

## MEMORANDUM

To: U.S. Programs Board  
From: Ann Beeson  
Date: September 14, 2010  
Re: September 22-23, 2010 U.S. Programs Board Meeting

Greetings. I look forward to seeing you at the September 22-23 Board meeting. Included below is a brief overview of our meeting agenda and some highlights from our recent work. The materials for the first day of the Board meeting are enclosed herein; the materials for the second day of the meeting, containing the proposed U.S. Programs budget and program plans for 2011-12, were distributed via hard copy in a binder last week.

We will be welcoming Robert Redford to his first U.S Programs Board meeting on September 22. George Soros has also invited two special guests, Strobe Talbott and John Simon, to join our discussion of the U.S. Programs budget and program plans, scheduled for September 23. John Simon, Professor Emeritus of Law at Yale Law School, was on the U.S. Programs Board from 1996 to 2007, and we are delighted to welcome him back. Strobe Talbott, President of the Brookings Institute and former U.S. Deputy Secretary of State, will bring invaluable expertise in U.S. foreign policy into our discussion.

### **Overview of September Board Meeting Agenda**

On September 22, beginning at 2 p.m., we will engage in an in-depth discussion of the **Criminal Justice Fund**. The Criminal Justice Fund is working to end mass incarceration, eliminate harsh punishment, and ensure a fair system of justice and eliminate racial disparities. The United States is the world's leader in incarceration, with profound racial disparities. The fiscal crisis has created an opportunity to raise awareness about the escalating cost of a massive prison system and to propose a range of alternatives. To inform the discussion, staff have drafted a memo that updates the Board on activities since approval of their three-year plan last year, and have included a number of other materials to deepen the Board's understanding of their grantmaking and operational activities. During the first part of the discussion, Bryan Stevenson and Leonard Noisette will provide an overview of the Criminal Justice Fund and the current context for their work. During the second part, Kung Li will moderate an exchange with representatives of three grantees. Kung Li is currently an OSI Global Fellow, and was previously the Executive Director of the Southern Center for Human Rights. Kung Li will be joined by Vanita Gupta of the American Civil Liberties Union (and former Soros Justice Fellow); Jakada Imani of the Ella Baker Center for Human Rights; and Maurice Emsellem of the National Employment Law Project. See Tab 3.

Following the Criminal Justice Fund discussion, Leonard Noisette will provide the Board with a brief update on a September 17 meeting scheduled with George Soros and a number of experts on our evolving work to advance drug policy reform, now based within a new stand-alone Campaign for a New Drug Policy. See Tab 4.

Aryeh Neier will then moderate a discussion of our request to renew the **National Security and Human Rights Campaign**. The Campaign was launched as a three-year campaign in January 2008 to take advantage of the opportunities that a new administration would offer to dismantle the extreme and misguided “global war on terror” measures implemented by the Bush administration. Nancy Chang will summarize the Campaign’s accomplishments to date and outline strategies for the next two years, Stephen Rickard will discuss the climate for reform in Washington, and Mort Halperin will outline plans for a blue ribbon commission on accountability. They will be joined by Farhana Khera of Muslim Advocates, who will discuss national security policy advocacy by the Arab, Muslim and South Asian community, and the work they are doing to build alliances to counter growing anti-Muslim bigotry. See Tab 5.

Over dinner, the Board will engage in a detailed discussion with staff to answer questions and develop recommendations regarding the proposed U.S. Programs budget; George Soros will not join this portion of the meeting. Dinner will be catered at the OSI offices.

On September 23, George Soros will re-join the meeting for a discussion of the U.S. Programs budget and plans for 2011-12. Andy Stern will moderate a discussion with contributions from other Board members regarding the external climate for advancing open society, and Geoff Canada will facilitate a discussion about the key strategies needed to advance open society. The Board will then go into executive session, during which the Board budget committee will provide its report and recommendations on the budget. Jonathan Soros will moderate input from the Board and final approval of the budget.

### **Program Highlights**

I offer below a few recent programmatic highlights. The many advances highlighted below belie the common wisdom that we have made little progress in advancing open society in the last several months.

