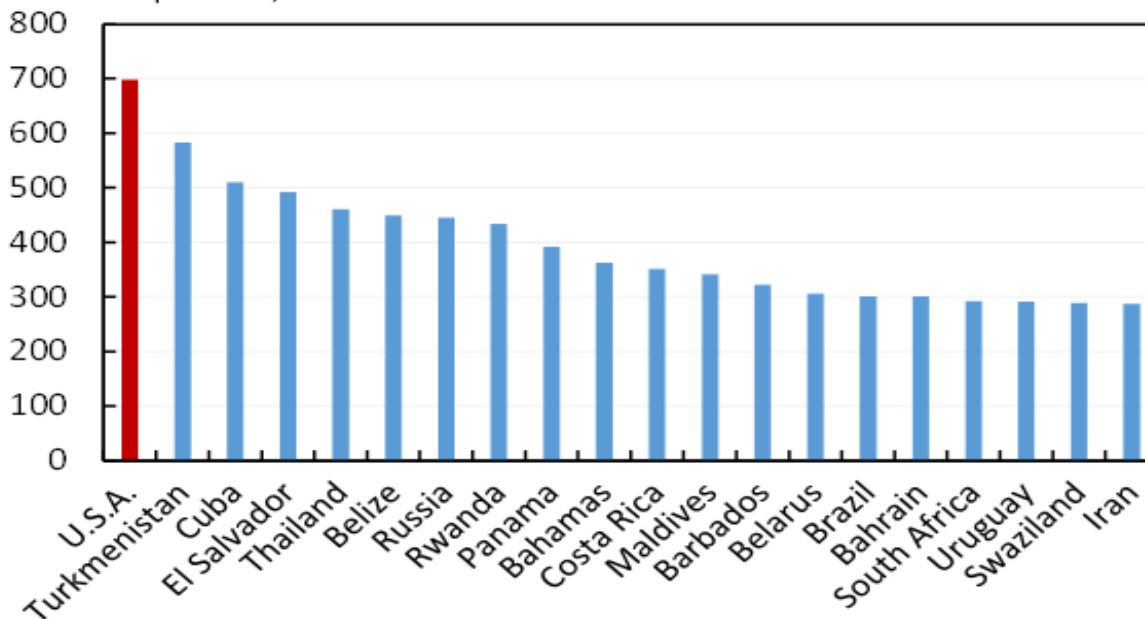
# ***Notable Accomplishments***

- ✓ **DOJ's "Smart on Crime" Initiative**
- ✓ **Task Force on 21<sup>st</sup> Century Policing**
- ✓ **Stronger Civil Rights Division**
- ✓ **Fair Sentencing Act**
- ✓ **Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act of 2009**
- ✓ **Death in Custody Reporting Act**
- ✓ **Funding for Body-Worn Cameras**
- ✓ **President Obama's Clemency Initiative**
- ✓ **Limited the Use of Solitary Confinement and Private Prisons**
- ✓ **Police Data Initiative**
- ✓ **Data-Driven Justice Initiative**
- ✓ **Hosted 1,000 law enforcement officers from 900+ agencies at the White House**

# How Many?

## Incarceration Rate by Country, 2015

Inmates per 100,000 Residents



Note: Includes 20 countries with highest incarceration rate. Ranking excludes territories and countries with populations less than 200,000.

Source: World Prison Population List.

Since 1980, the number of people incarcerated in the U.S. has grown by nearly **350 percent**

