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LAW AND ORDER:  
HOW WILL THE LYNCH JUSTICE DEPARTMENT CONFRONT THE TERROR  
THREAT?

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(Applause)

MR. ISAACSON: I told them she ought to say something.

(Laughter)

MR. ISAACSON: I think this has been an extraordinary conference and I think can think of no better way to end it. The Attorney General of the United States went to law school with Clark Ervin, who put on this conference. They're both successful. I never quite knew how successful Clark was until this week.

(Laughter)

MR. ISAACSON: But certainly all of us at the United States are very proud to have as our Attorney General, Ms. Loretta Lynch, and of course she'll be interviewed by Andrea. Thank you.

(Applause)

MS. MITCHELL: Well, General Lynch, you can see how excited this extraordinary crowd is. What a way to wrap up an amazing conference, and our thanks and congratulations to Clark and to Walter and everyone from Aspen for what you have done here. Thank you so much for taking time from your very busy schedule.

Let me start out by asking you what do you see as the greatest threat to the homeland from terrorism?

MS. LYNCH: Well, thank you, Andrea. And first of all let me thank both Walter and my old friend Clark for this kind invitation. It is truly, truly an honor to be here with this group. I've seen your agenda, I know that I'm following some extremely heavy hitters, so -- some of whom are still here in the front row. So I'm truly happy to be here and I thank you for that warm welcome.

With regards to the most serious threat to the homeland from terror I think we certainly have seen the emergence of different terrorist groups. I think the greatest threat overall frankly is the fact that the terror threat is morphing. It is fracturing, it is expanding beyond the old-school al-Qaeda and its offshoots, which are still viable organizations, they're still dangerous organizations.

We have made great inroads against al-Qaeda and its affiliates, we have done well in the fight against al-Qaeda frankly due to a great deal of international cooperation and the dedicated work of our military as well as our intelligence, our law enforcement and our courts, quite frankly. We've prosecuted a large number of them.

But what we see is the terror threat shifting and morphing. For example, it used to be that an al-Qaeda splinter would stay in the Arabian Peninsula or in the Maghreb and you would still know how they operated. And now we see the emergence of one of the most recent al-Qaeda splinters of ISIL, which has grown to a degree and significantly changed the terror landscape, and sort of opened it up for the independent contractors of terrorism almost, individuals who need not have a prior affiliation with ISIL, but who can carry out acts of violence, acts of terror, both Europe, Asia and here unfortunately, then claim attribution. And if ISIL thinks that in fact it's an act that advances their goals, they will adopt it also.

So I would say that we certainly still see the backdrop of the groups we've been fighting for so long, the emergence of new groups. And we don't know what's on the horizon quite frankly. So I think that the best way to characterize it is the terror threat is still consistently from foreign terrorist organizations, although we do have, sadly, domestic terrorists as well. And the splintering and morphing of that is of great concern to all of us who fight this issue.

MS. MITCHELL: How well-equipped are we to fight the attraction of the social media exhortations to lone wolves, to disenfranchised youth here in the United States?

MS. LYNCH: You know that's an excellent question. I think it goes really to a number of issues that a lot of us have been looking at for a long time, not just fighting the attraction of groups like ISIL, but the attraction of groups still like al-Qaeda or al-Shabaab.

We have situations where young people in this country who feel rootless, who feel disconnected, will connect with a violent strand of an extremist thought. And it may be ISIL, it may be al-Shabaab, it may still be al-Qaeda, and it draws them in.

I think that we spend a lot of time thinking about how to counter that. We spend a lot of time thinking about how to strengthen communities, how to empower families to recognize the signs that their young person may be drifting that way, we spend a lot of time trying to empower communities to build other options for young people.

And it's a challenge because you have a lot of communities that, because unfortunately there's often a backlash against many of our ethnic communities when we do terror cases or when events occur, they don't always trust the government to be the ones to help them. They don't always trust us to be the ones to provide that bridge.

And in fact we're not the only ones who can provide that bridge. We're working not only the Department of Justice but Education, you know, reaching out to schools to try and connect with young people. One of the things that we spend a lot of time doing is talking to community groups, talking to leaders of not only Muslim groups but also leaders of communities and schools and saying to them, when you see someone begin to change in a way that gives you pause try everything you can to pull that person back in.

And if you look at a lot of these cases that have happened most recently, people will in hindsight look back and say, "You know I saw something, I heard something. This person was talking about taking an action that I would never have thought that they would take in

extreme violence. But I didn't take it seriously," or "I didn't want to impose on their privacy."

But in particular it's for parents. I've gone to Muslim community groups in my former district of Long Island and have had a lot of very candid conversations with people about this issue. And at first the discussion usually starts off with a concern that we might be targeting their young people, that we might be somehow entrapping them or through government action drawing them into this.

And we talk about that and I will usually outline the cases, and you can see how people have been drawn in from the Internet, from social media. And then I'll ask all the parents in the room do you know what your child did online just last night. And the reality is very few of us know what our kids are doing online. So we see this threat emerging and really it's a very dangerous one.

MS. MITCHELL: How much of a challenge is the fact that they go "dark"? I mean, encryption now is a real problem for anyone trying to track these online communications. Once they're drawn in, they quickly go dark.

