

John Savarese: Not Too Busy To Tackle Mass Incarceration

By Hanna Liebman Dershowitz

They say if you want something done, ask a busy person. John Savarese is unquestionably busy, and he gets asked, and he says yes. Accordingly, his biography reads as a compilation of the most impressive accomplishments one can attain in a law career: longtime partner at Wachtell, Lipton, Rosen & Katz; clerk to U.S. Supreme Court Justice William Brennan; Latin words following all his degrees; Chair of the Board of Trustees of the renowned Vera Institute of Justice... the list goes on and on.

So naturally, when the New York City Bar Association took the bold step of creating a broad, multi-disciplinary Task Force to address our entrenched mass incarceration crisis, it turned to Savarese to lead the charge. “John was the obvious choice, and we’re so pleased he accepted,” says Bret Parker, the City Bar’s Executive Director. For his part, Savarese points to his work with the Vera Institute and a commitment to the values of equality and justice as chief motivators for his involvement in this issue.

Savarese hopes the Task Force will be able to be an effective convener of people who are true experts in the field, and draw upon the resources and cachet of the Bar Association to drive change. The Task Force is aimed at initially serving as a clearinghouse for access to the latest developments in this dynamic field, drawing attention to the issue and disseminating reports and sponsoring programs that highlight ways to move forward. Savarese hopes that the Task Force will “evolve to a point where we can be advocates.” And if the Task Force can build bridges and drive change in coalition with other city, state, and national bar leaders, all the better. Savarese hopes that the Task Force can serve as a model for other similar groups, taking advantage of the “building wave of attention on this issue.”

The Task Force will deal with a range of issues, including sentencing reform. “We need to change restrictions that drive people into lives...incarcerated for incredibly long periods of time,” explains Savarese. With his former assistant U.S. Attorney perspective, he notes: “We always have to be mindful of public safety and law enforcement needs. The pendulum just swung wildly too far in one direction.” Savarese discusses the need to restore to judges a greater measure of discretion in sentencing, with more nuanced understanding of the effects of using prisons as our main punishment. “We need to reimagine our prison system altogether,” he says, because it “assigns people to a life at the margins.” It does not have to be that way, he points out. Indeed, comparing our system to penal systems in Europe, for instance, “it’s unrecognizable.” While we want people to come out of a period of punishment better than they were and able to rejoin the community as productive members, “we disable people in prison so thoroughly now that there is very little chance” of that happening.

Beyond sentencing, issues such as policing and pretrial detention are “the front door of mass incarceration,” points out Savarese. The Task Force will tackle these kinds of issues as well. As many cities and states deal with dwindling resources and communities in crisis, many are realizing that “the economics make more sense to use the money for kids in school, not beds in jail,” says Savarese. He notes that the costs of incarceration are

huge compared with job training, education, and other services for the community that help prevent crime and reduce recidivism. He hopes more communities will be “persuaded by the data” to make better decisions about use of limited resources.

Ultimately, the highest value of this Task Force will be to shine a light on some of the data and facts on the ground, and highlight existing efforts to make improvements, such as efforts by some District Attorneys in New York counties. “We want to get people to share ideas,” says Savarese. And not just with the usual suspects. Savarese says he has his fingers crossed that the Task Force will bring in a wider swath of lawyers that are moved to become involved when they learn about the breadth and depth of the current mass incarceration crisis.

If nothing else, it is clear that leading this Task Force will keep John Savarese a busy, busy man.