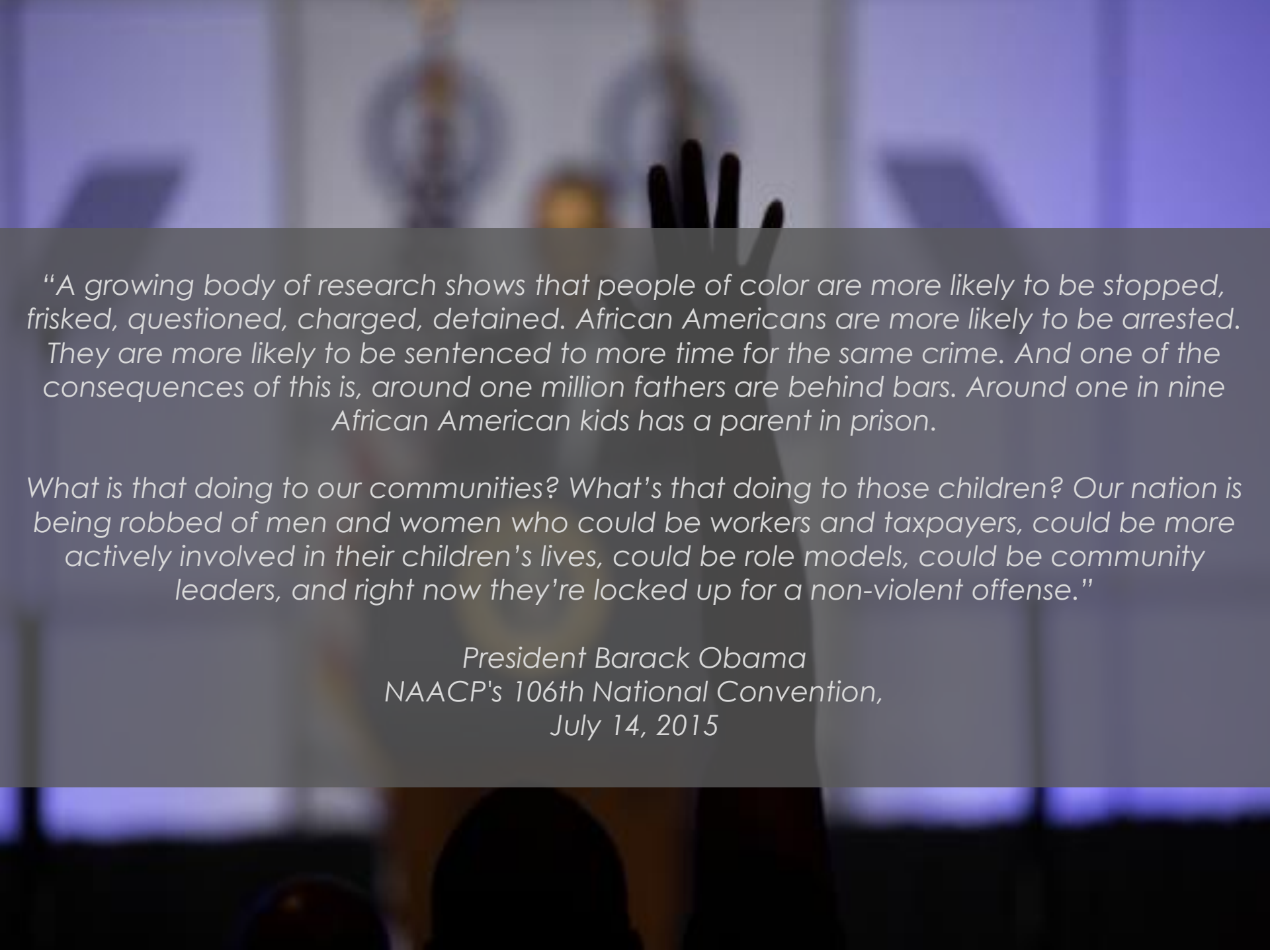
Today, the United States incarcerates **more people than any other country in the world,**

# *At What Cost?*

## **\$80 billion**

For the amount we spend each year to keep people incarcerated in America, we could:

- Provide universal preschool for every 3-year-old and 4-year-old in America
- Double the salary of every high school teacher in America
- Finance new roads, bridges, and airports; job training programs; research and development
- Eliminate tuition at every one of our public colleges and universities



*“A growing body of research shows that people of color are more likely to be stopped, frisked, questioned, charged, detained. African Americans are more likely to be arrested. They are more likely to be sentenced to more time for the same crime. And one of the consequences of this is, around one million fathers are behind bars. Around one in nine African American kids has a parent in prison.*

