

**U.S. Programs  
Criminal Justice Fund  
Summary of Recommended Grants  
Docket I  
April 12, 2010**

Criminal Justice Fund Grantmaking Budget 2010	Criminal Justice Fund (24027)	USP Drug Policy Reform (21031)
Grantmaking Budget Allocation	10,500,000	\$1,000,000
Reverse Accrual		
Rollover		
Out of Docket Grantmaking		(\$50,000)
Docket I Grantmaking	(3,251,820)	(\$162,500)
Docket II Grantmaking		
Docket III Grantmaking		
Catch-Up Docket Grantmaking		
<b>Total 2010 Available Grantmaking Budget:</b>	<b>\$ 7,248,180</b>	<b>\$787,500</b>

Program Area/Organization	Grants Totals	Grant Term
<b><u>Criminal Justice Fund Grantmaking (24027)</u></b>		
Corporation for Supportive Housing <sup>1</sup>	\$ 300,000	2 years
Grassroots Leadership	\$ 150,000	1 year
National Association of Service and Conservation Corps (Corps Network)	\$ 200,000	2 years
Harm Reduction Coalition <sup>2</sup>	\$ 75,000	1 year
Campaign for the Fair Sentencing of Youth	\$ 170,000	2 years
Public Interest Projects	\$ 200,000	2 years
National Legal Aid Defender Association <sup>3</sup>	\$ 650,000	2 years
<del>Northwestern University School of Law (Center on Wrongful Convictions of Youth)</del>	<del>\$ 280,000</del>	<del>2 years</del>
Spitfire Communications	\$ 169,320	2 years
W. Haywood Burns Institute	\$ 100,000	2 years
Texas Criminal Justice Coalition	\$ 407,500	2 years
The Tides Center (Justice Strategies) <sup>4</sup>	\$ 250,000	2 years
Correctional Association of New York	\$ 200,000	2 years
Ohio Justice & Policy Center	\$ 100,000	2 years
<b>Total Recommended:</b>	<b>\$ 3,251,820</b>	
<b><u>USP Drug Policy (21031)</u></b>		
Harm Reduction Coalition <sup>2</sup>	\$ 162,500	1 year
<b>Total Recommended:</b>	<b>\$ 162,500</b>	
<b>CJF GRANTMAKING TOTAL THIS DOCKET: \$ 3,414,320</b>		
<b><u>Equality and Opportunity Fund (24023)</u></b>		
The Tides Center (Justice Strategies) <sup>4</sup>	\$ 50,000	2 years
<b>Total Recommended:</b>	<b>\$ 50,000</b>	
<b><u>Neighborhood Stabilization Initiative (21083)</u></b>		
Corporation for Supportive Housing <sup>1</sup>	\$ 260,000	2 years
<b>Total Recommended:</b>	<b>\$ 260,000</b>	
<b><u>IHRD Drug Policy Reform (14880)</u></b>		
Harm Reduction Coalition <sup>2</sup>	\$ 162,500	1 year
<b>Total Recommended:</b>	<b>\$ 162,500</b>	
<b><u>JEHT Emergency Fund (59959)</u></b>		
Corporation for Supportive Housing <sup>1</sup>	\$ 100,000	1 year
<b>Total Recommended:</b>	<b>\$ 100,000</b>	
<b><u>Seize the Day (21079)</u></b>		
National Legal Aid Defender Association <sup>3</sup>	\$ 5,000	2 years
<b>Total Recommended:</b>	<b>\$ 5,000</b>	

  
Approval Signature

April 12, 2010  
Date

1. Total grant to Corporation for Supportive Housing is \$660,000
2. Total grant to Harm Reducation Coalition is \$400,000
3. Total grant to National Legal Aid Defender Association is \$655,000
4. Total grant to The Tides Center (Justice Strategies) is \$300,000

# Criminal Justice Fund Memo

To: Aryeh Neier  
From: Ann Beeson, Leonard Noisette and Criminal Justice Fund Staff  
Date: 2 April 2010  
Re: Criminal Justice Fund Docket I Grant Recommendations

