DAVID ONEK: Welcome to the Criminal Justice Conversations podcast a coproduction of the Berkeley Center for Criminal Justice and the Berkeley School of Journalism. I’m your host, David Onek. The podcast, recorded weekly in the Berkeley School of Journalism studios, features in depth interviews with a wide range of criminal justice leaders: law enforcement officials, policy makers, advocates, service providers, academics, and others. The podcast gets behind the sound bites that far too often dominate the public dialogue about criminal justice to have detailed, nuanced conversations about criminal justice policy.

Today’s guest is Laurie Robinson, Assistant Attorney General for the Office of Justice Programs in the US Department of Justice. Robinson previously served in the same position in the Clinton administration from 1993-2000. During her first tenure Robinson oversaw the largest increase in federal spending on criminal
justice research in the nation’s history. From 2004-2009
Robinson served as director of the Master of Science program
in the University of Pennsylvania’s department of criminology.
Early in her career she spent 14 years as the director of the
American Bar Association’s criminal justice section, where she
founded the bar association’s juvenile justice center.

Robinson’s recent return to the Justice Department has been
hailed by policy makers and practitioners around the country.
She joins us from a Washington studio this morning, Laurie
Robinson, welcome to the program.

Laurie Robinson: Well thank you, so much David it’s great to be
here. I know you don’t have many east coasters so I’m glad to
represent the east coast on your program.

OneK: Well, we really appreciate it and we’re looking forward
to hearing about what’s happening in Washington on criminal
justice issues. Laurie, you worked on the Obama administration
transition and when we spoke during that time you said there was
absolutely no way you would go back to the Justice Department.
You had served your time, that you had a very good life, and
that you didn’t need the stress and time commitment that comes
from a high level appointment. Yet here you are in the thick of it all. What changed your mind?

ROBINSON: I do feel I have to tell you like a bit of a recidivist coming back to the Department of Justice. And I will tell you first of all that I certainly feel honored to have the appointment back here from President Obama but I’ll tell you the one person who changed my mind was Attorney General Eric Holder and he’s a very persuasive individual and he asked me if I would come back.

ONEK: And my understanding is it wasn’t just you he had to convince but members of your family as well?

ROBINSON: Yes. That’s right and I will share quickly a brief anecdote. He asked me on a Thursday whether I would do this, I had agreed to come in for a very short period of time on an interim basis to help out and then Eric Holder said he wanted me to accept the appointment to come in as the appointee on a permanent basis. And I said well, I had a whole list of reasons I couldn’t do that and he said well come in on Monday morning, think about it over the weekend, and we’ll go over the list of your reasons you can’t do it.
So I came in that Monday morning and we went over the list. And he had one reason after another that actually I could do it. The last point on the list was you’re going to have to convince my husband, Sheldon, so he said, well what’s Sheldon’s phone number? And he called his assistant, Annie into the room and said get Sheldon on the phone. So we sat there and he called Sheldon up and had about a 15 minute conversation with him and by the end of the conversation I heard Sheldon agreeing with everything the Attorney General had to say.

So I saw my last line of defense crumbling. And here I am.

ONEK: And here you are. That’s a great story, so when you came back one of the first things you did was hold a series of quote, listening sessions, who spoke at these sessions and what did you hear?

ROBINSON: Thank you for raising that. One of the things, and I shouldn’t have been quite so jocular about the reasons that I came back, I did see a lot of very important reasons that the Obama Administration had before, for kind of, and one of those was repairing what I saw as broken relationships with the
field. So one of the first things that I thought was important to do was to listen to what constituent groups and leaders and practitioners out in the field had to say.

What was OJP doing well, what was it not doing well, what could we be doing better? So I held three, what I called, listening sessions inviting representatives from all different parts of the field from law enforcement, from victims’ groups, juvenile justice, corrections, all different parts of the constituency and had them come in and tell us on every type of thing whether it was how we did grant solicitations, or what substantive areas we were handling, what could we be doing better? And we got a great deal of feedback from those sessions ranging from how we could accelerate our publications process to how we could be handling solicitations for grants in a better fashion to different substantive areas, how we could be addressing crime victim and domestic violence issues in a better fashion to the fact that some of our participants said we should be doing more to address pre-trial issues.

