Bruce Stout Interview
(October 8, 2015)

Selected Excerpt

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Full Interview

Nancy Becker: Good afternoon. It is October 8th, 2015. I am Nancy Becker, at the Rutgers University Eagleton Institute of Politics, with Bruce Stout, who served as Deputy Chief of Policy and Planning, Senior Policy Advisor, and Executive Director of the Juvenile Justice Commission, in the Whitman administration. We are here to continue our conversations on the Whitman administration for the Center on the American Governor. Good afternoon, Bruce.

Bruce Stout: Good afternoon.

Nancy Becker: Let's start by asking you to tell us about yourself. Where did you grow up? Where did you go to college and graduate school?

Bruce Stout: I was born in Newburgh, New York, and lived on a big tract of land just north of West Point from the early part of my life. My father was a forester, and managed the Harvard Research Forest on the Hudson. We then moved to East Brunswick. He came and actually taught at Rutgers. So I spent most of my adolescence in East Brunswick. I went to East Brunswick High School, then went to Rutgers. That's been the story of my life.

Nancy Becker: And your graduate degree and your PhD is from Rutgers, also?

Bruce Stout: Yes, Rutgers, Newark, at the School of Criminal Justice.

Nancy Becker: Tell us about your parents, your siblings, and also about your family today.

Bruce Stout: Oh, I'm married to Wendy Wolf, who works with Automatic Data Processing, out of Miami. We've been married 37 years. Lovely relationship. I have a brother, who's a dean at a school in Oregon-- he's a German literature professor by training; and a sister who runs two U.S. Forest Service research labs in Pennsylvania and Ohio. And my mom is still alive, and lives in North Carolina.

Nancy Becker: If I said the forest doesn't fall far of the trees?

Bruce Stout: Right.

Nancy Becker: Tell us a little about the inception of your career in government. What was your specific area of interest?

Bruce Stout: Well, I'm a criminologist by training, and when I first finished my PhD, I got a job working as a criminal justice planner in Morris County. I had a board, and one of the women on my board had a husband who worked first, for the legislature, and then became a Parole Board member. At the time, the New Jersey legislature had just completely rewritten the New Jersey Juvenile Code, and by ballot the voters had approved a new Family Court in New Jersey. A commission was created to evaluate whether the new code and the new court were achieving the goals that had been set for them. And I was hired to be the research director, because of that connection with the board member of my Morris County board. So I went to work in Trenton for what was then called the Juvenile Delinquency Commission. We did a lot of good work evaluating the policies around juvenile justice at that time. I stayed there a good number of years, and then went back to Rutgers and worked on several research projects, and taught. I ended up going back into government service, and was sort of in and out of government service. I was at UMDNJ, which is now part of Rutgers, as director of two research institutes, for a period. Then I went back, ultimately, and ran the Division of Child Behavioral Health, which is the Child and Adolescent Mental Health System in New Jersey.

Nancy Becker: How did you become interested in corrections, and specifically juvenile justice, in that early part of your career?

Bruce Stout: When I was an undergraduate at Rutgers College, there was something called Rutgers Community Action, which was sort of a volunteer effort on the part of mostly undergraduate students. I volunteered to be a tutor for inmates at Rahway State Prison who were working towards their GEDs. I did that for a while, and then I actually was a volunteer at a probation program on Hiram Street in New Brunswick and I just developed a passion for the work.

Nancy Becker: Very interesting. As I recall, you clearly-- and you've clearly demonstrated today-- that you're really a policy person, not a political person.

Bruce Stout: Oh, absolutely.

Nancy Becker: How and when did you meet Christie Whitman?

Bruce Stout: So, as I was working on my PhD, the chair of my dissertation committee was also the chairman of the State Sentencing Commission, and they were, for the first time, going to hire an executive director for that commission. He wanted me to take the job. He said, "But there's a conflict here, so I need you to interview with the vice chair of the commission, so that I can recuse myself from the hiring process." I had that interview, and I just hit it off with the vice chair, and we ended up talking about an hour and a half. That vice chair was Governor Whitman-- not governor at the time, freeholder at the time, but it was Governor Whitman.

Nancy Becker: And how did you then get involved in her administration?

Bruce Stout: Well, honestly, through you, Nancy. <laughs> I think you recommended me for consideration to the Policy Office, and I interviewed with Jane Kenny and Mark Magyar who, at the time, who was Deputy Chief of Policy. They offered me a position.