---

The Criminal Justice Fund recommends 14 grants totaling \$3,984,320<sup>1</sup> for inclusion on U.S. Programs Docket I, scheduled for April 12, 2010. Eleven of these grants are renewals, six to longtime grantees addressing a range of key CJF priorities, **Correctional Association of New York, Grassroots Leadership, W. Haywood Burns Institute, Justice Strategies, National Legal Aid & Defender Association, and Texas Criminal Justice Coalition**. Among the remaining five recommended renewals, the **Corporation for Supportive Housing and Corps Network** are key grantees supporting our efforts to remove unreasonable barriers to reentry; **Spitfire Strategies** is enhancing the communications capacity of indigent defense grantees; **Public Interest Projects (PIP)** supports our donor collaborative effort to challenge the sentence of juveniles to life without the possibility of parole (JLWOP); and the **Harm Reduction Coalition** is a key grantee in our evolving effort to develop and support a new approach to U.S. drug policy (we also join in a grant recommendation to **Color of Change** for drug policy reform work, which will be presented in the Democracy and Power Fund docket).

We are excited about the new organizations we recommend for funding, **Campaign for the Fair Sentencing of Children**, which enhances our funding in support of advocacy to challenge JLWOP by providing strategic support for this growing field; **Ohio Justice and Policy Center**, an impressive agency engaged in multi-issue reform work in the critical state of Ohio; and **Northwestern University Center on Wrongful Convictions of Youth**, which we believe is another focused effort to address inappropriate police and prosecution practices related to juveniles. Collectively, these grants represent a balanced approach to advancing the Criminal Justice Fund's key goals of reducing mass incarceration, including through the development of a new approach to drug policy; eliminating harsh punishment; and eliminating racial disparities and securing a fair and equitable system of justice.

## Reducing Mass Incarceration

**Grassroots Leadership, Inc. (GL)**, \$150,000 general support grant renewal over one year. GL is a multi-racial team of organizers that supports Southern community, labor, faith, and campus organizations working to end abuses of justice and the public trust by developing and directing campaigns to abolish for-profit private prisons and immigrant family detention, to stop prison expansion, and to end the 287(g) program, which allows local law enforcement agencies to contract with Immigration and Customs Enforcement (ICE) to act as ICE agents. Through offices and corresponding chapters in Charlotte, North Carolina; Southaven, Mississippi; Montezuma, New Mexico; and Austin, Texas; Grassroots Leadership

---

<sup>1</sup> Of the \$3,984,320 of grants recommended in this docket, \$3,244,320 comes from the Criminal Justice Fund, \$5,000 is from the Seize the Day fund; \$100,000 is from the JEHT Emergency Fund; \$310,000 represents co-funding from the Equality and Opportunity Fund, and \$325,000 is from the USP Drug Policy Reform/IHRD Drug Policy Reform Budget.

directs projects that combine organization and field capacity building, grassroots organizing, direct action mobilizing, public education, media advocacy, and policy reform advocacy.

### **Reducing Mass Incarceration: Drug Policy Reform**<sup>2</sup>

**Harm Reduction Coalition (HRC)**, \$400,000 general support grant renewal over one year (\$162,500 from USP Drug Policy Reform budget, \$162,500 from IHRD Drug Policy Reform budget, and \$75,000 from Criminal Justice Fund budget). HRC challenges the stigmatization of people who use drugs and advances policies and programs that help people address the adverse effects of drug use including overdose, HIV, hepatitis C, addiction, and incarceration, through policy analysis, advocacy, public education, and technical assistance to service providers.