To a host of a different areas. And that feedback was extremely helpful in kind of focusing us on issues that we needed to address. I had, David, all of our senior leaders from both the
bureaus and program offices, and our administrative offices sit in on all of those sessions. I thought it was important for all of us to hear that feedback so we didn’t do much talking. We just did a lot of listening.

ONEK: And I assume then you took that information and used it as you were moving forward and making plans for what to do with the new administration.

ROBINSON: Yes. We did that both in crafting program plans for OJP both last year and this year, and also in a number of more administrative plans for example, in overhauling some of the publications process, these are kind of internal things within OJP but I feel very strongly that the way we kind of go about handling business within OJP is very important. And I should also mention that I came into OJP on the first day I arrived in that when I thought I was there for just a short period of time, with 10 goals that I had put together based on the work I’d done during the Obama transition.

And some of those addressed issues like making sure that our processes worked to ensure that the grant process itself was a fair and transparent one. This is something that I think we got
a great deal of feedback about during the transition period and that’s very important goal for upon my return to OJP.

ONEK: Because one of the key roles that the Office of Justice Programs, OJP, plays is giving out grants to localities to increase public safety. My understanding is in your first six months you had about $5 billion of stimulus and other funding that you managed to get out the door, you talked about fairness and transparency in the process, what did you do to ensure fairness and transparency when you had such a huge sum going out the door so quickly?

ROBINSON: It was a challenge, I’ll be honest. And I think kind of putting the kidding aside that is one reason why Eric Holder wanted someone experienced coming into OJP because within weeks as you’ll recall of the inauguration Congress passed the stimulus package and it brought to OJP close to $3 billion as you referenced of new spending. That was on top of more than $2 billion so we had as you said, $5 billion to get out the door in a very short period of time, in about seven months, along with a staff or by a staff that was no larger than it had been before that stimulus package arrived.
So it was a big challenge. But the OJP career staff stepped up to the plate and they did it in a terrific fashion. So the reason I was able to do that was because of the career staff. They were organized, and they were at the ready and able to do it. We did a couple of things in answer to the transparency question that made this a fair and open process. We did it all through peer-review to make sure that this was competitive and a fair and open process. We kept the solicitations open long enough that people had a chance and I’ve been on the other side.

I know that writing grant applications is not easy. It’s not a fun process. You have to give applicants time to get that paperwork together. Nobody likes writing grant applications, you have to make this a process people can really get the material together. And at the end of the process we posted all of the winners on the webpage, on the OJP webpage immediately. Right at the end of the end of the fiscal year when these grants were announced. So that the whole process was open, and this is something that unfortunately had not been occurring in prior years. And we wanted to make that very transparent.

ONEK: One of your signature initiatives at OJP is the so-called evidence integration initiative. Can you explain what that is,
and why it is so important?

ROBINSON: Oh, yes and this is something that I’ve been very excited about, David. When I was at Penn in my years between government service I worked a lot on this notion of getting science more into the criminal justice field. And this is something that really is a passion of mine. So within days after coming back to OJP, I started working with the career staff, Phelan Wyrick on my staff is the leader of this effort. And the evidence integration initiative and everything in the government has an acronym so we call it E2I, E2I this work is to help the field really better understand what’s been shown to work, based on accepted scientific principles.

And we have three objectives for it. One is to generate more evidence, better quantity and quality of evidence. The second is to better integrate evidence into our programs and policy decisions. And the third which I really care about is to improve translating evidence into practice. On that last point, I’ve been frustrated for years by the fact that we have a lot of the results of our research in academic journal articles and yet busy police detectives and busy practitioners of all stripes, don’t have time to go and read those journal articles and
synthesize the results and figure out what that means for their daily practice or policy.