Nancy Becker: What was your first job in the Whitman administration? Describe your responsibilities.

Bruce Stout: She had a Policy Office with policy advisors that had substantive areas of expertise and we would be responsible for the policy in our areas. Generally, that was also associated with certain executive departments, so I was responsible for Corrections, and Law and Public Safety. I also ended up doing a lot of economic development work, with... at the time, was the Commerce Department. It became a commerce commission. I worked on that change. So that's really my work experience. A lot of it was on corrections and juvenile justice. Corrections, because after the election when Governor Whitman was first elected, but before her inauguration, the Supreme Court issued a decision in a case that challenged the state's authority to hold state inmates in county jails. At the time, state prisons were so overcrowded, there simply wasn't enough room to house every inmate sentenced in the state. So the state used the Emergency Powers Act to backlog state inmates in county jails. They would pay the counties for the inmates after 15 days, but it caused tremendous crowding in county jails. Gloucester County sued, and the Supreme Court ruled that the state had been using the Emergency Powers Act for 16 years, over multiple governors. They said, "It's not an emergency if it's been going on for 16 years. You've either got to get the state inmates out, or you have to come up with a new authority to do that." So when we first came in, there was an effort to try to move a very large number of state inmates, so corrections was key. And then juvenile justice, I think, literally was the first initiative the governor worked on. Literally, her first week in office, I can remember that she and Attorney General Poritz were touring juvenile justice facilities because she had such deep personal involvement in those issues. She had chaired what was called the Youth Service Commission, in Somerset County, and youth service commissions at that time were very novel. A federal grant had allowed for the piloting of three youth service commissions in three separate counties, to see whether it was a model for bringing people to the table, at a

local level, to plan for the needs of at-risk youth in their jurisdiction. Governor Whitman was a freeholder in Somerset County and very active. I think she may have chaired the Youth Service Commission in Somerset County and I think had a real passion for those issues. So when she was inaugurated she jumped right on it.

Nancy Becker: How long did you serve in that initial position in her administration?

Bruce Stout: Well, I was in her Policy Office for six years, most of the time as a senior policy advisor, and then I became Deputy Chief of Policy, I think, in my last two or three years in the office.

Nancy Becker: And who did you report to?

Bruce Stout: First, Jane Kenny, and then Eileen McGinnis.

Nancy Becker: Clearly, because of the governor's interest in this area, did you work directly with the governor?

Bruce Stout: Yes. I mean, we would always go through our chief, so we always went through the Chief of Policy, but the governor was very inclusive. She would bring people to the table and would look to hear opposing views on problems or issues. So, yes, I often found myself with the opportunity to talk directly to her about issues and problems and pitch ideas.

Nancy Becker: It was clear to me that one of the governor's interests-- a significant interest-- was juvenile justice reform, as you've just said; and clearly, later on, sentencing reform. Can you also explain her background with regard to juvenile justice? Wasn't she also on the National Council on Crime and Delinquency?

Bruce Stout: Yes. So the National Council on Crime and Delinquency, which is based in San Francisco, at that time was a very well-respected and very well-known research organization. They also advocated for good criminal and juvenile justice policy. Governor Whitman was on the board of that organization. Actually, when she ran, her opponent talked about the liberal criminal justice group she was a part of, and tried to use it against her. But she got her experience on the State Sentencing Commission. She had experience as the chair, I believe, of the Somerset County Youth Service Commission. She was on the board-- and I think she may have been president of the board-- on the National Council on Crime and Delinquency. She knew these issues inside and out. They were a part of her fiber, and I think they were something that she was very personally interested in, and used her opportunity as governor to really make some very positive impacts.

Nancy Becker: The governor credits you with developing the administration's efforts to restructure the state juvenile justice system. Please describe what you did, and how that was accomplished.

Bruce Stout: Well, that was very kind of the governor to do it, but that's misplaced attribution, because really, what we did was bring together a group of people that had been working on these issues around the state for a long time. I don't remember the name of it-- it was a commission or something-- but a group of people to provide recommendations about how to reform the commission. It was chaired by Attorney General Poritz. But more importantly, I think, was people from around the state-- from the judiciary, from probation, from police, from prosecutors' offices-- all came to the table to tackle the concerns and issues around juvenile justice in the state at the time, and come up with some recommendations for reform. I should also say it was staffed by an excellent attorney in the AG's Office, by the name of Jim Harris, who provided great direction to this committee, as well.