*What is that doing to our communities? What’s that doing to those children? Our nation is being robbed of men and women who could be workers and taxpayers, could be more actively involved in their children’s lives, could be role models, could be community leaders, and right now they’re locked up for a non-violent offense.”*

*President Barack Obama  
NAACP's 106th National Convention,  
July 14, 2015*

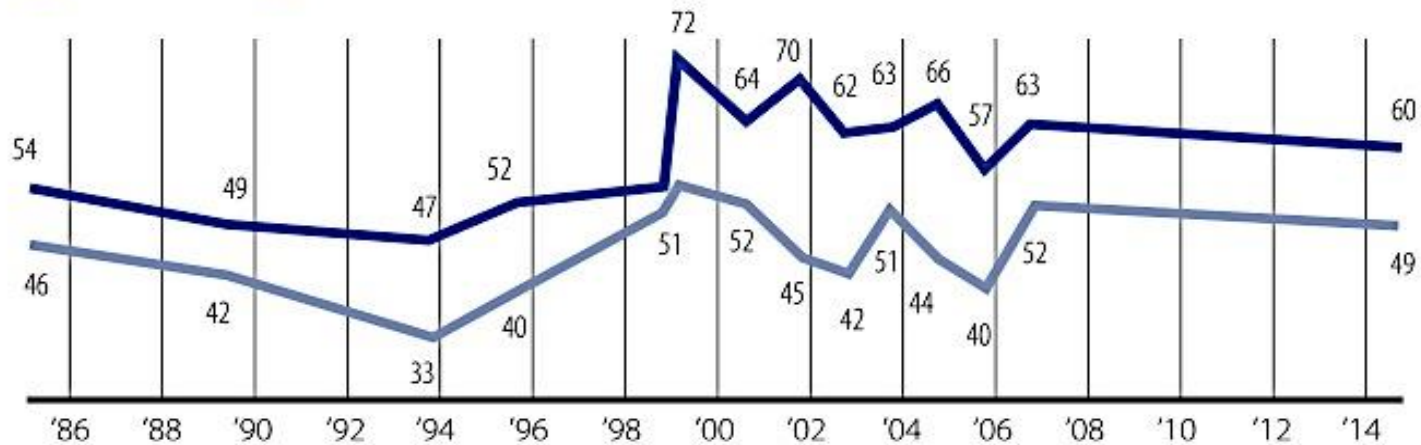
# Community Trust

**Figure 1. Confidence in police to protect them from violent crime, U.S. Whites vs. non-Whites**

How much confidence do you have in the ability of the police to protect you from violent crime—a great deal, quite a lot, not very much, or none at all?