You know, a Capitol Hill staffer racing around doesn’t have time to read that material and distill it for his or her boss. So those are our three objectives. So what we’re doing in this, we’re kind of looking at what common expectations and definitions are for example, for credible evidence. We’re supporting a more randomized field experiments through NIJ, we’re focusing on how to get information out to the field in a format that’s accessible and useful for practitioners and policy makers.

We’re supporting a, what I call a work works clearing house, which has not existed before so that we can have that distilled information available for busy practitioners and policy makers. And in the President’s budget for 2011 we have proposed what we call a diagnostics center or a kind of help desk, so that let’s say the mayor of Des Moines or Milwaukee could call and say, you know we’re experiencing a problem with after school burglaries. Can you help us, where do we go?

OJP and the rest of the Department with cops and the Office on
Violence Against Women, is kind of a maze for people who don’t know the structure and where different grants are situated or where you’d find technical assistance. We can’t expect people outside the Department of Justice to know where to find different kinds of help. We need to provide that kind of help for them and have a location that serves as a traffic cop to lead them to that help and then beyond that to also serve as a pointer for them to evidence-based programs and assistance. And that help desk would serve that function.

Then the final point here that we’re very excited about in the President’s budget is a proposed 3% set aside out of the budget for science and statistical programs. That would be in addition to funds that are specifically allocated for NIJ and the bureau of justice statistics. So that I think reflects very much the President’s and the Attorney General’s strong commitment to science and really restoring science to its rightful place in criminal and juvenile justice.

ONEK: Well, that is so exciting and heartening to hear as someone who has struggled with that same divide here in California. I as you know, worked for the mayor in San Francisco and saw it from that angle and from Berkeley Law School and you
just see the disconnect, you see the gap and to see the Office of Justice Programs working in all the ways you described to try to bridge that gap, I think can be very, very rewarding. One of the ways you’re doing that specifically is with the smart policing initiative and you talked about science and evidence-guiding policy and policing is one area where we’ve learned a tremendous amount in the last couple of decades about what works.

On this show we’ve had police chiefs Bill Bratton, George Gascon and Tony Batts at different times as well as Professor Frank Zimring from here at Berkeley talk about what has been proven to work. How has your smart policing initiative building on what we’ve learned in the past two decades and sharing that with the field?

ROBINSON: Well, David you actually are citing some of these real legends in the field. And that’s exactly what we’re trying to build on. We’re trying to build on the vision and the work of people like Bill Bratton and I’d cite folks like Chuck Ramsey and Ed Davis and that list can go on and on. People who have really focused on data-driven policing and the research base and they’ve really built a real kind of vision for the field in
this area and I’d also cite back to the work that Jeremy Travis did at NIJ back in the 1990s as you know with those research practitioner partnerships and collaborations that were started at that time.

And that’s really what we’re doing with smart policing that BJA and NIJ has helped support this as well. To do that kind of building of relationships between researchers and practitioners and you alluded to this as well that sometimes there’s been something of a trust gap there in the past. And we’re trying to through these funding partnerships build what I would call, smart on crime approaches which I think are more important than ever right now with the fiscal challenges that localities are facing.

That we are at a time in the nation when we have something close to a mandate to look for ways to be smart in the way that we use public resources. And this initiative I think gives us a way to approach that in a smart kind of way.

ONEK: Can you give an example of one jurisdiction and what they’re doing in this initiative?
ROBINSON: Yes, exactly, I wanted to get to that. So in addition to the fact that we’re seeking $10 million next year through the President’s budget for 2011 we have several of these initiatives under way this year through BJA and a couple of examples that I gave you in Philadelphia Temple University is working with Chuck Ramsey’s police department there on a project to look at micro hot spots near Temple University and comparing different approaches through the police department one using intelligence-based policing, another using a more place-based approach.