MS. LYNCH: Certainly a challenge. Certainly a challenge for us and certainly I'm sure you've had a discussion about that this week and looking at your agenda items this issue would have come up. It's a matter of grave concern for all of us in law enforcement and all of us in the intelligence community or the military who are working on this issue, because we are really only as good as our ability to track these individuals and to determine their plans before they can execute them.

I will say this, the aim of the Department of Justice and all of our partners in this is still the prevention of the next terror attack. This is our goal, that has been our mandate since 9/11, and we have done a great deal of work and had a great deal of success in doing that.

But when we have a situation where we start out seeing someone in communications with those that we know are looking for affiliates and associates to carry out actions and they switch to a platform that we can no longer through our usual court process gain access to, it's very challenging and frankly it's very troubling.

And I know that sometimes the debate goes into how we are interacting with the companies. And we really are interacting with them very well, we're having a lot of very, very substantive discussions about ways in which we can work together to work on this issue, and we don't have a fix yet, you know, quite frankly we don't. But I think that we certainly can find one and I think that the important thing is that we all share the same goal of stopping terrorist activity.

But it is a challenge, it's a challenge for the government, and I think it's frankly a challenge for the companies that do work so well with us and have in the past to find a way to continue that relationship also.

MS. MITCHELL: Is it a much greater challenge post-Snowden in that the companies have their own commercial interests and the whole issue of privacy is so toxic now with their publics?

MS. LYNCH: Well, certainly I think that the Snowden disclosures raised the issue and highlighted it for a number of people. Privacy has always been an important issue and it's always been something that I think every tech company has known the significance of safeguarding, and they've always taken steps to do that.

Certainly the commercial model now has bent, has come to rely heavily on the appeal of that encryption, or the appeal of the fact that no one can see what you're saying and the government can't get into what you're doing.

And the reality is, you know, I don't want to get into what people are doing, I don't want to see what you're saying unless you're talking about blowing up a building or unless you'd kidnapped a child or unless

you're talking about targeting someone who for example hosted a "Draw Mohammed" contest and is now in danger because of that. That's my only interest in going into what people are doing and saying.

And so I think that is an important goal to have secure communications. I carry four phones, so believe me I'm very focused on electronic security. But I think that again we are working well with the companies.

What I will say is as someone who is a consumer and frankly does appreciate the work that they're doing, at the end of the day however the contract that the companies have with consumers, and that includes me, is a commercial contract. The contract that I have to protect the American people is the Constitution, and that's my obligation and that's what I work under.

MS. MITCHELL: In this new environment -- we spent so much time after 9/11, you as a successful prosecutor in Brooklyn prosecuting so many of these terror cases, thinking about mass attacks, about another 9/11, and now what we're seeing, movie theatres and mass shootings, a rash in just the last three weeks, not all related to foreign terrorists, some domestic terror. Do we have to change the way we live or do there have to be magnetometers at strip malls and movie theaters? What are the implications for the American society in what's been happening lately?

MS. LYNCH: Well, I think the implications are that we all have to think about the type of security that we want. And whatever changes that we make, we have to make them fully informed of the consequences. We are seeing a shift certainly in the area of domestic terrorism as we've talked about. ISIL in particular is looking for people who are in various countries including our own, to carry out solo acts or small group acts and then take credit for them.

We have people who are engaged in domestic terrorism, and frankly we have disturbed individuals who also will wreak havoc, a considerable havoc there. A lot of other countries have dealt with this over the years in

terms of their civilian population being what are called soft targets of terrorism. And frankly it's part of the changing face of the threat that we're seeing also.

I think we have to be careful, we have to be cognizant of the risks and cognizant of the threats, but my view is that we cannot let terrorism prevent us from living our lives, we cannot let terrorism prevent us from enjoying the free and open society that's so important to us, because that's the real goal, that's the real aim of the terrorist actor.

It is to change us internally and to convert us from a nation that's open and outward-looking into a nation that is frightened and inward-looking and stops innovating and stops building. So I say we do not stop doing our activities, in particular going out and enjoying the fruits of this great country.

This has come up in particular with obviously the recent shooting in a church. You know in no way should that prevent people from going to houses of worship.

MS. MITCHELL: Which brings to mind the availability of guns in our society. The President said recently in a interview with the BBC, "If you ask me where has been the one area where I feel that I've been most frustrated and been most stymied, it is the fact that the U.S.A. is the one advanced nation on earth in which we do not have sufficient common sense gun safety laws even in the face of repeated mass killings."

Now we've seen Charleston, we've seen Chattanooga, we've seen Louisiana. The availability of guns --I know it's still yet to be determined in which cases they were legally purchased, and in which they were not, without regard to these instances which you will eventually have to be involved in adjudicating, what about the fact that even after Sandy Hook, this country has not been able to come up with what many believe is a common sense policy on guns?

MS. LYNCH: Well, certainly I understand the President's frustration with that, and as someone who has had to deal with the aftermath of gun violence for a number of years as a prosecutor, I share it. I certainly think that it reflects really frankly the very views in the country. I think that certainly there are strong views for changing our laws, but you know once they get to the Hill there are strong views against it and we do try and accommodate all those views.

From a law enforcement perspective, I've always found it ironic. I'm surrounded every day by people who carry guns and you have to train and you have to qualify and you have to know or understand or respect them, and that doesn't seem to be part of the general discussion about guns. So it's always been a bit ironic to me as a law enforcement person.