% A GREAT DEAL/QUITE A LOT OF CONFIDENCE

■ Whites    ■ Nonwhites



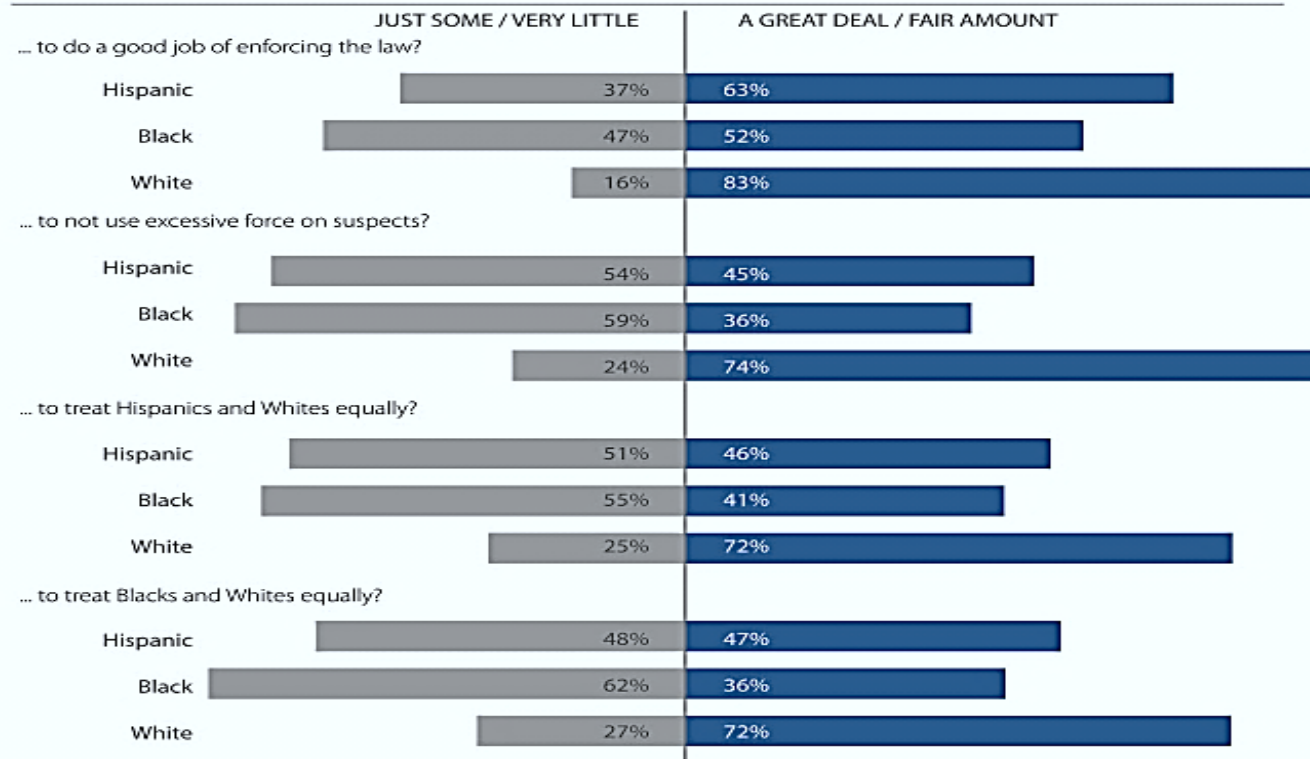
Source: Justin McCarthy, "Nonwhites Less Likely" (see note 6).

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# Community Trust

**Figure 2. Community members' confidence in their police officers**

How much confidence do you have in police officers in your community...



Note: Survey conducted August 20–24, 2014. Voluntary responses of "None" and "Don't know/Refused" not shown. Blacks and Whites include only non-Hispanics.