And using randomized control trial to compare the different approaches. Then in Arizona, Glendale Arizona working with Arizona State University is going in and giving specialized training to two squads of officers there in problem-oriented policing to address specific hotspot areas of crime in Glendale. But you could use this kind of approach for a variety of different kinds of crime whether it’s sexual assault or robberies or gang violence or neighborhood blight or whatever the specific kind of problems that might be arising with some kind of researcher, police department collaboration.

So we’re excited about this and about the kinds of approaches that could be adopted. We also related to this, David, our
seeking separate area of funding on smart probation, a $10 million program there as well, and through BJA this year currently have an open smart policing solicitation where we’re encouraging strategic partnerships with probation between policing and probation. Which we think is a particularly promising area.

ONEK: Terrific. I want to talk next about problem solving courts, before I get to that just a quick word on acronyms for our listeners who may not be clear. The Office of Justice Programs, OJP has different components under it. Two of those that we’ve discussed are NIJ, the National Institute of Justice, and BJA, the Bureau of Justice Assistance. Let me now turn to problem-solving courts. Most people know about drug courts but what are the other kinds of problem-solving courts that are out there?

ROBINSON: Well there are a host of them now. And I would say that drug courts are the kind of grandfather if you will but the basic structure of drug courts has as you say spawned other kinds of courts. Re-entry courts, mental health courts, veterans’ courts, and we now also have domestic violence courts, so there are a variety and I would also say that juvenile drug
courts also differ in some ways from the adult drug courts. So there have been a host of other types of courts that have arisen here.

ONEK: And what are the components that all these problem-solving courts share, even if they’re dealing with different specific issues?

ROBINSON: That’s a very good question. I think it’s quite a different approach that at base, has the judge in the central role here exercising the kind of coercive power of the court to shape offender behavior. And in most of these using graduated sanctions, and not using kind of case-by-case kind of moving cases through the court but looking at outcome focus and offender behavior. And that model which is coupled with, in the case of drug courts, the drug testing as a measure of the offender’s behavior and it would be different in different courts, but having that kind of measure as kind of keeping the offender on a short leash and having him or her appear back frequently before the judge.

That model has proven and we know this from research, from rigorous research. And the drug court model has been proven
to be very effective. We’ve seen that in the reduction of recidivism, in the reduction of drug use and in much lowered costs as well. The research with the other courts that we’ve mentioned is not yet as clear. But the initial research we’re seeing in re-entry courts and in mental health courts is very, very promising.

ONEK: So will you all be supporting continued research on these areas so that the field can learn what’s working and what’s not working?

ROBINSON: Absolutely. We view it as very promising. And I in fact believe that for re-entry courts this may be one of our next frontiers to really explore this. Because it’s a very different population potentially from drug courts. In the drug court area, by and large, this has been a non-violent population, and it’s been kind of the lower end of the kind of serious offender population. The lower end. Potentially with re-entry courts we could be looking at a much more serious population and if this model really holds to have a potential, potentially good impact, this could have a very good, be a very good vehicle for accelerating our ability to influence and impact recidivism because if you think about it right now we
know that more than half of everybody released from prison is returning within three years.

ONEK: And in California by the way, Laurie, that is 70% in California. So we definitely share and in fact, or even worse here than in the rest of the country.

ROBINSON: Right. So, and our initial research on re-entry programs has not been very promising. So we need to be looking and looking aggressively for more tools to address that population.

ONEK: Well we look forward to seeing what the research shows. I want to turn now to indigent defense, the Attorney General has made a real commitment to indigent defense, to improving legal services for defendants who can’t afford a lawyer. He has stated that, quote, the fundamental integrity of our criminal justice system and our faith in it depends on effective representation on both sides. The Department has started a slew of innovative programs including one modeled on Teach for America that sends young law school graduates to underserved communities to serve as public defenders. What other efforts is the Justice Department making in this area?
ROBINSON: Well first of all the Justice Department is very committed and Attorney General Holder as the leader of that effort to ensuring that we do support efforts to ensure support for indigent defense. I think that’s something I would note that Attorney General Janet Reno started back in the 1990s and Eric Holder was very happy to rejuvenate those efforts when he returned to the Department of Justice last year.