It's a very, very, challenging issue, it's a very difficult issue and I don't know what's going to happen with this issue coming up. I don't know whether Congress will take it up or whether there'll be a popular movement that will push it or not. I think that both are options, both are possibilities. But I certainly think that people on both sides of the debate can and should express their views.

MS. MITCHELL: Last week when you were announcing the hate crime indictment in Charleston, you said "Racially-motivated violence such as this is the original domestic terrorism." That had a big impact. Can you elaborate on that?

MS. LYNCH: Certainly. We've talked about the shooting in Charleston from a number of different angles and one of the questions that's been pervasive throughout, as is often the case when you have such a tragedy and such an incredible loss of life, and such an apparent, frankly, motive of hatred, is what is this, what type of crime is this, and more to the point what does it say about the person who's alleged to have committed it?

And when we look at this crime where someone who has gone on record with derogatory comments about African-Americans, the desire to kill black people to make a

point, and more to the point the desire to go to a church to find the black people he wanted to kill and essentially start racial discord, it is the type of frankly hatred that we thought we had seen in our rearview mirror but still exists. It harkens back to the days when the original domestic terrorism laws, the anti-Klan statutes were passed. And frankly it does speak to the fact that this type of hatred when acted out is meant to strike terror into people's hearts.

MS. MITCHELL: I wanted to ask you about cyber attacks. You've been a prosecutor of cyber crime as well, but cyber attacks, and in particular the OPM attack is on a scale, really an unprecedented scale, in terms of an attack on our government. John McCain today described the OPM attack as the equivalent of an act of war and said the administration has no plan to deter or retaliate. Does the administration need a plan when something happens on a scale this large?

MS. LYNCH: Well, I think it certainly raises a host of implications and certainly there are plans for dealing with the breach itself. I sit here as one of the government employees who did receive that letter that said all your data is now somewhere overseas. And so there certainly are plans for dealing with it in terms of the personnel cost and the personnel issues that it raises.

With respect to cybersecurity itself there certainly are plans for reviewing how this type of hack occurred as well as several others that have occurred over the past recent years, and how we can strengthen ourselves. With respect to dealing with the perpetrator of that, that's something that's going to be under consideration by a lot of people for several days and weeks and months to come. So I'm sorry, I'm not privy to all of those I'm not able to go into that, but I certainly think it's something that is part of the national discussion.

Frankly -- you asked earlier about national security in terrorism, and certainly that's my first, one of my top priorities as Attorney General, and one of my next priorities is cybersecurity, improving our

cybersecurity and improving the way in which we can hopefully prevent these attacks and if not, mitigate the damage from them.

MS. MITCHELL: Yesterday, Director Clapper, the director of National Intelligence, told us here that this has been a goldmine for a foreign intelligence service, and he said that the implications are huge and long-lasting. And now there are reports today that the identities of undercover operatives in China have been compromised potentially, that it will be easier to piece together their identities so their service overseas is probably at an end.

This is an enormous cost to our intelligence services to say nothing of the personal cost to friends, relatives and others mentioned in their background matrix.

MS. LYNCH: Yes, it is a huge cost to our intelligence service, to our operations and frankly are working I believe to work with our partners overseas through operatives as well as a huge cost to the people who were personally affected by it. I'm not sure how knowing my college address, freshman year, is really going to help anyone in terms of espionage, but there might be some other things there that could.

MS. MITCHELL: Do you think that some of our undercover operatives have been compromised permanently?

MS. LYNCH: Well, I can't speak to that in terms of specifics. I think that when we look at the trend in recent years of hacks and disclosures of data that do contain sensitive information, that do touch on information that may reveal the identities of people who are working in an undercover capacity, it is a matter of great concern.

MS. MITCHELL: If the identities in their personnel records were so easily ascertained, how safe is our financial system, our aviation system, nuclear power plants, the rest of our infrastructure from attacks?

MS. LYNCH: You've certainly hit upon the issue that troubles every prosecutor who works in this area and frankly all of us in government who work in this area. And we're spending a great deal of time having discussions with every sector that you mentioned about strengthening cybersecurity.

One of the things that we're doing is forging partnerships with private industry -- the financial industry, other industries for example -- to work with them so that when they discover an infiltration we can work with them to find out the nature of the infiltration, is it similar to what we've seen before, is it a virus that we've seen before, is it a new type of virus. And we're also working with private companies so that they can share information with each other that may help prevent future attacks also.

This is an area in which frankly government cannot solve this problem alone. It's an area in which we truly need cooperation from the private sector, and this is across our economy. Because really it is -- as we become much more dependent on living in the cloud, as wonderful as that it and it really is a great thing, it really does put so much up, not just our data but our operations and our infrastructure at risk. And so it is an area in which we really need everyone working on this.

And in addition to government working on it, the private sector working on it, Congress is working on it, the Department is working with Congress now looking at different bills that will hopefully provide protection for companies who need to share data because of course sometimes there are liability concerns, we understand that. And we understand that that sometimes prevents companies from being able to in their view really share a lot of the information that will be helpful from a law enforcement perspective. So it's really a multipronged approach.

MS. MITCHELL: One of the things that John McCain said today is that Russia is even better than China in this sphere. Are we losing an escalating cyber war?