Nancy Becker: What did you accomplish? If you would talk about what the initial recommendations were, and what the steps were, through the process. Did you need legislation to accomplish this?

Bruce Stout: Yes. There was a package of bills that were needed to implement all the recommendations that the governor endorsed. So, Yes, there was a whole package of bills.

Nancy Becker: And did you work directly with the legislature in that?

Bruce Stout: That mostly fell to Counsel's Office. I did a little bit, talking to legislators about the details. But I have to say, we had a great partnership with Counsel's office. So I think the selling of the legislation really fell to them, and I don't think that there was a heavy lift, quite candidly, because I think there was a lot of unanimity of view about what should be done.

Nancy Becker: And this was bipartisan?

Bruce Stout: It was bipartisan.

Nancy Becker: And so it wasn't difficult to get it through the legislature, at the time?

Bruce Stout: No. We did not have difficulty at all.

Nancy Becker: Interesting. Now, who did you work with in Counsel's office?

Bruce Stout: I'm trying to think. At that time... Jen Velez was in Counsel's Office. I worked with her, at that time. There were several associate counselors I worked with. I'll be honest with you: I don't remember their names, directly.

Nancy Becker: That's okay. Mike Torpey, maybe?

Bruce Stout: Oh, absolutely. Yes. Mike was chief. He was key. Mike was absolutely key.

Nancy Becker: It seems to me that this was not a typical Republican issue, certainly at the time. Am I correct, or am I not correct?

Bruce Stout: Well, it's interesting, because-- you are absolutely correct. It was a bipartisan issue. And the interesting thing, in hindsight-- which, of course, is always 20/20. It was a very interesting time. Juvenile crime had been really ascendant through the late '80s and the early '90s. In the early '90s-- principally because of the crack-cocaine epidemic-- there was a lot of juvenile violence, and juvenile crime rates were very high; historically, as high as they've ever been. And there was a lot of concern. There was actually a Princeton University professor, at the time, who looked at two things: increasing juvenile crimes rates, generally, and violent juvenile crime rates, specifically, and the echo baby boom, meaning we were going to have more young people in our population around the turn of the Millennium. He looked at those two things, and said, "There's this wave"-- and he coined this term "super-predators"-- "that are going to take over this country, and it's going to be lawlessness." And people were afraid. People-- I mean, this was on the front page of *Time* and *Newsweek Magazine*. There was a lot of concern about it. Beginning in 1992, juvenile crime rates actually started to decrease significantly. But when the governor was first inaugurated, for her first term, we still didn't know whether we were enjoying a couple years of good luck, and would return to the really high levels, or whether there was this downward trend. We know, in hindsight, it was a significant drop, and the prediction of super-predators didn't occur. But the political world, at that time, was still concerned about that. There were a lot of calls to enact very punitive juvenile justice laws. And thankfully, because of the governor's knowledge and personal involvement, I think the road she took was a wonderful balance. If there was any political difficulty, it was from the Republican Party, that it wasn't hard enough; it wasn't tough enough. But that wasn't insurmountable.

Nancy Becker: And as a result of this legislation being passed, the Juvenile Justice Commission was created?

Bruce Stout: Yes. So at the time, when the governor began her first term, there was this byzantine arrangement of juvenile agencies. Prevention programs were in the Attorney General's Office; residential programs were in the Department of Human Services; and correctional facilities were in the Department of Corrections. And the concern of many was that, in all of these agencies, services for juveniles who were involved in the court system always fell to the bottom of the barrel. In Human Services, dealing with children who are abused and neglected, under DYFS, there was concern that kids who were victimized were always going to get priority over kids who were victimizers, and that they would never get the resources or attention they would need. So the policy goal was to create a single agency that would bring those three major functions, from three executive agencies, together, into one autonomous agency that would have one leader, one goal, one mission, one budget—and could be at the table, arguing for its own budget, directly. That was the policy goal.

Nancy Becker: And was that under the auspices of Department of Law and Public Safety, or Corrections?