To counter the ongoing impact of the economic crisis, U.S. Programs grantees continue to deploy a range of strategies to advance economic security measures, protect against future crises, and provide direct services to alleviate poverty. Grantees recently provided vital support in building public will for enactment of federal financial reform legislation. **Democracy and Power Fund** grantees the **Roosevelt Institute**, **National People’s Action**, and **PICO** engaged in policy advocacy and organizing to establish the new Bureau of Consumer Financial Protection, an independent federal agency to protect people from abuses by lenders. **Neighborhood Stabilization Initiative** grantees the **Center for Responsible Lending** and **National Council of La Raza** also helped to ensure that the bill extended legal protections for tenants in foreclosed properties; advanced comprehensive anti-predatory lending measures essential to combating abusive lending practices; and included funding for neighborhood stabilization. Many of the groups are now working together to build public will for modernization of the Community Reinvestment Act.

**Loan Modification Scam Prevention Network**, a project of grantee Lawyers Committee for Civil Rights, has lead the national effort to combat foreclosure rescue scams, which target vulnerable borrowers with false promises to save their homes. Since it was formally launched in February 2010, the Network has already served almost 6,000 homeowners who have been victims of rescue scams, providing a centralized web portal to register complaints with enforcement agencies and free referrals to local housing counseling and legal services.

**Equality and Opportunity Fund** grantee **Legal Momentum's** widely acclaimed TANF reports, listserv, and partnership-building have built a national advocacy network and broadened concern within the Administration and among policymakers about TANF's access barriers that disproportionately affect people of color and deny millions of poor women and children the desperately needed benefits for which they are eligible.

U.S. Programs grantees are also building public will for federal job creation and in opposition to the continuation of Bush tax cuts for the wealthy. Democracy and Power Fund grantees including the **Economic Policy Institute**, **Center for Community Change**, and **USAction Education Fund** are leaders in public jobs advocacy and are supporting emerging efforts to organize the large numbers of un- and underemployed people into a stronger advocacy force. The **Center on Budget and Policy Priorities** and United for a Fair Economy's **Tax Fairness Organizing Collaborative** are engaging in research and policy advocacy to highlight the folly of continued tax cuts in a time of massive federal and state deficits. On the state level, the **National Domestic Workers Alliance's** organizing and advocacy helped lead to passage of a Domestic Workers Bill of Rights, a first-in-the-nation law in New York State that will advance fairness and better working conditions for more than 200,000 immigrant women nannies and housekeepers.

The **Social Innovation Fund** announced its 11 grant recipients (out of 69 applicants involving over 260 different partners who submitted proposals). Three of the four applications supported by the **Special Fund for Poverty Alleviation** were selected as SIF intermediaries. The selected intermediaries are **The Edna McConnell Clark Foundation**, **New Profit, Inc.** and The Mayor's Fund to Advance New York City in partnership with the **NYC Center for Economic Opportunity**. The Special Fund, in partnership with the Criminal Justice Fund, recently convened a group of experts in the Criminal Justice field for the **Bill and Melinda Gates Foundation** as a learning experience for Gates and the Special Fund to deepen our knowledge of direct service strategies around prison education and transition programs. We gained a better understanding of the multiple needs of individuals – from developmental education needs to the creation of a college pipeline and safety net supports (identifications, health, housing, etc.) – necessary to create a bridge from the inside to the outside so that individuals can be supported in their efforts to lead productive lives. The Special Fund is also working with the Gates foundation to create a learning community with which supports service grantees as they build the field. A convening of service learning groups, including grantee **YouthBuild**, was held in late July in L.A.

U.S. Programs grantees also continue to engage in advocacy, research and direct services to dismantle the school-to-prison pipeline. The **Advancement Project**, a U.S. Programs anchor grantee, recently convened a School-to-Prison Pipeline Action Camp, at which approximately 80 youth and parent organizers, and activists representing 15 states met to share experiences about and gain skills to confront the systems and practices that contribute to the pipeline. A coalition of grantees, among them **Drug Policy Alliance**, **Sentencing Project** and **Families Against Mandatory Minimums**, saw the fruit of years of education and advocacy efforts to shine the light on unfair sentencing policies when the federal crack/powder sentencing disparity was modified earlier this summer. CJF grantee **Families and Friends of Louisiana's Incarcerated Children** and National Economic & Social Rights Initiative recently released *Pushed Out, Harsh Discipline in Louisiana Schools Denies the Right to Education*, a comprehensive review and critique of disciplinary practices of the Recovery School District of New Orleans. The Special Fund for Poverty Alleviation's support of \$1.75 million helped the Corps Network secure the Department of Labor grant of \$10 million to expand the **Civic Justice Corp** program, an U.S. Programs-seeded service model for adjudicated youth. The Corps Network will replicate their Civic Justice Corps model in six sites, in at least two states, and reach 600 adjudicated youth with jobs and education supports.