MS. LYNCH: Well, I'm not looking to compliment either of those two actors actually. But it will say that we're very involved in looking at a number of countries and trying to gauge their capabilities and trying to gauge the level of infiltration that they can and may have had in the U.S.

MS. MITCHELL: Do you have the resources, does the administration, does the Department of Justice have the resources, the skills set and the financial resources, given the sequester and everything else that's been going on to come up with solutions in something this challenging?

MS. LYNCH: Well, sequester is a challenge. I will tell you across the board, sequester is a challenge and it certainly has been, and it hit before I was in this chair. But I was in my old office as a U.S. attorney, and certainly it was very, very difficult managing financial issues that had led -- that it left us with. And we're hoping to see a cessation of that at some point. We're very, very hopeful that we can move past that type of thinking that sort of shrinks us and cuts us without regard to what we need to do.

Certainly it's a very resource-intensive area but not just for us. As I mentioned before private industry is very much needed in this fight, legislation is very much needed in this fight. We're actively trying to look for people with the skills and talents for our law enforcement agencies also who can help us with this fight.

So it becomes and educational issue, it becomes an issue of keeping our kids competitive quite frankly and encouraging them to go into the sciences and technology. So it's a long-term, multifaceted effort.

MS. MITCHELL: Guantanamo has been much discussed at this conference. What is the game plan? McCain also said today that he's got the defense authorization bill, that he wants to persuade his colleagues but he doesn't have a plan yet from the administration for how to close it down effectively, transfer prisoners to prisons here.

MS. LYNCH: Well, certainly, closing Guantanamo Bay has been a priority of the administration for a number of years. And I certainly think that people who, across the aisle, such as Senator McCain join him in seeing the value of that, both from a financial perspective and also from a values perspective. And of course the devil's always in the details -- how do we do it.

We have been working on transferring people pursuant to very, very strict protocols. I certainly think that in terms of getting plans up to Congress I know that others in the administration are working on those, so I'll defer to them in terms of the particulars of that, but say -- I will say it's a matter under grave consideration. Certainly the Department of Justice is working with a number of agencies and as soon as we receive any other information we'll throw our efforts behind that as well.

MS. MITCHELL: Are there still going to be several prisoners who can either not be repatriated or transferred to super-max prisons here?

MS. LYNCH: I think we'll have to wait and see what the final plan looks like. I think it will be done in conjunction with a number of eyes and a number of interests looking at it, a number of people who want to weigh in from various sides. So I think it's simply too early to say what the final details would be on who will go where.

MS. MITCHELL: Jonathan Pollard also is an issue that arose this weekend. Can you tell us --

MS. LYNCH: You've had a busy weekend.

(Laughter)

MS. MITCHELL: Well, precisely. And we saw the statement from Justice yesterday, but could you bring us up-to-date on the mandatory -- I guess the mandatory sentencing after 30 years? Is that a mandatory release on parole? Where does that now sit?

MS. LYNCH: Actually it is, it is. Our criminal laws and our sentencing laws have changed a great deal over the past 15, 20 years, since I became a prosecutor, and of course many of us are working to reform them in other ways also.

When Mr. Pollard was sentenced some 30 years ago, I believe he received a life sentence but at the time the system still provided for parole, and under the operation of law after 30 years it is a mandatory operation of parole absent a host of things in terms of other violations that may or may not have been committed here.

And in accordance with the law his sentence has been carried out. He is essentially one of the few people who is still a prisoner under the older set of sentencing laws. And that's why I think it may seem surprising to many people now, our sentencing structure has changed significantly in the late '80s and early '90s to where now a life sentence is in fact a life sentence. But under the law under which he was sentenced and the laws of our country under which we abide, he's coming up for release.

MS. MITCHELL: And is that a recommendation that you would be making to the Board of Parole?

MS. LYNCH: It's not really a recommendation needed from us. They simply evaluate his behavior in prison, they evaluate all the factors and circumstances, and we look at it again to determine if there's anything that we would need to investigate or further review and provide that information to the Parole Board, which then makes the final decision.

MS. MITCHELL: Can you address the reporting that there's some linkage between his release and foreign policy considerations after the Iran deal to try to assuage Israel.

MS. LYNCH: Well, I can't really address that because I haven't been involved in any of those statements. I would say that it would have been extremely

far thinking of people 30 years ago to sentence Mr. Pollard and set this mandatory release date to coincide with the Iran deal --

(Laughter)

GENERAL LYNCH: -- and if they were able to pull that off I'd be quite impressed. But -- so, no, this really is an operation of law that would have operated regardless of what was going on in other foreign policy circles.

MS. MITCHELL: One of the issues of course that we've been facing as a country in the last year since Ferguson is race relations, police relations. You've been on six-city tour and you've been addressing and discovering what works and what hasn't worked in community relations. Can you tell us a bit about your tour of the country and what conclusions you've drawn so far?

MS. LYNCH: Surely, surely. It has been an exceptional work that we've undertaken with -- my staff and I. I am embarking on a six-city community-policing tour. I've been to three cities so far, Cincinnati, Ohio, Birmingham, Alabama and East Haven, Connecticut. The three remaining cities will be Seattle, Washington, Pittsburgh, Pennsylvania, and Richmond, California.

And we selected these cities because all of them have had in the recent past or maybe even as long as 10 years ago a very challenging relationship between the police and the community, usually the minority community; not necessarily African-American, sometimes Hispanic.