### **Eliminating Harsh Punishment**

**Campaign for the Fair Sentencing of Youth (CFSY)**, \$170,000 project support over two years. Campaign for Youth Justice (CFSY) coordinates state-based campaigns working to end the practice of sentencing youth to life in prison without parole (JLWOP). CFSY will work to strengthen existing and nurture emerging state-based efforts to end JLWOP by improving and facilitating communication and collaboration among national and state advocates; providing technical assistance and training to advocates; coordinate reform efforts with litigators; expanding the national campaign by engaging new allies; and coordinating with advocates and litigators to respond to the Supreme Court's anticipated decisions in *Sullivan v. Florida* and *Graham v. Florida*. In review of these cases, the Court will address questions fundamental to the treatment of children in conflict with law in the United States. The outcomes of these cases are expected to provide a key moment of opportunity to move state-based JLWOP reform.

**Corporation for Supportive Housing (CSH)**, \$660,000 project support grant renewal over one year (\$300,000 from Criminal Justice Fund budget, \$260,000 from the Equality and Opportunity Fund, and \$100,000 from the JEHT Emergency Fund) to continue promoting justice reinvestment and systems integration across criminal justice, human service, and housing sectors to create and sustain Reentry Supportive Housing and to promote the reuse of foreclosed properties as supportive housing for populations that face severe barriers to housing and economic stability. OSI funding will enable CSH to continue facilitating collaboration across criminal justice, human services, and housing sectors to develop flexible, integrated funding streams for the creation and operation of affordable reentry housing linked to supportive services for people returning from jail or prison, and to apply lessons learned from its pilot projects in Indiana and Illinois that target the acquisition and reuse of foreclosed properties as supportive housing and to bring technical expertise in supportive housing development to other jurisdictions receiving federal neighborhood stabilization funds.

**National Association of Service and Conservation Corps (dba Corps Network)**, \$200,000 project support grant renewal over two years to continue providing oversight and programmatic and technical assistance to Civic Justice Corps (CJC) across the United States and to advance the Civic Justice Corps as a national service model for people with criminal records. CJC affirmatively recruits young people with criminal convictions and provides opportunities to learn about and work in the emerging green economy through projects designed to improve the places where they live and lead to living wage green collar jobs and careers. An OSI grantee since 2006, the Corps Network is an important advocate for youth and conservation corps and a valued member of the national coalition seeking major federal government investment in green collar job creation and training, which could help grow the CJC. Continued OSI

---

<sup>2</sup> CJF also recommends \$100,000 in co-funding, from the USP Drug Policy Reform budget, to support a renewal grant to Color of Change, a recommendation presented in the Democracy and Power Fund Docket.

funding will enable the Corps Network to continue supporting, monitoring, and coaching the CJC sites, connecting the sites to one another for peer support and information sharing, and connecting the CJC to national green collar job creation efforts.

**Public Interest Projects**, \$200,000 renewal grant over two years to support the Juvenile Life Without Parole (JLWOP) Sub-fund of the US human Rights Fund, a funder collaborative. The JLWOP Sub-fund supports the humane treatment of youth, targeting the U.S. as the only country in the world that continues to condemn youth as young as 13 to life imprisonment without the possibility of parole. The Sub-fund supports grassroots organizations, legal service advocates and strategic communications, and provides technical assistance to its grantees. It also acts as an important source of information for interested funders, as a liaison between the National Coordinator of the Campaign for the Fair Sentencing of Youth and the funding community, and coordinates philanthropic responses to urgent requests from the field.

### **Eliminating Racial Disparities and Securing a Fair and Equitable System of Justice**

**National Legal Aid & Defender Association (NLADA)**, \$655,000 project grant renewal over two years (\$650,000 from Criminal Justice Fund and \$5,000 from the Seize the Day Fund). NLADA will support a variety of activities dedicated to developing a coordinated strategy to reform indigent defense systems throughout the nation. These efforts include the National Indigent Defense Collaborative (NIDC), the National Defender Leadership Institute (NDLI), Justice Standards, Evaluation and Research Initiative (JSERI), and the American Council of Chief Defenders (ACCD). Collectively, these initiatives will work to provide national leadership and management training for the public defense community; identify and address current gaps in public defense standards; provide states with comprehensive assessments and plans to guide state officials toward needed reform; develop a blueprint to address reform approaches to end the practice of “no counsel” courts; and advance indigent reform efforts in at least seven states.