**No Entry**

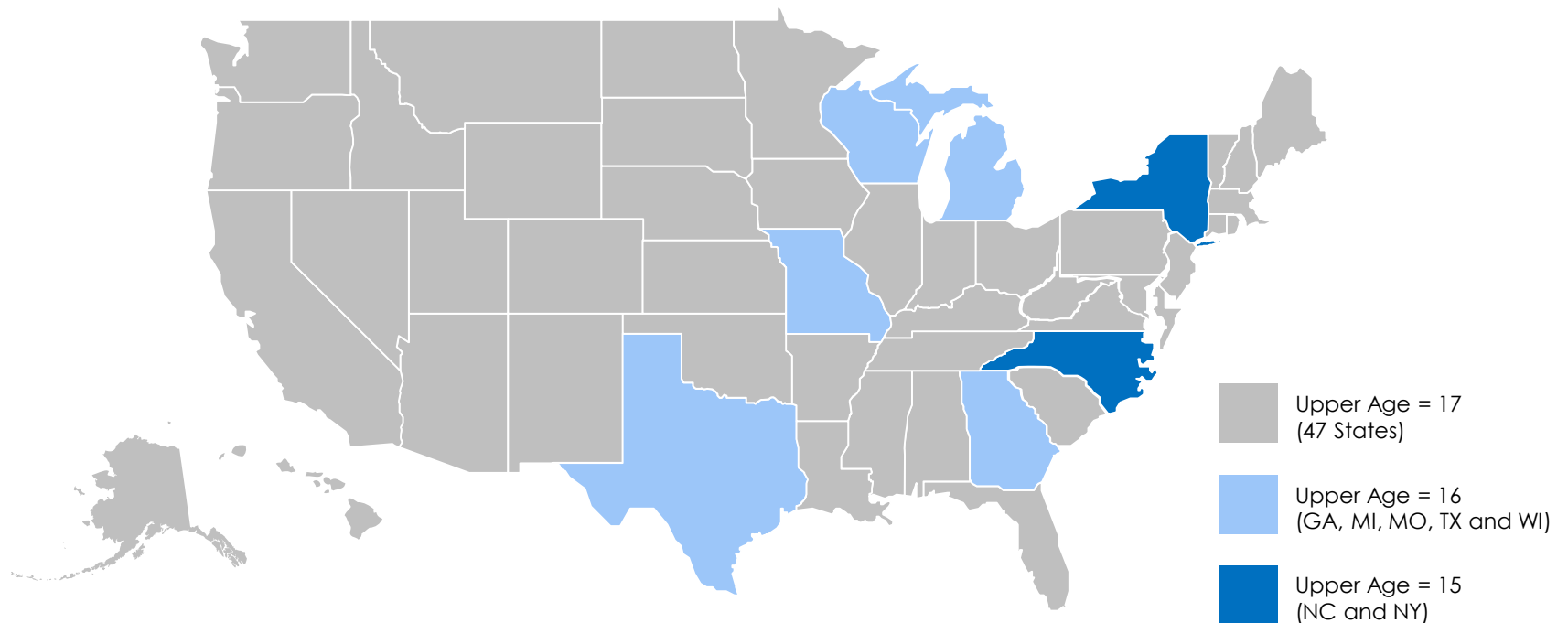


# School to Prison Pipeline



Created guidelines to ensure that **School Resource Officers** are a part of the solution in reducing the school-to-prison-pipeline.

# Raise the Age



\*In 2016, Louisiana and South Carolina “raised the age” to 17 years old.