There are different issues presented there, sometimes the police shooting led to frayed relations and tension and quite frankly violence, and sometimes other incidents between police and residents led to these issues. Sometimes the Department of Justice had come in and actually sued the jurisdiction under their -- a pattern of practice, lawsuit or there may have been a consent decree similar to that. But at some point in time all of the cities were where Ferguson is now; they were where Baltimore is now. And so when we looked at those,

at Ferguson and Baltimore, we were thinking about it in the light of -- you know at some point, people come beyond the fires, they go beyond the flames, and how do they rebuild? It has been done before.

And we wanted to highlight jurisdictions that had carved out a positive working relationship with the police. And what I'll say is not a perfect relationship, because in many of these cities there are still incidents that occur where the police and civilian interactions end violently and lead to discord.

But in those cities, they have managed to find a way to have that interaction done through peaceful protests. They've had that interaction done with a great deal of communication and a great deal of transparency and a much greater sense of police accountability than the people who are currently struggling with these situations feel. And it's been tremendous.

And a lot of what we do in this area is try and make our findings and our information, our results available to other jurisdictions so that if a police chief sitting in a city reads, for example, the Ferguson report, they may look at all the conditions that led to tension even before Mr. Brown's tragic death, all the conditions that led to a complete lack of trust between the community and the police. And they may be able to say, you know, my jurisdiction looks a lot like this. I can reach out to the Department of Justice for help.

So in my six-city tour, I usually talk to young people and I ask about their interactions with police and how they view law enforcement. And I've heard some surprising things, kids will always tell you what they feel and how they feel, but I've heard very positive things. And I usually have a roundtable with police and community and civic leaders as well. And I really think that when you look at this, we certainly see a number of messages emerging.

First, it is communication. Police and law enforcement leaders, whether it's the police, whether it's sheriffs, have to establish a method for communicating with residents. And frankly, it is as simple as walking a beat, it's as simple as going into a store and ascertaining if a business owner is all right.

In East Haven, Connecticut, I literally heard from the victims of police harassment four years ago. Hispanic victims mostly from Central America, business owners talked of police harassment that was so bad and so negative, they had to close their businesses. They lost their businesses, and now they talked about police officers coming into the store, treating them with respect, treating them with dignity, working with them if there is a problem in the community and they're glad to see the police come in. And that's over a two-year period.

When I was in Cincinnati, I went to an elementary school. I went to a third-grade classroom, and police officers there are assigned to work in the third-grade classrooms of the most challenged schools, particularly focused on the reading schools, because studies show that third-graders around the age when you really need cement for children their ability to read and read well, otherwise they sort of get lost in this system.

So the police are working actively on this, and they help with other classroom activities as well and see the bond between those kids and the police officers -- they're in uniform -- is one that I think is going to help as they become young adults and adults. It's going to help them manage any issues that come up.

Again, it's not going to be a perfect relationship, but we're looking for a positive working relationship. And it was a community where 10 years ago, Cincinnati had some very difficult police shootings and still does, still has some recent cases that are under review and there is still tension there. And when I asked the kids in the room, who here wants to be a police

officer, every child raised their hand, every child raised their hand.

(Applause)

And so then I asked them, why? Why do you want to be a police officer? And you get the usual answers, you know, they protect people, they get the bad guys, they keep you safe. And there was one little boy, who was really shy, he's really quiet, and I had to have repeat his answer. And I said, why do you want to be a police officer? And he said because they are the peacemakers. And that's what we're looking to find.

MS. MITCHELL: Well, what made the difference? What changed in only two years in Cincinnati? You know, is it political leadership, is it a new police chief, is it training? What is your recommendation to other communities who are so stressed?

MS. LYNCH: It's all three, it's also three. In all of the cities in which I visited so far -- and I anticipate to see the same -- the police departments had been committed to fostering this positive relationship. They sat back and took a step back and assessed how they were operating and whether it was truly effective to have people live in fear of them or whether it's more effective to have a working relationship with the community.

And every good police officer knows, it's much more effective to have that positive relationship. You need people to come forward as witnesses, you need victims to come forward when they have been traumatized. And everyone that I met, all the officers that I met, spoke themselves very eloquently about why they went into policing, to help people, to help communities, to steer kids from the wrong path to the right path.

So a lot of it is training, a lot of it is getting back to the core of community policing. You also have to have a community that is very engaged on these issues that will focus and will be committed for the long term for

these discussions, because these discussions are lasting for years. After DOJ leaves, the discussions continue and that's where we see the most success.

And you also have to have a mechanism for involving young people in the discussion and in the debate, getting them to know police officers like the third-grade class that I visited, or the high school class that I visited in Birmingham. So you have to have all three of those and it requires the police, the community, and it also requires civic leadership that is determined to get this done. But it is not rocket science, it's not impossible. It can be done and we are doing it.

MS. MITCHELL: I know it's a pending case potentially, but a lot of us just looked at the video -- the presumably unedited version in the Sarah Bland case, and looked at the way that escalated, and there just seemed to be so many points along the way where it could have not been handled that way. We don't know what happened to her when she was incarcerated, but the whole reason for the stop in the first place and the way it was handled seemed to be an object case in how things should not get out of control.