We are supporting, I’ll just throw out several examples, training and technical assistance for indigent defense across the country. We are also supporting efforts to encourage the burn, JAG burn, formula grant programs across the country where decisions are made about spending at the state level to consider spending for indigent defense, which is an allowable expense. Or spending category under that program. We’re also in the midst of making a decision about spending under OJJDP, the Juvenile Justice Office at OJP for a resource center for juvenile indigent defense.

So we’ve had that solicitation on the street over the last six weeks. So that would be something new in the juvenile area. So there are a number of areas, oh and one other that I
would mention as well, David, is that both last year and this year we’ve also had funding solicitations out to help support spending directly for some indigent defenders at the state level as well.

ONEK: Well, a lot of good work being done there, you know we talked about the theme of building partnerships between researchers and practitioners, another way you have been building partnerships though is between the federal government and local law enforcement. I think it’s fair to say that you received a hero’s welcome from local law enforcement when you returned to the Justice Department, because they really felt shut out for eight years by the Bush Administration. How did the federal-local relationship get so frayed and what are you doing to fix it?

ROBINSON: Well I’m not sure I’m the best one to say how it became so frayed. But I do know that this administration is extraordinarily committed to a strong, strong working relationship with both state and local law enforcement. That was something that we made very clear during the Obama-Biden campaign, and in fact Eric Holder and I had the opportunity to appear before the police executive research forum during the
campaign and this was a very strong priority that we enunciated during the transition. We met with all of the state and local law enforcement groups during that time.

And very early on during the spring of 2009 Attorney General Holder held a law enforcement summit in which he invited into his own office, leaders from all of the major law enforcement organizations at the state and local level. And many of the leaders from around the country just to, not just to hear their views but just to meet with them, to tell them that they were welcomed in his office, and of course to listen to them about what they viewed as priorities for the young administration.

We have tried to keep an open door ever since that time and I think we have very good relationships with them. We value those relationships. We want to keep an open door. And have urged them to simply pick up the phone and call at any time. We so much valued those relationships.

ONEK: We have time for one quick, last question. Going forward, what is the biggest challenge facing the Office of Justice Programs?
ROBINSON: I think that I’m going to say a couple of them. One of them is to stay in close, close touch and partnership with our partners in the field about how to deal, you know crime is at pretty much an all-time low. But we know that there are great challenges because of the fiscal crisis facing so many states and localities right now. Coupled with the pockets of youth violence, gang violence, and other crime challenges that still very much exist in parts of this country including in Indian country, including in parts of our both urban and rural areas and we are fully cognizant of that and we want to work in close partnership with those in the field to address those in a strategically kind of collaborative basis.

And to do all that we can especially with these very pressed budgets, David, to work with them in every way we can to support them in that. We are very cognizant that there are real challenges out there, the kind of recidivism issues that you and I discussed a few minutes ago, the kind of challenges from that, from dealing with juveniles, even though juvenile crime rates are down there are a host of difficulties that we face and we’ll face them together.

ONEK: Laurie Robinson, thank you so much for joining us.
ROBINSON: Thank you.

ONEK: Please tune in next week when we’ll be joined by James Bell, executive director of the W. Hayward Burns Institute for Juvenile Justice Fairness and Equity. Thank you for listening to the Criminal Justice Conversations podcast. You can find this episode of the podcast and all prior episodes on our website at www.law.berkeley.edu/cjconversations and on iTunes. You can also become a fan of the criminal justice conversations podcast on Facebook and can follow the podcast on Twitter at cjconversations. The podcast is engineered by Milt Wallace, our editor is Callie Shenafelt and our program intern is Sheridan Bloch. I’m David Onek, thanks for listening.