**Northwestern University Center on Wrongful Convictions of Youth (CWCY)**, \$280,000 project grant over two years. This grant would support CWCY’s reform effort aimed at increasing the reliability of juvenile convictions and preventing the wrongful convictions of youth. Through research, organizing, training, litigation, and public education, the Center seeks to change the procedures and practices of police and prosecutors who interact with youth, particularly during investigations and interrogations. CWCY identifies, investigates, and litigates credible innocence claims of wrongfully convicted young people, provides resources and support for actors in the juvenile and criminal justice systems, and advocates for policy reforms that will decrease the likelihood that any youth will be wrongfully convicted.

**Spitfire Strategies**, \$169,320 project grant renewal over two years. Spitfire Strategies supports efforts to increase the communications capacity of advocates working to improve indigent defense systems in the United States. Spitfire will continue its strong working relationship with the National Indigent Defense Collaborative (NIDC) by increasing the communications knowledge and capacity of NIDC members and their access to specialized communications technical assistance. In particular, Spitfire will conduct national trainings and webinars for public defenders, as well as new allies spokesperson training designed to train non-expert community members to be credible spokespersons for indigent defense reform.

**W. Haywood Burns Institute (BI)**, \$100,000 general support grant renewal over two years. BI is a San Francisco-based national nonprofit organization whose mission is to protect and improve the lives of youth of color and poor youth and the well-being of their communities by reducing the adverse impacts of public and private youth-serving systems to ensure fairness and equity throughout the juvenile justice system. Through consultation, evaluation, and training, BI work in sites across the country to bring officials from law enforcement, legal systems and child welfare together with community leaders, parents and children, and lead them through a data-driven, consensus-based approach to change policies, procedures and practices that result in the detention of low-offending youth of color and poor youth. BI

also operates the *Community Justice Network for Youth* (CJNY), a national network comprised of 140 community-based programs, grassroots organizations, service-providing agencies, residential facilities and advocacy groups in 21 states whose mission is to promote the availability of effective, culturally appropriate interventions for youth.

### **Grantees Addressing Multiple Criminal Justice Fund Priorities**

**Protex A Network for Progressive Texas (dba Texas Criminal Justice Coalition—TCJC)**, \$400,000 general support grant renewal over two years. TCJC is an Austin-based organization that engages in policy research and analysis, building effective statewide coalitions, and public education to promote effective management, accountability, and best practices that minimize the entry points into Texas' juvenile and criminal justice systems and lessen the devastating impact of the state's juvenile and criminal justice policies and practices have on families. TCJC operates five projects, including the *Juvenile Justice Initiative*, which promotes resources for community-based alternatives to incarceration and supports a network of family members of currently and formerly incarcerated young people; the *Public Safety Project*, which conducts research and public education that address best practices in law enforcement to equip communities and law enforcement agencies to work together to implement fair and effective police practices; the *Fair Defense Project*, which advocates for increased resources for an indigent defense system that provides timely and quality representation; the *Solutions for Sentencing & Incarceration Project*, which advocates for cost-effective solutions to reducing mass incarceration, including community-based diversions, treatment options for drug and alcohol addiction and mental health needs, and efficient probation and parole strategies; and the *Tools for Reentry*, which connects formerly incarcerated people with educational, training, housing, and other opportunities.

**The Tides Center (Justice Strategies project—JS)**, \$300,000 project support grant renewal over two years (\$250,000 from Criminal Justice Fund and \$50,000 from the Equality and Opportunity Fund) to continue providing non-partisan research and technical assistance to inform grassroots organizations, advocates, and policymakers around reforming police policies and practices, downsizing prisons, ending immigrant detention, and abolishing private prisons. Through tailored and expert policy analysis and research, Justice Strategies—directed by veteran researcher and Soros Justice Fellow Judy Greene—promotes humane, just, and cost-effective approaches to criminal and juvenile justice, and law enforcement.