Bruce Stout: Yes. And honestly, that's probably something that the committee agonized over more than any other aspect of the reforms. Under New Jersey's Constitution, every operational entity of government must be attached to an executive agency, so we knew we had to attach it to one. We were concerned. In Corrections, with tens of thousands of adult inmates, and 1,200 juvenile, it would be a stepchild. Same thing in the organization with DYFS: that it would be a stepchild. The AG's Office seemed to be a neutral arbiter, if you will. So it was meant to be in, but not of, the Attorney General's Office, or the Department of Law and Public Safety.

Nancy Becker: As long as we're talking about juvenile justice, we'll continue and complete this discussion. You then went on to become head of Juvenile Justice Commission. Was it after the Whitman administration, or toward of the end of the Whitman administration?

Bruce Stout: Towards the end of the Whitman administration.

Nancy Becker: So you were the first executive director.

Bruce Stout: No. I was the second. We did a national search and brought someone in, who stayed for a short period of time, and then the governor asked me to take it over.

Nancy Becker: And how long were you there?

Bruce Stout: Two years. About two years.

Nancy Becker: In retrospect, and certainly in the beginning, did it, in fact, become what you had wanted it to become?

Bruce Stout: In some respects, yes; in other respects, no. On the positive side, here is one agency, with one voice, one budget, one mission-- to serve kids involved with the court-- that has brought all those services together. Not having the residential programs and the secure programs in separate agencies allows the commission to seamlessly transfer kids from the secure facilities, to the residential programs, to aftercare services. So I think it's resulted in an improved continuum of services. The Youth Service Commission movement, which was so integral to that reform package, is now standard operating procedure, and I think-- you know, one of the things we learned is that people in Trenton shouldn't be the final arbiters of what's needed in Totowa or Trenton, or somewhere else. Each locality knows their children best, and should have the ability to plan for the services that best meet those kids' needs. I think that that's happening. I think the Youth Service Commission aspect of this is a very positive. All of that is very good. On the negative, I think the commission was seen to be almost like an independent authority, that was in, but not of, the Attorney General's Office. And I think, over the years, it has just become another division of the AG's Office. There was always concern that, because the AG's Office is a law-enforcement agency and a prosecutorial agency, that that might not lead to a balanced perspective for policy. I

think many of the positives we envisioned were accomplished; I think we did not envision that it would default to be basically just another division of the AG's Office.

Nancy Becker: Maybe that happens over time with many agencies.

Bruce Stout: It might very well be.

Nancy Becker: It's a very interesting coincidence that today we're talking about changing incarceration for drug offenders, an issue making headlines for the last few months. Governor Whitman credits you with establishing drug courts in New Jersey: the first-- or one of the first-- in the nation. Please tell us how and why that happened.

Bruce Stout: You know, it's very nice of the governor... <laughs> but all credit goes to her. She-- and really, it's phenomenal, the things she was able to do in this arena-- Drug Court being one of them. You know, at the height of the concern about crack, and when the drug war really began to be engaged in full-time, New Jersey passed what was called the Comprehensive Drug Reform Act, and it was among the toughest drug laws in the nation; not quite as tough as the Rockefeller Drug Laws in New York, but very, very tough. We had a school zone provision that mandated three years of imprisonment for drug crimes within 1,000 feet of a school. It was so punitive that the legislature actually required, when they passed the Comprehensive Drug Reform Act-- or CDRA, as it's called-- that a one-hundred-million-dollar bond issue also be put forth for the prison construction bond issue. It was clearly understood that when the drug war was engaged, we were going to be locking up a whole lot more people. So we had this very punitive drug law, and it led to-- as it did in every other state-- very significant increases in the number of drug offenders who were incarcerated. In that 1987 drug law was a small provision that allowed for a judge to sentence an addicted offender who met certain criteria-- one being nonviolent-- to sentence that offender to six months' residential drug treatment, and five years of what was called special probation, in lieu of sending them to prison. This was in the 1987 drug law. I went back and looked at the historical documents around that, and the fiscal projection was that about a third of the eligible offenders would be sentenced to treatment in lieu of imprisonment, if the legislation was passed. In fact, not a single eligible offender was sentenced to treatment, in lieu of incarceration, for the decade after the law was passed, till Governor Whitman came in. The reason for that is, in their infinite wisdom, the legislature had not appropriated a single dollar for drug treatment. So if you're a judge, and I'm a nonviolent addicted offender who comes before you, you have the legal authority to send me to treatment, but you don't have a treatment bed to send me to, which made it a paper tiger.