# Task Force on 21<sup>st</sup> Century Policing Recommendations

## IMPLEMENTATION MAP



# Task Force on 21<sup>st</sup> Century Policing Recommendations

**Policy &  
Oversight**

**Building  
Trust &  
Legitimacy**

**Community  
Policing &  
Crime  
Reduction**

**Technology  
& Social  
Media**

**Officer  
Wellness  
& Safety**

**Training &  
Education**

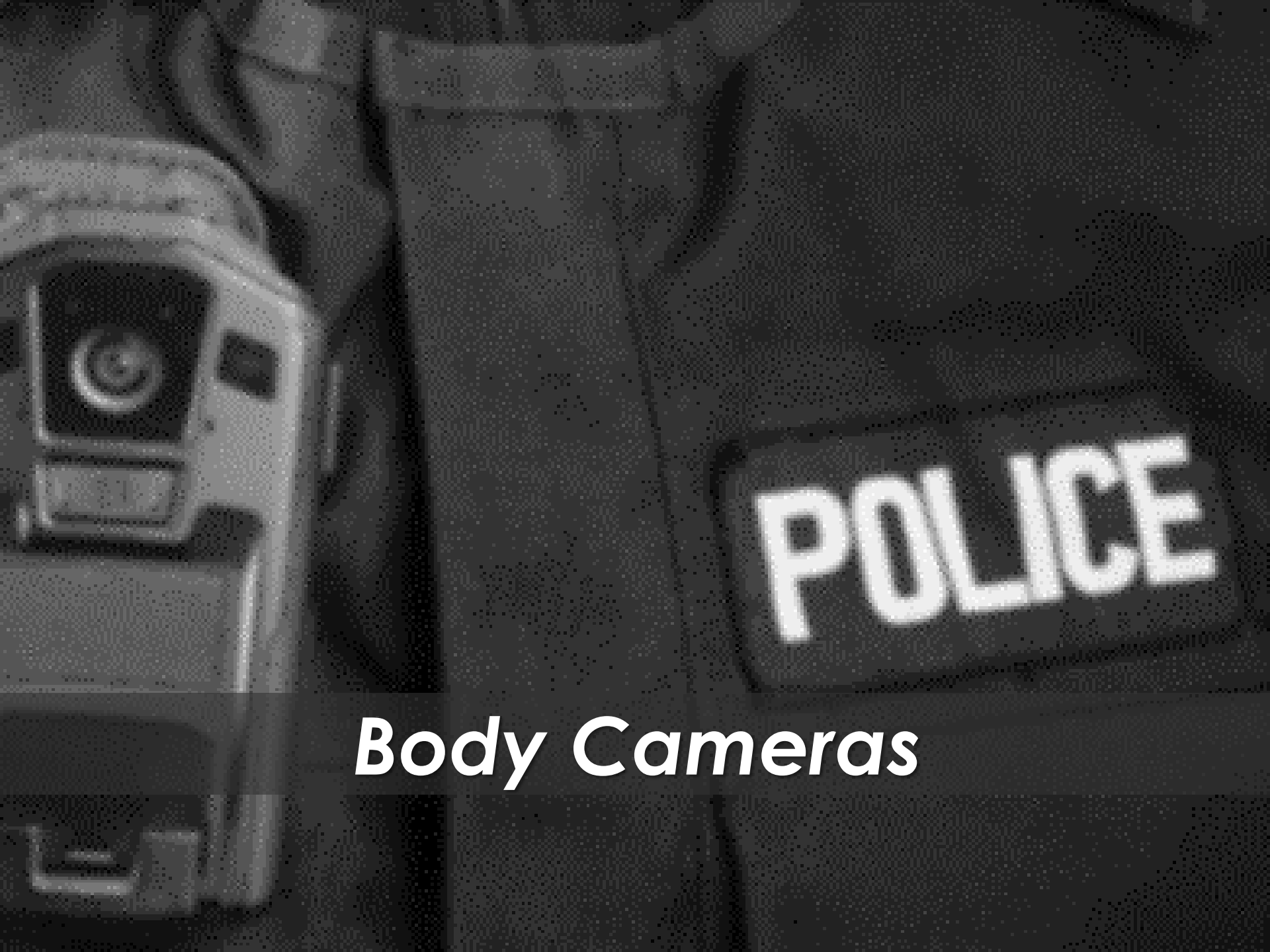
# *Crisis Intervention Training*

In 2014, at least **25%** of **990** police involved **fatal** shootings were persons exhibiting some form of **mental illness**

# Fines, Fees & Bail

## Ferguson Report

- Number of arrest warrants in 2013 — **33,000** — **exceeded** Ferguson's population of **21,000**. Most of the warrants were for driving violations
- Between 2011 and 2013 African Americans accounted for **95%** of charges of jaywalking and **94%** of all charges of failing to obey a police officer



# *Body Cameras*

# *Better Data is Essential*

***More Data***

***Audited Data***

***Consistent Data***

***Timely Data***



# *UNIFORM CRIME REPORT*

## *National Incident-Based Reporting System v. Summary Reporting System*

### *Why is NIBRS Better?*

*More Offenses  
Where Crime Takes Place  
When Crime Takes Place  
Perpetrator and Victim Characteristics*

# Hate Crimes

FBI Hate Crime U.S. Annual Change by Group

BIAS MOTIVE	NUMBER OF INCIDENTS (2015)	NUMBER OF INCIDENTS (2014)	% of Change (2014 to 2015)
Total U.S.	5850	5479	+6.8% ▲
Anti-Islam	257	154	+67% ▲
Anti-Arab <sup>[1]</sup>	37	--	New Category
Anti-Jewish	664	609	+9% ▲
Anti-Latino	299	299	UNCH
Anti- Black	1745	1621	+7.7% ▲
Anti-White	613	396	+5.1% ▲
Anti-Sexual Orientation	1053	1017	+3.4% ▲
Anti-Gender/Transgender	114	98	+16.3% ▲

# Hate Crimes

	Reported hate crimes, 2015	Reported hate crimes, 2014
California	1,017	943
New York	515	558
Alabama	12	10
Mississippi	0	1

# Police Data Initiative



- ▶ Transparency
- ▶ Better Data
- ▶ Saves Money
- ▶ Increased Trust

# Data Transparency

- ▶ "Police departments understand that if they are going to earn the confidence of communities they serve, then they need to be **accountable** and they need to be **transparent**. The more information that police puts out there, the more opportunities there are for the public to have that **confidence in the police department**."