**The Correctional Association of New York (Correctional Association)**, \$200,000 general support grant renewal over two years. The Correctional Association engages in policy development, advocacy, public education, and coalition building to create a more fair and humane criminal justice system and a more safe and just society. It operates four projects, including the *Juvenile Justice Project*, which seeks to reorient the juvenile and criminal justice systems away from a punitive approach toward a stronger emphasis on community-based prevention and alternatives to jail and prison for young people; the *Prison Visiting Project*, which carries out the Correctional Association's unique legislative authority to monitor prison conditions in New York State correctional facilities; the *Public Policy Project*, which previously coordinated the Drop the Rock Campaign to repeal the Rockefeller Drug Laws and now focuses on ensuring Rockefeller reforms are implemented successfully; and the *Women in Prison Project*, which addresses the effects of the New York's criminal justice policies on women and their families.

**Ohio Justice & Policy Center (OJPC)**, \$100,000 general support over two years. OJPC is a Cincinnati-based, nonpartisan, nonprofit law office that promotes evidence-based, cost-effective policies to address root causes of crime, decrease recidivism, and promote successful community reentry of formerly incarcerated individuals. OJPC seeks to empower the formerly incarcerated to become productive members of society; to remedy unconstitutional and dangerous conditions of confinement in Ohio prisons; and to reduce racial disparities throughout the Ohio's criminal justice system. OJPC pursues

these goals through direct client services, impact litigation, public education, policy research and advocacy, and leadership development programs.

**Name of Organization:** Grassroots Leadership, Inc.

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To provide general support

**FPOS Grant Description:** To provide \$150,000 general support over one year to Grassroots Leadership, a multi-racial team of organizers that engages in organization and field capacity building, grassroots organizing, direct action mobilizing, public education, media advocacy, and policy reform advocacy to abolish for-profit private prisons and immigrant family detention, to stop prison expansion, and to end the 287(g) program, which allows local law enforcement agencies to contract with Immigration and Customs Enforcement (ICE) to act as ICE agents.

**Previous OSI Support:** \$1,615,000  
(\$75,000 Criminal Justice Fund-2009; \$120,000 U.S. Justice Fund-2008; \$260,000 U.S. Justice Fund-2007; \$280,000 U.S. Justice Fund-2005; \$130,000 U.S. Justice Fund-2004; \$25,000 Criminal Justice Initiative-2003; \$150,000 Criminal Justice Initiative-2003; \$150,000 Criminal Justice Initiative-2002; \$150,000 Criminal Justice Initiative-2001; \$275,000 Center on Crime, Communities & Culture-2000)

**Organizational Budget:** \$789,093

**Sources of Support:** \$153,000 Individual Contributions; \$70,440 Contracts; \$70,000 Z. Smith Reynolds Foundation; \$50,000 MacArthur Foundation; \$50,000 Marguerite Casey Foundation; \$25,000 Unitarian Universalist Veatch Program; \$20,000 Akonadi Foundation; \$20,000 Ms. Foundation; \$20,000 Butler Family Fund; \$20,000 New World Foundation; \$15,000 Ben & Jerry's Foundation; \$15,000 New Mexico Community Foundation; \$15,000 Seeds of Justice; \$10,000 Hidden Leaf; \$10,000 Singing for Change; \$10,000 Solidago Fund; \$10,000 Southern Partners Fund; \$10,000 Streisand Foundation; \$10,000 Wendling Foundation; \$5,000 Riverside Church; \$5,000 Mishler Family Foundation; \$5,000 Events Revenue

**Amount Requested:** \$150,000

**Amount Recommended:** \$150,000 (Criminal Justice Fund, T1: 24027)

**Term:** 1 year

**Matching Requirements:** None

**Description of Organization:**

Grassroots Leadership is a southern-based national organization founded in 1980 by Si Kahn—a folksinger/song writer and activist with deep roots in the civil-rights movement, including work with the Student Non-Violent Coordinating Committee in the 1960s and subsequent labor organizing—as a multi-

racial, state and regional community organizing effort to create infrastructure for a progressive movement in the South. Since its founding, Grassroots Leadership has designed organizing campaigns around issues that advance its mission to defend democracy, enhance the public good, and stop the erosion of the public sphere.

