Meeting Report

Working Group Members (*attended):

Kathryn Abrams
Berkeley Law faculty

*Sujatha Baliga
Restorative Justice Program
Director, National Center on Crime and Delinquency

David Borglin (?)

*Dan Carlin
Student, Mindfulness Initiative staff

*Wilson Dunlavey
Student

*Mary-Louise Frampton
Berkeley Law faculty and Faculty Director, Thelton E. Henderson Center for Social Justice

*Paul Gorman
Executive Director, National Religious Partnership for the Environment

Ron Greenberg, Judge, California Superior Court (Ret.)

*Angela Harris
UC Davis Faculty

*Charlie Halpern
Berkeley Law Faculty/Mindfulness Initiative director

Hon. Thelton E. Henderson, Judge, Northern District of California

Barry Krisberg, Earl Warren Institute on Law and Social Policy

Mary Morgan, Judge, San Francisco County Superior Court

*David Onek
Berkeley Law faculty

*Jonathan Simon
Berkeley Law faculty

*Ioana Tchoukleva
Student and chair of the Restorative Justice Committee

Jacques Verduin,
Executive Director – Insight Out and Founder, Insight Prison Project

Summary

On February 22, the Mindfulness Initiative organized a day-long event focused on the intersection of mindfulness and criminal justice, including a morning discussion with a Working Group of scholars, students and practitioners engaged in this area, and an afternoon film screening and discussion of Jenny Phillips’ documentary *The Dhamma Brothers*.

Our aim was to foster greater awareness of the good work already underway at the nexus of mindfulness and criminal justice, and to explore opportunities for collaboration, including potentially creating a more coordinated program on mindfulness and criminal justice at Berkeley Law. A range of leading voices in this area responded with a strong interest in being a part of the group. Although not all were able to join for our first gathering, we are excited to have them involved.
There was a high level of engagement, both in the morning Working Group discussion, as well as in the afternoon discussion with faculty and students on issues of race, class, mass incarceration, and mindfulness. (Video available here)

In our morning discussion, Working Group members highlighted the extent of work already being done in this area, both in the Bay Area and elsewhere. For example, Cheri Maples’ groundbreaking work with police officers in Wisconsin, Jacques Verduin’s Insight Prison Project at San Quentin, Sujatha Baliga’s work with youth offender diversion programs in Alameda County, and others. We discussed the importance of supporting and building on these efforts.

More broadly, members agreed on the premise that the present criminal justice system is broken, as evidenced by vast racial disparities in arrests, convictions and sentencing, overcrowding, enormous expenditures on new facilities alongside cuts to rehabilitative programs, and despite billions in spending, a system that still produces a one-year recidivism rate above 75%.

We agreed that mindfulness may offer an important tool in addressing the complex problems facing everyone in the criminal justice system, from inmates to prison guards, from district attorneys to prosecutors. Mindfulness offers a nonjudgmental lens that can provide healing for those suffering from trauma, a clearer view of difficult situations, and a means of developing empathy and compassion in a system characterized by pain, isolation, and conflict.

We discussed a range of ideas for addressing these problems, which we agreed to revisit through this report and another meeting soon. Starting in the fall, we plan to convene this group every six weeks, as a forum in which to build these programs.

Below are some of the ideas that emerged from the discussion:

**Curriculum**
- Create a course on mindfulness and criminal justice reform, possibly taught by David Onek or Jonathan Simon.

**Clinical/SLIP training**
- Provide mindfulness training to the new Post-Conviction Advocacy Project (P-CAP) SLIP and any other criminal justice-related advocacy programs.

**Training for prosecutors and defense lawyers, law enforcement officers, prison guards and judges**

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• Create a four- or eight-week mindfulness program for one or more of the following groups: lawyers in a DA’s office or public defender’s office, probation officers, or police officers.
• This could be done in a smaller jurisdiction than San Francisco, perhaps in the Central Valley
• Pair this with a study examining the impact of the training on various outcomes.
• Similar program could be brought to drug and mental health courts in San Francisco. Find an interested judge to pilot mindfulness interventions
• Under Realignment, the devolution of responsibility for prisoners to counties poses a unique opportunity to propose new approaches that can reduce recidivism and local costs

Research
• Document the effect of meditation programs in prisons—study recidivism and discipline rates of those who have completed a 10-day sit.
• Study the effect of mindfulness training on students working in various criminal law programs at the law school—clinics, SLIPs, etc.

Events
• Organize a conference at Berkeley Law on the intersection between mindfulness and criminal justice.
• Public event focused on Nancy Lemaine’s book Life After Murder: families of homicide victims in SF (Healing Circle). Five families + five murderers: a public dialogue. David O. is involved and could bring a mindfulness or RJ focus to it.

These were some of the ideas that came out of our brainstorm. Everyone present agreed that several of the suggestions merited further discussion and agreed tentatively to meet again. Charlie and Dan will follow up to make that happen. In the meantime, we welcome your feedback on this report and the proposals, as well as any relevant updates from your work at the nexus of mindfulness and criminal justice.