What Governor Whitman decided to do is enable that provision to become a reality. At that time, we were spending $100 million a year, paying counties to hold state inmates who'd been sentenced to state prison, but we couldn't move them, because *we* were crowded. What she decided to do was take money from that hundred-million-dollar account and give it to the Department of Health, to buy drug treatment beds to dedicate to drug courts. So

we had a small RFP. We told counties, "We're going to run a pilot project, and we're going to test this out." I really have to give significant credit here to an assistant attorney general by the name of Ron Susswein, who had been working on national drug policy for many years, who came to me and said, "Let's try to make this work." And law enforcement at that time was so very reluctant to support drug treatment. They used to refer to it derisively as "Hug-a-Thug"; that it was warm-and-fuzzy social workers who didn't understand the public-safety issues that they were dealing with. But Ron was very instrumental in selling this to law enforcement. We did this three-county, initially, pilot project. We gave them funding. We dedicated drug treatment beds for it, and it worked really, really well. What we found is that when offenders went to treatment, for the majority of them, they got clean and sober, and they stayed clean and sober, and they stopped committing crime. And another benefit of it; it was a lot cheaper than prison. So we were saving lives, cutting crime, and reducing the prison population. It was great. It was like a win-win-win.

Nancy Becker: I understand that your colleagues called you Turn-'Em-Loose Bruce...

Bruce Stout: No. <laughs>

Nancy Becker: As an affectionate appellation.

Bruce Stout: Right. There wasn't a lot of support for drug treatment, though. Now, everyone knows of drug courts. At that time, they were still very much in their infancy, in an experimental phase, and I think the governor exerted tremendous-- not only political leadership, but tremendous political courage, to take that step.

Nancy Becker: Did you need legislation to do this?

Bruce Stout: We did not, because it had been included in the 1987 drug law, just never been used.

Nancy Becker: Governor Whitman frequently says, "Good policy makes good politics." Will you comment on how her statement relates to the issues we've been talking about today: juvenile justice, and also drug courts?

Bruce Stout: I'd like to *say* that that's always true. My experience working for her was that, often, when you're working on crime policy, we were in a time when there was such a momentum for elected officials to try to be more punitive than anyone else. That was just the trend, that you had to be tougher and tougher and tougher. Often, from the Policy Office, all we tried to do was avoid train wrecks. <laughs> There was a legislator for whom I had great personal respect. He was-- I won't name him. He was a very intelligent man, and he had a proposal for changing our drug laws that would've increased our prison population fivefold. And I sat down with him, and I said, "Do you know what this is going to do? This will bankrupt our state." And I didn't think it would be effective, either. So I'm not sure, in this arena, that good policy always makes good politics.

Nancy Becker: Upon reflection, it's clear that the policies on drug courts have had a long-term positive effect, not only on New Jersey, but nationally, as well. Will you please talk to us and evaluate what New Jersey's leadership on this issue did nationally, and what does it look like, nationally? And maybe bring us up to date to what's happening today.

Bruce Stout: So everyone now knows about this problem of mass incarceration. For 30 years, America went on a punishment binge, and we locked up more and more and more people. In New Jersey, the realities of that were, we took a system that, for nearly 80 years, a prison system that had never exceeded 6,500 inmates, and at the time when we first wrote our new criminal code, in 1979, was costing the state $77 million a year. Through policy decisions that were made over several decades, we grew that prison population to its highest point-- over 32,000 inmates-- and we increased the budget from 77 million to 1.3 billion. Now, I think if you were to ask the average New Jerseyan if spending an additional $1.2 billion locking people up kept them safer, they would say, "That's a good use of my tax money. I want that to happen." Unfortunately, all the good research was indicating that the massive growth in the prison populations was having very little effect on the crime rates. And the best research by economists now, for the National Science Foundation, has concluded that about 25 percent of the drop in crime that we enjoyed in the '90s was attributable to the fact that we were locking more people up. Hugely expensive, much more-- like Drug Court: much more cost-effective ways for reducing crime. So I think one of Governor Whitman's enduring legacies is that states are still grappling with the problem of mass incarceration and these huge prison populations, and the budgets that go along with them.