MS. LYNCH: Well, certainly it was not anything that most people looking at would have wanted to happen or wanted to see or anyone looking at it would have wanted to occur. I think what's been very useful about this situation, which is another tragedy, quite frankly, and Ms. Bland's family is clearly suffering under this because the loss of a young person's life is just such a tragedy under any circumstances, particularly when they're not known. You know, not to know what happened must be incredibly difficult.

As we've seen, a lot of commentators, particularly police commentators have spoken on this issue, on the importance of training our officers in de-escalation tactics. The decisions that an officer makes at various points of an interaction can escalate a situation or they can calm a situation down. One of the

things that we do with the Department of Justice is work with a lot of local law enforcement in just that training through our grant program, through our cops office, which is the Community Oriented Policing Services Office, and we work exactly on these issues.

And in many of the communities that I'm visiting on my tour, those officers ironically have spoken exactly about that issue, about how they thought the most successful change in policing that they had done was to switch from the aggressive sort of catch-and-arrest mode to how can I really manage this situation and de-escalate something for everyone's safety.

And they talked with great enthusiasm about learning those techniques. So I think it's something that is -- there's clearly a need for it, it's clearly an important issue, and it's -- I think the unfortunate thing is that it took a tragedy like this to really bring it to the forefront. But people who have worked on policing issues have talked about that for a long time, and I think it's very, very timely discussion.

MS. MITCHELL: Wanted to ask you about the controversy over Hillary Clinton's e-mails. There have been referrals to the Department of Justice and there's been a lot of confusion. If you can just clarify what is the protocol for protecting classified data on a private e-mail system?

MS. LYNCH: Well, firstly I can say is that I've never e-mailed Mrs. Clinton.

(Laughter)

MS. LYNCH: And so at this point, we've received some referrals and we're going to, you know, review them as we would review anything else and see what steps, if any, need to be taken. So I'm not able to go into much more than that. Every agency has protocols about how to manage classified and secure data, and so you have to look at the State Department's protocols in this and see if, in

fact, they were followed or if, in fact, there are some issues. And I believe that the State Department is looking at that. So I think I'd have to defer to them for their particular protocols.

MS. MITCHELL: All right. Well, I want to open it up to this very eager audience. As you can see, there are a lot of questions. Let's start right here, and we'll pass a microphone.

MR. CANNON: Al Cannon, I'm the sheriff of Charleston County, South Carolina and --

MS. LYNCH: Al, thank you for your help --

MR. CANNON: Thank you.

MS. LYNCH: -- and your assistance in that investigation and case.

MR. CANNON: Thank you. Well, all of that you've talked of, I could have several questions, but I'm the major county sheriff representative to the Going Dark initiative. Your colleague, Cy Vance recently spoke to Congress. And I know this is a security forum, Homeland Security, but I guess you recognized obviously that law enforcement even on the local and state level need access, lawful access, and I just want -- since you knew that -- make the point and ask question that you are shortly on board with that aspect of it, because increasingly more and more Internet-based criminal activity is being sort of in effect pushed down to local law enforcement to handle

And that's a real challenge when you can't find what quite frankly, most of the people in here would think, would be evidence that we would have access to even since last fall, with the decisions of Apple and Google, and what's your thoughts on that aspect of the Going Dark problem?

MS. LYNCH: Well, I think what you highlight, Al -- and again, thank you for the question -- is really how

much we rely on our state and local partners for a whole host of law enforcement initiatives. In my priority of national security, my priority of cyber security -- one of my other priorities is human trafficking -- in all of those areas and certainly obviously law enforcement relations, in all of those areas, we are interwoven with state and local partners.

And you're absolutely right, particularly as we've seen the terror threat morph, many times our state and local law enforcement colleagues, our police chiefs, our sheriffs, are, in fact, the first responders where they certainly are those who first see incidents that turn into a federal case later.

So I include you in the group of us who need access to this information. Many of our state and local colleagues work with us through task forces and that's extremely valuable, but even when there's not a specific task force set up, we have very, very collaborative working relationships with them.

The joint terrorism taskforces which we have over a hundred of those in cities and states across the country, does contain frankly, primarily local law enforcement officers working with our federal counterparts. It's an information sharing vehicle, it is a way in which we bring up the knowledge of what is happening directly on the streets, on our roads and highways, and you're a very, very, very vital partner and certainly we include you in those of us who share the concerns about Going Dark.

MS. NEMETH: Ilona Nemeth (phonetic). You referred to the sentencing structure having changed in the last 15 or 20 years. There's a lot of headlines right now on over-incarceration. Could you discuss that sentencing framework and how that will change the incarceration picture?

MS. LYNCH: Well, certainly there is a lot of discussion now about sentencing reform proposals that are

pending in both the House and the Senate, and have been under discussion for some time. This has really been a matter that has been under discussion since my first time around as U.S. Attorney in the late '90s and early 2000s, when we began to recognize that in an effort to make our streets safe, quite frankly, it really was an effort designed to deal with a tremendous drug problem in our nation that the laws that we have put in place were, in fact, sweeping up many, many more minor players than we had considered.

They were designed for kingpins; those were the types of cases those of us in the field were trying to build. But they were really sweeping up a lot of lower level individuals, and over the years we have come to have an incarceration situation where the Bureau of Prisons, for example, one of my departments, takes up probably almost 25 percent of the whole budget of the Department of Justice or thereabouts, but also is facing severe overcrowding problems.