— *Montgomery County, MD Police Chief Thomas Manger*

# Data Driven Justice

- ▶ Use of data to identify and proactively **break the cycle** of incarceration by **super-utilizers**
- ▶ Equip law enforcement and first responders with the tools they need to respond and **divert**
- ▶ Use of data-driven, validated, pre-trial **risk assessment** tools to inform pre-trial release decisions



# The Fair Sentencing Act

## August 3, 2010

# Prosecutors

“We need to ask prosecutors to use their discretion to **seek the best punishment**, the one that's going to be most effective, **instead of just the longest punishment.**”

President Obama  
NAACP's 106<sup>th</sup> National Convention  
July 14, 2015



# Forensic Science



- ▶ The President's Council of Advisors on Science and Technology (PCAST) released a report on DNA comparison, latent fingerprints, and bite marks on September 20, 2016.

# *Diversion*

## **Law Enforcement Assisted Diversion (LEAD):**

Participants were **58 percent** less likely to be arrested than individuals not participating in diversion programs

# *Specialty Courts*

- ▶ Drug Courts
- ▶ Veterans Treatment Courts
- ▶ Tribal Healing to Wellness Courts
- ▶ Family Dependency Treatment Courts
- ▶ Mental Health Courts
- ▶ Prostitution Courts

# Drug Courts

“The criminal justice system plays a vital role not only in protecting communities from drug-related crime, but also in helping **guide those suffering from substance use disorders into treatment.**”

President Obama  
National Drug Court Month 2012





*Entry*

# Reentry

- ▶ Education
- ▶ Training
- ▶ Treatment



# *Education*

Incarcerated individuals who participate in correctional education are **43 percent less likely** to return to prison within three years

For every dollar invested in correctional education programs, **four to five dollars are saved** on re-incarceration costs

# Education

**School districts within the federal prison system:** programs for literacy, high school diplomas and post-secondary education, along with expanded opportunities for individuals with learning disabilities.

**Second Chance Pell Pilot:** Institutions provide Federal Pell Grants to 12,000 qualified prisoners at more than 100 correctional institutions across the country who are eligible for release.



# *Training*

Inmates who worked in prison industries or completed vocational apprenticeship programs like Federal Prison Industries were **24 percent less likely to recidivate** than non-program participants and **14 percent more likely to be gainfully employed.**

# *Treatment: Mental Health and Substance Abuse*

**15 percent of prisoners** and **26 percent of jail inmates** suffer not just from mental health problems but from serious psychological distress.

# *Solitary*





# Reentry

# Federal Interagency Reentry Council

U.S. Interagency Council on Homelessness

U.S. Department of Commerce

U.S. Social Security Administration

U.S. Department of Transportation

Consumer Financial Protection Bureau

Office of Management and Budget

Federal Trade Commission

U.S. Department of Labor

Office of Personnel Management

U.S. Department of Housing and Urban Development

U.S. Department of Education

U.S. Department of Agriculture

U.S. Department of Justice

U.S. Department of Veterans Affairs

Court Services and Offender Supervision Agency

Corporation for National Community Supervisor

Internal Revenue Service

White House Office of Faith-Based and Neighborhood Partnerships

Office of National Drug Control Policy

Domestic Policy Council

U.S. Small Business Administration

U.S. Department of Health and Human Services

U.S. Department of Interior

U.S. Equal Employment Opportunity Commission

# Legal Aid Interagency Roundtable



# Training & Licensing



President Obama visits Integrity House, a halfway house in Newark, NJ, November 2, 2015.

- ▶ TechHire
- ▶ Linking to Employment Activities Pre-Release (LEAP)
- ▶ Training to Work
- ▶ Reduce Licensing Barriers for People with Criminal Records

# Federal Ban the Box & Fair Chance Pledges

- ▶ Final **OPM rule** (November 30, 2016)
- ▶ Over 300 employers have signed **Fair Chance Business Pledge**, including American Airlines, the Coca-Cola Company, CVS Health, Facebook, Gap, Google, Hershey, PepsiCo, Prudential, Starbucks, Target, Under Armour, Unilever, Walmart and Xerox.
- ▶ Over 150 college campuses have signed the **Fair Chance Higher Education Pledge**, including Arizona State University, New York University, Rutgers University, State University of New York and the University of California System.



