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Democracy and Citizen Security in the 21st Century

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Thank you for inviting John Jay College of Criminal Justice to be part of this conversation about democracy and citizen security in the 21st Century.

As Argentina celebrates the 170th anniversary of the promulgation of its Constitution and the 40th anniversary of its return to democracy; and as the United States of America struggles with preserving our democracy nearly 250 years after our founding, it is worth reflecting on the preambles of our two Constitutions.

In the Preamble of the Constitution of the Argentine Nation, it states:

“We, the representatives of the people of the Argentine Nation, ... in order to form a national union, **guarantee justice, secure domestic peace,** provide for the common defense, promote the **general welfare** and secure the **blessings of liberty** to ourselves, to our posterity, and to all men of the world who wish to dwell on Argentine soil”

In the Preamble of the U.S. Constitution, it states:

“We the People of the United States, in Order to form a more perfect Union, **establish Justice, insure domestic Tranquility,** provide for the common defence, promote the **general Welfare,** and **secure the Blessings of Liberty** to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

The language in each of our Preambles is nearly identical. Each of our Constitutions explicitly states that they seek to guarantee/ensure **Justice**, secure/ensure domestic **peace/tranquility**, promote **general welfare**, and **secure the blessings of Liberty** of the people who live in our countries.

Although each of our Constitutions are well over 100 years, nearly 200 years old for Argentina, and nearly 250 years old for the United States, it is clear that our democracies are still fragile institutions. In Argentina, you are recognizing 40 years since the restoration of democracy in 1983. In the United States, in the wake of the attempted overthrow of our government on January 6, 2021, our country is wrestling with strong forces—both within and outside of our government—that seek to challenge the fundamentals of our democracy, such as the peaceful transfer of power following presidential elections. These experiences teach us that we must never become complacent with respect to the goals and principles laid out in our Constitutions. For our democracies to survive, we must consistently reinforce our support for a society that is just, peaceful and prosperous.

You posed a question for me to address today: “Can public safety and human rights be achieved at the same time?” My answer is an unequivocal YES. If we are committed to the principles of our respective Constitutions, the answer must be YES.

Indeed, the only way we can achieve true public safety is when fundamental rights, those to which all human beings are entitled, are respected. How can any of us truly be safe if our rights – including to life and liberty, to be free from slavery and torture, to express ourselves, to work and be educated – are undermined in the name of public safety?

That doesn't mean that achieving this goal is easy. It requires a commitment to sustained hard work and engagement between political leaders, civic leaders, community members, business leaders and law enforcement.

At John Jay, we believe in a tradition of bringing together public safety leaders, researchers, community organizers, advocates, researchers, students, and members of the public to have a dialogue grounded in facts, research, and lived experiences about public safety. As an institution, we hope that these convenings lead to a path that ensures public safety and human rights. Our goal is to find ways to work together and move toward a future where all communities are safe communities.

The need to convene people with diverse experiences and expertise in public safety has never been more urgent. In the United States, life during and following the Covid-19 pandemic have challenged the social and political landscape of our communities in dramatic ways:

- Covid-19 upended our lives and our communities, including the essential relationships, programs and services that so many rely on for security and stability.
- The police murders of George Floyd, Breonna Taylor, and too many other Black and brown people, led to some of the largest protests in our history -- calling for a reimagining of not just policing -- but all of the social, economic, and political structures that marginalize people of color in the United States.
- In some communities, rates of violence and crime surged following years of crime declines across the nation.
- At the same time, police departments have faced a growing number of vacancies due to higher rates of retirement and fewer applicants.
- And, many communities became embroiled in politically charged debates about whether criminal justice reforms or the disruptions of the pandemic were to blame.

In response to the social upheaval around public safety and racial equity that followed George Floyd's murder, John Jay partnered with the National Organization of Black Law Enforcement Executives. Our goal was to convene elected officials, advocates, researchers, and law enforcement leaders from around the country to have a "dialogue across differences" and help us identify a path forward.

Even with the diverse range of voices that we brought together, a remarkable consensus emerged. Law enforcement, esteemed community leaders and scholars all recognized that public safety requires investment in community leadership and community resources—including more funding for essential services and programs that we know work to prevent and address crime, such as education, employment and housing. They also recognized that while police, prosecutors and courts had a role to play in public safety – these institutions could undermine safety and justice if our commitment to punishment was not matched by our commitment to breaking cycles of discrimination, violence and trauma through investments in communities.

In 2020, we released John Jay's Future of Public Safety report, which used these insights from leading public safety experts to offer a roadmap for centering communities in public safety solutions.

This roadmap highlights the investments in communities that evidence shows reduce violence and crime and calls for reforms to policing and the criminal justice system to address racial inequities.

In the years since the report was released, John Jay has continued to serve as a hub for convenings and other activities that promotes the vision we laid out in the Future of Public Safety report.

In May of this year, John Jay hosted its Safe & Just Communities Summit, which was designed to provide concrete strategies that support four core characteristics of a safe community. Those characteristics being a community that is: Resourced, Just, Healthy, and Restored.