Many states were in the same situation. And again, in an effort to deal with dangers to their citizens, they enacted very, very harsh laws that had unintended consequences. But I mean if you look at when the -- for example, the federal sentencing guidelines and the mandatory minimums for drug offences were passed, they really do speak to those who are the leaders and organizers of drug trafficking organizations, who were literally bringing in tons of narcotics. And we have those cases and we have had them over the years.

I've prosecuted those cases, but they also swept in people flying into JFK airport, you know, desperately poor people smuggling in heroin in exchange for 500 dollars, but because of the amount of drugs that they were carrying, it tossed them into a category where they got a mandatory sentence of either five years or ten years or even higher depending upon the amount of the drugs.

And so the other thing that we saw was, in fact, how this was sweeping up primarily men, but also women,

but disproportionately people of color and to a degree that did not reflect their overall involvement in this overall drug trade, which is primarily international. There's a huge amounts of money generated at the international level and primarily organizationally-based.

So there's been frankly, I think a much-needed rethinking of this, and we are now, I think, cautiously optimistic that we will have some sentencing reform changes. Many of you may recall that we did receive some much-needed relief when the crack cocaine guidelines were harmonized, not to the one-to-one that many people have come to think is, in fact, more accurate, but so much better than the 100 to 1 ratio.

And by that, if you had a certain amount of crack, you got sent to jail for much longer period of time than the same amount of powdered cocaine. So that's been moderated. But as we look at this now, we're looking at it from a financial view in terms of the cost of over-incarceration, but also from a public safety view. We've been able with the Smart on Crime initiative to reduce the imposition of mandatory minimums on these low-level nonviolent drug offenders, and crime has continued to go down.

MS. MITCHELL: And speaking of people who should be in jail for drugs, do you think we'll ever find El Chapo?

(Laughter)

MS. LYNCH: Well, as someone whose former office is looking for him too, I will say that that he is quite ingenious, I have to say. We found him before; it took a while. I have every confidence that he will be found again. There are -- obviously Mexico has a great interest in continuing to prosecute him for this escape and others. We have a number of cases that we have submitted for extradition from Mexico.

And we actually have a very positive relationship with the Mexican Law Enforcement Authorities on this issue and on narco-trafficking in general. So I do believe that we will catch him; I can't predict when.

SPEAKER: I was happy to hear you mention public safety, because I'm from Chicago. And as you know, Spike Lee just came to Chicago to film "Chiraq." Now with over 500 of our citizens in Chicago murdered, and that doesn't even count for hundreds and hundreds that were shot. And before I came out here, I was held on the Eisenhower, because someone was shooting their AK-47. I'm looking for a Marshall Plan for Chicago or some plan, because public safety is just non-existent in my opinion.

MS. MITCHELL: What are the implications for the young men and women, the kids in many of these housing projects who can't even think about having a normal life?

MS. LYNCH: I think that the implications are just as the questioner raised, when you have a lack of public safety, you have a lack of opportunity for everyone. And as much as, you know, a part of the problem in terms of our police relations, is that members of the minority community feel like law enforcement is not protecting them, we have communities that are in grave need of protection.

Chicago and a few of our others major cities have unfortunately seen increasing spikes in violence, violent crimes -- and the irony is that -- you know, not that numbers mean that much, but violent crime nationwide is down, but it is spiking in several of our major cities, and in some cities within specific neighborhoods of those cities. And so I can tell you that this an area that people are looking at very seriously, not just the local prosecutors, but federal prosecutors in Chicago as well as elected officials.

I've talked with a number of elected officials about Chicago specifically and what can be done about the violence there, specifically the gun violence there. But

the real issue is that it leaves people not safe and it leaves them frankly unable to take advantage of opportunities.

MS. MITCHELL: Towards the back. Yes, you, ma'am.

MS. BROWN: Hi, Pamela Brown with CNN. If you look over the past few months, there have been a number of ISIS-related arrests. In many of these cases, the person appears to be, as you pointed out earlier, you know, disillusioned, disenfranchised, in some cases they have a history of mental illness. It seems like ISIS is most appealing to that kind of group of people. So with that combined with the fact that people are more quickly going from aspirational to operational, sometimes in a matter of just a few days, what kind of a challenge does that present to the Department of Justice in terms of deciding when to prosecute?

MS. LYNCH: Well, the challenges is frankly finding these individuals before they become operational. And as you mentioned, because they're not really operating with a structure or with a clear-cut plan that's been blessed by an organization, they are really acting on their own. And so you always try and stay ahead of them, but frankly sometimes it's not possible.

So we always, if we find a situation as many of the cases you've mentioned, involve people who either are trying to carry out acts of violence or they're trying to travel overseas, to Syria, for example, to join ISIS, or still to join al-Qaeda or Al-Shabaab, and we look to see what their networks might be, we look to see who else might be involved in their plan, to see is this the only plan that's out there, so there's a number of things that we look to.

In terms of how you handle the prosecution of individuals, every defendant is different, quite frankly. And defendants who have a troubled background, a troubled past do present specific challenges to law enforcement, but we do try and work out a plan that will take into

account their mental state. But if someone has the requisite mental state to form the intent, to go into either a company or a store or any other place of business and try and kill people in the name of ISIS, then they're going to be dealt with according to law.