# Commutations

THE WHITE HOUSE  
WASHINGTON

March 31, 2015

Dear Terry:

I wanted to personally inform you that I have granted your application for commutation.

The power to grant pardons and commutations is one of the most profound authorities granted to the President of the United States. It embodies the basic belief in our democracy that people deserve a second chance after having made a mistake in their lives that led to a conviction under our laws. Thousands of individuals have applied for commutation, and only a fraction of these applications are approved.

I am granting your application because you have demonstrated the potential to turn your life around. Now it is up to you to make the most of this opportunity. It will not be easy, and you will confront many who doubt people with criminal records can change. Perhaps even you are unsure of how you will adjust to your new circumstances.

But remember that you have the capacity to make good choices. By doing so, you will affect not only your own life, but those close to you. You will also influence, through your example, the possibility that others in your circumstances get their own second chance in the future.

I believe in your ability to prove the doubters wrong. So good luck, and Godspeed.

Sincerely,

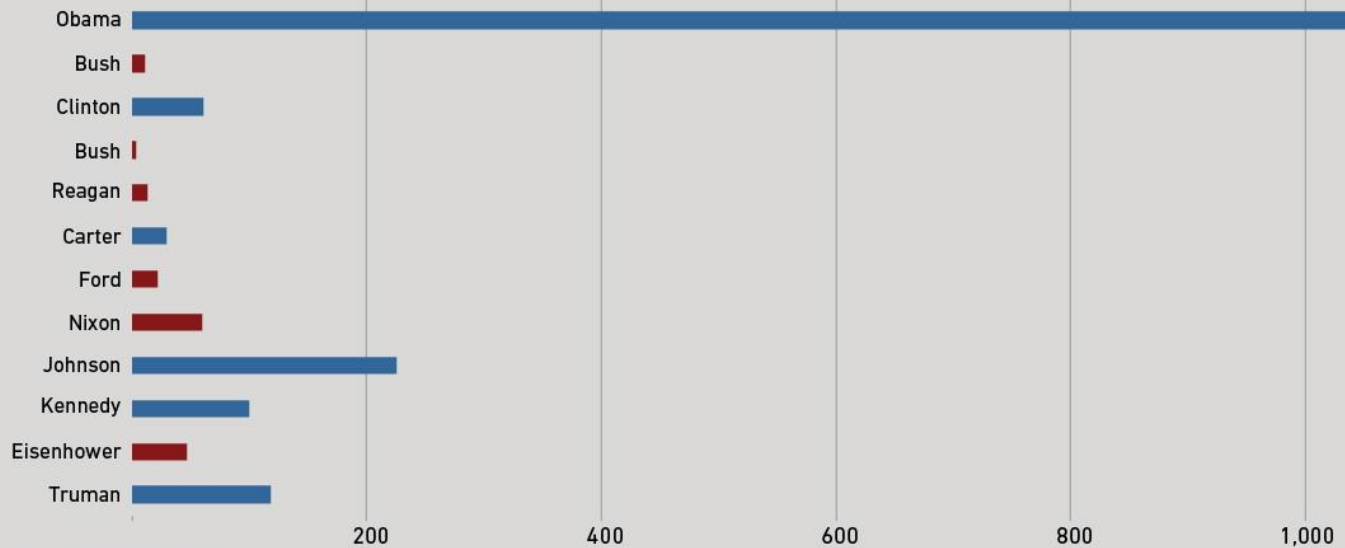


# Commutations

TO DATE, PRESIDENT OBAMA HAS COMMUTED THE SENTENCES OF MORE THAN 1,000 PEOPLE

NUMBER OF COMMUTATIONS

1,176



SOURCE: DEPARTMENT OF JUSTICE