In 1999, Grassroots Leadership entered the criminal justice reform field when it directed the focus of its organizing efforts to abolish all for-profit, private prisons, jails, and detention centers. That year, it formed and began directing the Public Safety and Justice Campaign (PSJC), a national campaign that brought together a strong coalition of labor, criminal justice reform, religious, community, student, advocacy, and research organizations to stop for-profit private prisons and jails. PSJC earned its most notable campaign victory in 2001 through *Not with Our Money!*, a joint Grassroots Leadership and Prison Moratorium Project campaign led by Soros Justice Fellow Kevin Pranis that mobilized students on sixty university campuses to demand that the catering company, Sodexo Alliance, divest its 10% stake in Corrections Corporation of America (CCA). This successful organizing attracted high profile, international media coverage and galvanized the field of activists working to oppose prison privatization. In 2008, because of the issue's deep interconnectedness to prison privatization, Grassroots Leadership began to address immigrant detention when it launched its *Campaign to Abolish Immigrant Family Detention*.

Today, through its offices and corresponding chapters in Charlotte, North Carolina; Southaven, Mississippi; Montezuma, New Mexico; and Austin, Texas; Grassroots Leadership directs six projects that use a combination of field and organization capacity building assistance, grassroots organizing, direct action mobilizing, public education, media advocacy, and policy reform advocacy.

*Mecklenburg Justice Project (MJP)*. Launched on August 1<sup>st</sup>, 2008, with a founding two-year grant of \$120,000 from the North Carolina-based Z. Smith Reynolds Foundation, MJP is working to build broad-based, institutional and individual support for decreasing the current jail population in Mecklenburg County, North Carolina (Charlotte) by increasing alternatives to incarceration. In this work, Grassroots Leadership helps foster community solutions to inter-related issues often inappropriately addressed by the criminal justice system, including homelessness, unemployment, untreated mental health conditions, and drug and alcohol abuse. The Mecklenburg Justice Project is currently evaluating the feasibility of a campaign to end the notorious 287(g) program<sup>3</sup> in the county. With eight 287(g) sites each, North Carolina and Virginia "lead" the nation in this practice; fully 25% of the country's 287(g) programs are located in these two states.

*Campaign to Abolish Immigrant Family Detention*. In November 2008, Grassroots Leadership launched a national campaign to abolish immigrant family detention, the appalling practice whereby infants and children are incarcerated together with their parents, not one of whom has been charged with any offense other than entering the United States without the appropriate documents. The campaign grew out of Grassroots Leadership's work over the past three years to close T. Don Hutto, the notorious family detention center in Taylor, Texas, operated by for-profit private prison giant Corrections Corporation of America. Despite the stunning victory on August 7, 2009, when the federal government announced the closing of Hutto, immigrant family detention itself has not yet been abolished. Some families will still be detained at the public facility in Berks County, Pennsylvania, northwest of Philadelphia. It is possible that other similar contract sites, both public and private, will be established. Grassroots Leadership is assessing what these changed conditions mean for the *Campaign to End Immigrant Family Detention* and determining next steps for the campaign.

---

<sup>3</sup> The program, known as 287(g), deputizes police to turn over suspects or people who have been arrested to immigration authorities for possible deportation.



*Familias Unidas por la Esperanza (Families United for Hope).* Austin-based Luissana Santibañez won a 2008 Soros Justice Fellowship to found this statewide Texas advocacy network, which includes both formerly detained immigrants and family members of those who are currently detained or have been deported, a tragedy mirrored in Luissana's own family. *Familias* supports and organizes those directly affected to challenge unjust immigration and criminal justice policies and practices that denies the rights of individuals and divides families and communities.

*Keeping Faith.* In 2005, Grassroots Leadership launched *Keeping Faith: A Religious Response to the Prison Crisis*, which works with people of faith and faith organizations at the state, local, national, and international level to call for an end to all incarceration for profit. *Keeping the Faith* works to develop an expanded role for the faith community nationally and internationally around prison and criminal justice issues so that passionate, faith-based voices are heard loudly and clearly in opposition to the injustice present in our current systems.