She put in place policies-- like Drug Court, but many others-- that led New Jersey on a path of reducing its prison population, cutting its correctional cost, but they were also very sensitive to public safety. So now, when this is a national problem, New Jersey finds itself as a leader among states. We've reduced our prison population by over 11,000 inmates, and we've had larger drops in crime, generally-- and violent crime, specifically-- than other states; much more than states that have continued to grow their prison populations. I think it's Governor Whitman's enduring legacy. She had the courage and the wisdom-- because at the time, there was a lot of pressure to build, build, build more prisons. The bond to build the state's last prison-- South Woods Prison, a hundred-million-dollar facility-- had been passed before she was elected. The Whitman administration built that prison, and there was a lot of pressure to keep building: build another, build another. And I'm talking about lobbyists coming out of the woodwork for prison construction. And she had the courage and the wisdom and the fortitude to say, "We're going to take a different path." And she did. So here's New Jersey in this national leadership role, as being a great exemplar of how you can cut cost, cut your prison population, and improve public safety.

Nancy Becker: In retrospect, describe for us what it was like to work for the Whitman administration as a policy person, rather than a partisan political operative.

Bruce Stout: Working for Governor Whitman's Policy Office was the most rewarding part of my professional career. It was phenomenal. It was a wonderful experience. She brought in bright people. <laughs> Certainly, not me. I was the exception to that. But she brought in bright people who cared passionately about their issues, and... you know, we were-- we sometimes butted heads with the political side of the shop. I can vividly remember when Senator Kosco proposed a Three Strikes bill. Now, at that time, California had enacted a very tough Three Strikes law-- very tough-- and they ultimately grew their prison population to 127,000 inmates, and led to Supreme Court intervention, because they declared the conditions were so crowded that it constituted cruel and unusual punishment. But there was a lot of push. Bill Clinton provided money to the states if they would enact a Three Strikes law. So Lou Kosco-- Senator Kosco-- introduces a bill that's as broad as California's. I knew California's bill was a train wreck, and--

Nancy Becker: Let me just stop you here a minute. To clarify a little bit-- three strikes and you're in?

Bruce Stout: So if you commit three serious felonies, you're sent to prison for life. That's what it is. And it sounds great, and you think-- in California's, the third could actually have been a less serious crime, and you go to prison for life. The problem with that, from a purely cost-benefit analysis perspective, is when you incarcerate someone in their young, crime-prone years, you get a return on your investment. But once they become 40, 45, 50, there's very little likelihood that they would engage in crime. So you end up spending literally million-plus dollars locking up each lifer, for a period when they're very low risk to public safety. So I can remember when we were sitting around the governor's office table, in her office, and I brought up a cost-benefit analysis. I can remember her political advisor slamming the table, and saying, "Have you ever considered the cost to victims?" And my perspective is, "Of course," because you have to spend every public-safety dollar you have to maximize the probability that a victimization won't occur. That's the whole point. To throw money down a rat hole, and to just argue, "Well, we're thinking of victims," that's useless. So there were those fights between the politics and the policy. Thankfully, because of the governor's knowledge and vision in this area, I think sound policy always prevailed, or *most* always.

Nancy Becker: Interesting. In a broader general perspective-- from *your* perspective, though-- what were Governor Whitman's greatest strengths?

Bruce Stout: Intelligence, integrity, foresight. That's a pretty good list.

Nancy Becker: It's a pretty good list. What were her greatest weaknesses.

Bruce Stout: People always criticized her for not having a good enough relationship with the legislature as they would've wanted. From my area, we were able to always get what we wanted through the legislature, so I didn't personally see that. I know there was a lot of

criticism of her for not doing more to try to develop relationships with those 120 legislators, but... I didn't-- it didn't affect *my* area.

Nancy Becker: Any other weaknesses that you might've seen in the administration-- something they could've done better?

Bruce Stout: No, not that *I* saw.

Nancy Becker: How would you assess her administration, as a whole?

Bruce Stout: I think we did some phenomenal things. When I tell people that I worked for a Republican governor who did more progressive criminal justice policy than any other governor *I* see around the country, they go, "What?" And she did. And, I think, environmental protection. She did so many wonderful things to protect our environment. You know, these were things that people weren't associating with the Republican Party, necessarily, and she did it. So I think her legacy is strong.

Nancy Becker: You went on to work for the Corzine administration. What was your role then? And I'd love you to compare the two administrations.