Highlighting the severe impact of the pipeline on black boys, **Campaign for Black Male Achievement** grantee **The Schott Foundation for Public Education** released its biennial report on black males and public education. The report, entitled **Yes We Can: The Schott 50 State Report on Public Education and Black Males**, reveals that the overall 2007/8 graduation rate for black males in the U.S. was only 47 percent. The report shows that out of 50 states, half have graduation rates for black male students below the national average. New York's graduation rate of only 25 percent for black male students is the lowest of any state. New York City, the district with the nation's highest enrollment of black students, only graduates 28 percent of its black male students on time.

In June, Joseph Jones, President/CEO for Baltimore's **Center For Urban Families**, participated on a fatherhood panel prior to President Obama's fatherhood speech announcing the administration's new Fatherhood and Mentoring Initiative, which proposed a \$500 million Fatherhood, Marriage and Healthy Families Innovation Fund. Jones shared the stage with Attorney General Eric Holder, Secretary of Commerce Eric Locke, and Director of Domestic Policy Council Melody Barnes, all of whom advocated for responsible fatherhood programming. Chicago-based **The Black Star Project** recently launched its seventh annual *Million Father March* advocacy campaign designed to engage more fathers in the education of their children. Over 600 cities signed up to participate in the campaign which organizes fathers to escort their children to the first day of school where they are engaged to serve as mentors and volunteers and are recruited to join parent associations and school boards.

The disturbing rise in xenophobia and racism around the country has been tempered with a powerful and eloquent defense of tolerance from national leaders, and U.S. Programs grantees representing multiple voices and communities have come together to challenge

bigotry in all its forms. The vehement anti-Muslim protests against the so-called “Ground Zero Mosque” (which, in fact, is slated for a site two blocks away from the World Trade Center site, is planned not as a mosque but as a community center with a place of worship, and has as one of its primary missions the promotion of interfaith understanding) were sharply criticized by New York City Mayor Michael Bloomberg, who presented a moving speech on August 3 on the American tradition of religious tolerance. A number of unusual voices and allies from the community of **National Security and Human Rights Campaign**’s grantees have also taken a public stand in favor of the community center, including **September 11<sup>th</sup> Families for Peaceful Tomorrows**, a group of family members of the victims of 9/11, the interfaith **National Religious Campaign Against Torture**, and the **New Evangelical Partnership for the Common Good**. In addition, Brian Fishman of the **New America Foundation**, a counterterrorism specialist, has warned: “[w]hen the rhetoric is so inflammatory that it serves the interests of a jihadi recruiter like Awlaki, politicians need to be called on it.”

A federal court in Phoenix blocked key provisions of Arizona's SB 1070 a day before the law was to go in effect on July 29, ensuring that Arizona law enforcement cannot demand papers from people they suspect are "unlawfully present" in the U.S. The ruling came in connection with a lawsuit filed by the Department of Justice challenging the Arizona law. The injunction will remain in place pending a final court ruling on the law's constitutionality. A coalition of civil rights groups including Equality and Opportunity Fund grantees, **MALDEF**, the **National Immigration Law Center**, the **Asian American Center for Advancing Justice**, the **National Day Laborer Organizing Network**, the **NAACP**, and many U.S. Programs grantees joined related lawsuits and continue to engage in organizing and advocacy in opposition to the law and to prevent copycat bills.

On another positive note, the **National Gay and Lesbian Task Force** has organized a targeted effort by 25 allied organizations to remove and revise outdated federal administrative policies that result in discrimination against LGBTQ people. In its first year, it achieved a number of concrete policy victories including ensuring implementation of President Obama's memorandum ensuring transgender federal workers are not discriminated against and persuading the State Department to allow benefits to same-sex couples in the foreign service.