Over two days, we brought together a talented group of experts and leaders from across government agencies, community organizations, and philanthropic groups—all of whom were committed to advancing safe and just communities. We invited attendees to engage with the panelists and each other. We asked our attendees from across the country to use this time not just to learn but to share ideas, build relationships, and ultimately come away with additional tools to create safer and more equitable communities. Perhaps most importantly, the Summit highlighted the programs, investments and strategies that communities are actually implementing in support of safe and just communities:

- We heard about the powerful impact that trusted community members and organizations can have in engaging young people and interrupting cycles of violence and retaliation.
- We learned about local governments that are expanding mental health services so that people in mental health crisis are addressed with services rather than a police response.
- We also learned about how better oversight of police can build trust between communities and police in ways that produce more safety.
- Other panels looked at efforts to support and engage people returning from prison, programs to address domestic violence, and the role that drug decriminalization and substance misuse treatment can play in stabilizing communities suffering from too much drug enforcement and too little treatment.
- We were also proud to partner with the National Academy of Sciences, Engineering, and Medicine (“NASEM”) to help them present a recent report on the drivers of and solutions to racial inequities in our criminal justice system in the United States. One of the main findings of this impressive group’s research, and the theme of our summit, was that we do not have to choose between racial justice and public safety. In fact, the two are inextricably linked.

This same theme equally applies to the question you posed as to whether we can have public safety and human rights. I don’t know the particular dynamics of crime in Argentina, but I do know that the principles that we are promoting to achieve safe communities **and** racial justice in the United States are universal: People and communities are made safe and the risk of violence is greatly reduced when basic needs are met, rights are respected and government institutions collaborate closely with credible, community leaders.

In addition to engaging public safety thought leaders from across disciplines, we are working to support local elected leaders who are responding to their communities’ challenges with violence and crime on a daily basis. John Jay is leading an initiative called the Reimagine Public Safety Pledge, where we are asking mayors from across the country to invest in public safety strategies and programs that engage community partners to effectively address violence and crime, while also healing communities. This is a model that respects human rights.

Through this pledge, we are asking mayors to focus investments in communities that suffer the highest rates of violence, which in the United States are disproportionately communities of color. We need to empower community organizations and leaders to design and implement solutions that significantly decrease violence and crime in their communities, which they know best. We also need to acknowledge the discrimination that results in trauma and plagues our existing systems of public safety. We need to rebuild trust and confidence in our public safety systems. And you do that by engaging and partnering with communities.

The Reimagine Public Safety Pledge calls on local officials, who are uniquely positioned to implement and fund community-driven public safety strategies, to commit to one or more of three approaches:

1) Establish programs, policies, offices, and budgets that enable community partners to actively contribute to reducing violence and promoting neighborhood safety.

For example, many cities in the United States are establishing an Office of Neighborhood Safety/Violence Prevention and funding community-based programs where community members, some of whom have previously been involved in violence and crime themselves, can intervene with young people to stop cycles of violence and retaliation and offer services and programs that move young people onto a more stable path.

2) Fund strategies, programs, and services which address the underlying reasons why people and/or communities experience high rates of contact with the criminal legal system.

For example, invest in programs that divert people from arrest and incarceration into mental health services, substance misuse treatment, and supportive housing.

3) Invest in strategies which support safe, healthy communities, and address the root causes of violence and crime to ensure all young Americans have the opportunities they need to reach their full potential.

For example, invest in programs proven to improve public safety, like youth employment and cleaning up vacant lots, and programs designed to promote racial reconciliation between law enforcement and communities of color.

Why can't this same approach be used in Argentina to achieve public safety **AND** human rights?

Argentina and the United States have an opportunity to be leaders in establishing a more expansive and impactful approach to public safety. The leaders and faculty of Universidad Nacional del Litoral and John Jay College of Criminal Justice can be the catalyst for this new approach. An approach grounded in justice, equity, and human rights.

An approach centered on certain core principles:

1) Public Safety is produced by communities **with** the support and partnership of the government.

2) Policies and programs aimed at public safety and crime reduction are most effective when they prioritize community members' health and well-being.

3) Criminal legal system programs, policies, and investments must address systemic inequities, in the U.S. this is race.

4) Criminal legal system policies and approaches should be oriented towards meeting the needs of the people and communities most impacted by violence and crime.

Our universities can guide the conversations with government leaders, help them make policy decisions grounded in research and data, to achieve their goals:

- We can be partners with them in this work, and bring the discipline of collecting data to assess the effectiveness of different strategies.
- We can bring together key government and community leaders, and create a space for them to engage in difficult conversations.
- We can provide them with the tools to work within their unique, individual communities to design solutions that bring relief from violence while also respecting human rights.

Our host, Universidad Nacional del Litoral, has already demonstrated its commitment to creating citizen security and protecting human rights by bringing us together today. I have confidence that the entire Argentinean academic community will continue to significantly enhance security and governance, through the many students you educate to become important policy-makers and influential members of their communities. As some of the most prestigious universities in Latin America, you have produced five Nobel laureates. I have confidence that Argentina will become a model of good governance in the region.

John Jay College of Criminal Justice is eager to partner with the Universidad Nacional del Litoral and Argentina, generally, on this transformative journey to nurture safe and thriving communities that support everyone's success. Together, we can work towards creating a safer and more just Southern Cone.

Thank you.



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