Bruce Stout: <laughs> I came back to run the Child and Adolescent Mental Health System, and ultimately ended up working for Counsel's Office, staffing a Sentencing/Corrections Task Force that was, interestingly enough, chaired by former Chief Justice Poritz, and also working on a Reentry Task Force. Very different. Completely different administrations, like night and day. It might sound a little superficial, but in the Whitman administration we all thought we were on a great team, and working together. There was a lot of backbiting in the Corzine administration. It wasn't as collegial, and you didn't get the sense that everybody was on the same team, working together.

Nancy Becker: How else can you compare the administrations?

Bruce Stout: That's interesting. You put me on the spot here, Nancy. Let me think. I didn't find the experience as rewarding as I did working for Governor Whitman. Here, I'll give you an example. So Governor Whitman, I've told you, had real courage in enacting some very powerful criminal justice policy reforms. The Sentencing/Corrections Task Force that I was working on wanted to make Drug Court mandatory, and we brought in an international expert on drug treatment, by the name of Tom McLellan, who ran the Treatment Research Institute at University of Pennsylvania, who worked with us. And the idea was that, if you were eligible for Drug Court, and you met all the criteria-- nonviolent, and your addiction caused you to engage in crime-- you shouldn't have the ability to say, "I don't want to go to drug treatment." And for many people, that's counterintuitive. Why would you rather go to prison than go to a drug-treatment program? The reality is, for many addicts, treatment's the last place they want to go, and they'd rather lay up in a prison cell, doing what we refer to as three hots and a cot, rather than go to treatment. Our Drug Court statute said it had

to be voluntary. This was based on the old AA idea, which has since been disproved. I have to say, since we're sitting at Eagleton, a lot of the research was done at the Center for Alcohol Studies at Rutgers, indicating that coerced treatment could be *as* effective-- and some of the research indicates *more* effective-- than voluntarily sought treatment. So we thought, working with Tom McLellan, "Let's change our statute so that you have to go to treatment." We recommended that if you don't go to treatment, that was a factor that, at your resentencing, allows a judge to sentence you to a longer term. So if you're facing a three-year sentence, and you go to Drug Court, and you basically say, "I'm not going with this," you come back, maybe you get a *four*-year term. It's kind of coercion for you to cooperate. After President Obama was elected, Tom became his deputy drug czar, and this was during the process of this Corzine task force. He calls us and says, "What you guys are working on in New Jersey is the most exciting stuff in the country, and we"-- meaning the White House Office of National Drug Control Policy-- "want to fund it." Our OMB analysis indicated that it would save over $3 million. A liberal Democrat did not pull the trigger on that recommendation. Governor Whitman would've pulled the trigger on that recommendation.

Nancy Becker: You're talking about Governor Corzine's administration?

Bruce Stout: Right.

Nancy Becker: Interesting. Bruce, you have continued to work in the area of criminal justice since the Whitman administration. Tell us a little bit about what you've been doing since that time. You did tell me a little bit in the beginning, so tell me what you've been doing since you left the Whitman administration.

Bruce Stout: I've been teaching at the College of New Jersey. I'm now Chair of the Department of Criminology there, and I try to keep my finger in criminal justice policy. I was appointed to the State Sentencing Commission. Some of my work there, I think, has been impactful. Ben Barlyn-- who is the Executive Director of the Sentencing Commission-- and I did a study of the drug-free school zone law that was in the 1987 drug bill, and we found that it was ineffective in creating safe havens for children, and that it was racially discriminatory. Ninety-six percent of the people who were incarcerated under that provision were black or Hispanic. And we were working for the Sentencing Commission. The commission made recommendations to change the law, and after five years, the law was changed. So that's been very important to me in my professional life. Other than that, I try to teach young students to think about these issues as important issues, and to get them excited about tackling them in *their* careers, and hopefully I've sparked a light in a couple.

Nancy Becker: Is there anything you would like to add about the Whitman administration that I may not have asked you?

Bruce Stout: I just think-- and I've said this, so I'm going to be redundant, but I think it is a little-talked-about but incredibly important aspect of Governor Whitman's legacy, that she

has put New Jersey in the position that it's in, because while not all of the declines in the prison population happened during her term, all of the major initiatives that have resulted in those declines, she initiated. I think she had tremendous vision. I know I'm being redundant, but I think she had tremendous vision and tremendous political courage to really make a phenomenal contribution to public safety and to good policy in this state, in this area, and I'm tremendously proud to have been some very small piece of that.