Working with a group of grantees, **OSI-Baltimore’s Criminal and Juvenile Justice Program** is attempting to stop the construction of a new jail for youth charged as adults in Baltimore. In response to letters, op-eds, and community organizing, the Governor’s office has agreed to postpone awarding any construction contracts until a new population projection, co-funded by OSI-Baltimore, is completed; importantly, it has also agreed to establish an advisory group, including advocates, to develop policies for youth charged as adults going forward.

Due in large part to an effort initiated, funded, and led by **OSI-Baltimore’s Education and Youth Development Program** to expose the high cost of poor student attendance in Baltimore City Public Schools, Dr. Andres Alonso, the district’s CEO, adopted student

attendance as his highest priority issue for the current school year. Another grantee, the **Central Maryland Transportation Alliance**, kicked off its “Rate your Ride” campaign, a phone texting program that allows students to report public buses that are late, too-full or simply refuse to pick them up, preventing them from arriving at school on time or at all. **OSI-Baltimore’s Tackling Drug Addiction Program** is working to make high quality addiction treatment readily accessible, including by integrating addiction treatment in Baltimore’s community mental health centers. As of June, certain mental health clinics have begun to prescribe buprenorphine, an effective treatment for heroin and other opiate addiction, to patients.

As we approach the November election, U.S. Programs grantees continue to engage in work to ensure fair elections and to counter the impact of money in elections. Criminal Justice Fund and **Transparency and Integrity Fund** grantees **Demos** and the **Prison Policy Initiative**, through a cross-program grant to address prison gerrymandering -- the practice of counting prison inmates as “residents” to pad the size of the legislative districts in which they are incarcerated -- successfully advocated for reform in New York State. Gov. Paterson took a stand for electoral fairness earlier this month when he signed legislation that bans prison-based gerrymandering. The new law requires that prison inmates be counted in their home districts.

**Transparency and Integrity Fund** grantees **Justice at Stake**, the **Brennan Center for Justice** and the **National Institute on Money in State Politics** just released a widely covered report on judicial elections that documents how the most distasteful elements of campaigns have gained a foothold in judicial elections in the 38 states that elect supreme court judges. Fundraising for these races has more than doubled over the past decade -- to \$207 million between 2000 and 2009. The Department of Justice issued its first-ever guidance to states on National Voting Rights Act implementation in June 2010, following policymaker education by TIF grantee **Demos**.

Following our discussion at the May 2010 Board meeting on the crisis in journalism, the Transparency and Integrity Fund has begun to make innovative grants to ensure adequate coverage of state legislatures and federal agencies. One notable, ambitious recent grant was to **National Public Radio**, for a new “Impact of Government Initiative,” which will provide in-depth reporting on state government in all 50 states. NPR’s goal is to place reporters in every state capital to ensure transparency and accountability of state legislatures by facilitating in-depth examinations and sustained reporting on the effects of actions taken by state governments on communities across the country, a key concern for U.S. Programs.

Last but not least, U.S. Programs used the occasion of the fifth anniversary of Hurricane Katrina in August as a focal point to honor the inspiring work of so many in New Orleans that are rebuilding and transforming this remarkable American city. With tremendous support from the Open Society Foundations’ Communications department, we developed multi-media projects to honor and highlight the accomplishments of our grantees. A video tells the stories of three dedicated activists in New Orleans working to empower and organize young people, reform the broken criminal justice system, and expand

government transparency and accountability. (The video is available online at <http://www.soros.org/initiatives/usprograms/focus/new-orleans/multimedia/new-orleans-grantees-20100826/>.) We also launched an online fundraising campaign with MoveOn and ColorOfChange.org to raise funds for New Orleans organizations from their members, which U.S. Programs will match. Finally, **Strategic Opportunities Fund** grantees Ashe Culture Center (the host of our December 2009 Board meeting in New Orleans) and Culture Project collaborated to bring Eve Ensler's latest show to New York City's Apollo Theatre on September 13<sup>th</sup>. *Swimming Upstream* tells the stories of 16 women who lived through the flood in the wake of Hurricane Katrina.

I look forward to seeing you next week.