The real issue that we're facing quite frankly that's related to your question is the increasing number of young people who are drawn into the rhetoric of ISIS, people who are juveniles in the criminal justice system, both state and federal. How do we handle those situations is something that a number of us are giving a lot of thought to, in terms of how do we involve their families? Are there ways that we can intervene, if not, before they get down that path. If they've taken certain steps, can they be stopped before they become operational? So there's a lot of challenges with this, and there's a lot of thought and discussion being had about it.

MS. MITCHELL: Josh?

MR. ROGIN: Good afternoon. I'm Josh Rogin with Bloomberg View. Thanks again so much for sharing your time with us today. Thank you for your service. There have been some news reports recently that your department is engaged in discussions, negotiations with representatives of Edward Snowden regarding a possible plea agreement that would bring him back to the United States. You can't always believe what you read in news reports, believe me, I know.

(Laughter)

MS. LYNCH: You can't?

MR. ROGIN: Trust me on that one. But setting those side, let me just ask you directly, since it doesn't seem that Snowden is going to do what you want him to do, which is just come back, turn himself in and stand trial for his crimes, are you open to the idea theoretically of a plea bargain whereby he could turn over some of the materials or do some other things that would earn him a

ticket home, and if so, perhaps you'd like to use this forum if he's watching online in Russia somewhere to tell us and him what exactly he would need to do in order to achieve that? Thank you.

(Laughter)

MS. LYNCH: Well, I've been a prosecutor a long time and I never have and don't think I ever will start plea negotiations with any defendant over the Internet.

(Applause)

MS. LYNCH: So as much as we're moving to a brave new platform of electronic communications, look, my only comment on Mr. Snowden is that I think his status is what it's always been; he is a federal fugitive. And if he chooses to come back or if he is brought back, he will be accorded all the due process of every defendant in our criminal justice system.

(Applause)

MS. MITCHELL: Let's go over the other side, the gentleman in the red shirt and the cap. Thank you.

SPEAKER: There were a number of schools and cities that you indicated you are investigating and I am surprised that I didn't hear Detroit is one of them. You understand what I meant?

MS. LYNCH: Are you referring to the community policing tour?

SPEAKER: Oh, yes. You mentioned there were six or seven towns?

MS. LYNCH: Yes, yes, there are six cities. And I actually could say that I will be finishing up that community policing tour probably in the next six weeks or so, and we are going to roll out six more cities. We have not made the final determination of what those cities will

be. We make that in conjunction with discussions with law enforcement, community leaders and the like, and so we'll see if Detroit is one of them, but I am going to continue to have those discussions with police and residents.

MS. MITCHELL: On the aisle there, sir?

MR. ROSNER: Evan Rosner (phonetic). What's your position on the sanctuary cities currently?

MS. LYNCH: Well, you know, I don't have a specific position on them to be honest with you. I think that they reflect -- they've certainly been taken in a certain context, but I think reflect a view when they were first discussed that if you were in a certain city as we have seen, a number of people come to this country under various circumstances, and we can sort out their immigration status in an number of ways, but while they are here, until that is done, our view typically has been that they should not be victims of crime, that no one should be the victims of crime.

And so where there are cities where there are large groups of immigrant population that for a variety of reasons, be they language or be they cultural reasons, have had high crime rates and yet have, for a number of reasons, been afraid or unable to work with law enforcement, law enforcement has tried to find ways to protect them also. It's a separate and apart from the immigration system and is part of the obligation that law enforcement feels to protect people who are here.

Now obviously, it's been a part of a debate that's gone in different directions that I'm not involved in, so I can't really speak to that. And so I don't know, you know, what's going to happen there or where the debate will go. But I do have the view, quite frankly, that no matter how you get there, until that status is resolved and maybe you get to stay and maybe you don't get to stay, but while you're here, I don't want you murdered. You know, I don't want your family victimized and you not be able to come forward and tell me about it.

MS. MITCHELL: May I just ask you've been a prosecutor for so many years and handled terror cases and all kinds of cases. What has been most surprising to you as Attorney General, and what do you think your chief goal is most immediately in this new level of service?

MS. LYNCH: Well, I think that the role of the Attorney General is one that in many, many ways is to keep this great Department of Justice, which is frankly full of fantastic talented people, running, and let them do what they need to do and give them the resources that they need to do. But I think that as Attorney General, you have to look and see what are the issues of the day and how can the department be deployed in those issues.

Certainly the priorities that I have, I think, are very, very cutting-edge and they are the issues of the day. So I think that for me, it really boils down to what's the best way in these days, in these times, to keep Americans safe. And that's how I look at the job, and that's how I focus on everything. Certainly I think in the area of police community relations, it goes to the larger issues of how do people relate to government at large, how do they relate as a society and as individuals to those of us who are in positions that do have power and control over them, and how do we relate to them?

I mean those are very, very important questions and I'm frankly incredibly honored and delighted to be able to hopefully have some impact on them. And I think that it is a situation where people are coming together and they're having great discussions, and if I can help that go forward, I would be tremendously honored to have that as part of my legacy.

MS. MITCHELL: Now if I may speak for this audience, I am incredibly honored and delighted to have been able to interview you and to be hosting this.

(Applause)

MS. MITCHELL: It has been a real pleasure.  
Thank you.

MS. LYNCH: Thank you.

(Applause)

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