*Center for Theory and Practice.* Founded with a \$100,000 grant from the C.S. Mott Foundation, the center brings organizers, activists, and educators together for reflection and strategic interaction. In 2009 the Center held a strategy session in Houston for Texas activists focusing on the impact of mass incarceration on Black and Brown communities and a gathering entitled "Re-visioning Progressive Education" for participants to think through strategies for opposing the increasing corporatization and privatization of education and rebuilding widespread support for education as a public good for all.

*Texas Community Reconciliation Project.* Launched in August 2009 with an \$111,000 grant from the Andrus Family Foundation, the project creates and facilitates the necessary spaces and tools that help new immigrants and African-Americans, and eventually other communities and constituencies, work together to challenge the prison, criminal justice, and immigration policies and practices that directly affect, and often divide, their communities.

Grassroots Leadership has been an OSI grantee since 2000. In 2009, OSI awarded Grassroots Leadership general support funding in the amount of \$75,000 over six months, while the organization transitioned to new leadership as its founding executive director prepared for retirement. The Grassroots Leadership board has selected Donna Red Wing as its new Executive Director. Ms. Red Wing has a long and distinguished career as a social justice activist and organizer and is deeply familiar with Grassroots Leadership's work, having previously served on its board.

#### **Description of Project for Which Funding is Sought:**

Grassroots Leadership requests renewed general support.

#### **Rationale for Recommendation:**

This grant would advance the Criminal Justice Fund's interest in reducing mass incarceration by attacking the excessive and economically destructive costs of incarceration and its goal of eliminating harsh punishment by reforming policies that criminalize immigrants. The grant would also advance the immigrant rights priorities of the Equality and Opportunity Fund.

The incursion of market forces into the public sector of the United States is troubling and represents a serious threat to open society values and basic principles of justice and democracy. This state of affairs is particularly worrisome in criminal justice policy. While private prisons remain a relatively small share of

the “prison market” (in 2006, roughly 7.2% of all U.S. prisoners were held in private facilities<sup>4</sup>), there is strong agreement among criminal justice reform advocates and policy analysts that the for-profit private prison industry is a major force contributing to prison expansion in the U.S. and internationally. Industry representatives lobby lawmakers for policies that expand the use of incarceration and contribute heavily to elected officials that support and advance “tough on crime” policies. As difficult as it is for incarcerated people and their advocates to demand accountability when prisons are publicly held and operated, the possibility of challenging policies and practices when prisons and detention facilities are in private, corporate hands seems remote at best.

Grassroots Leadership’s strong work to abolish the practice has made the organization OSI’s flagship grantee in the area of prison privatization in the United States. Grassroots Leadership has earned an impressive list of victories through strategic and effective public education, grassroots organizing, and coalition building. In April 2007, due in large part to Grassroots Leadership’s organizing, voters in Pike County, Mississippi, voted against construction of a CCA private prison in their county—the first time in Mississippi’s history that a public referendum defeated a proposed private prison. In 2008, an aggressive campaign Grassroots Leadership launched and directed in Mecklenburg County (Charlotte), North Carolina, blocked construction of a proposed 1,500-bed for-profit private immigrant detention center. When the U.S. Immigration and Customs Enforcement (ICE) attempted to build a detention center in adjacent Gaston County, Grassroots Leadership’s coalition stopped that effort as well. More recently, Grassroots Leadership’s organizing contributed to the August 7, 2009, Department of Homeland Security announcement that it was withdrawing all families from the country’s first “immigrant family detention center” in Taylor, Texas—the for-profit private T. Don Hutto Family Center, operated by Corrections Corporation of America—and that ICE was withdrawing its RFPs for the three new immigrant family detention centers it had planned to construct.

As Grassroots Leadership celebrates thirty years of organizing in the South, it is at a crossroads. When founding executive director Si Kahn announced four years ago his plans to step down and retire on May 1, 2010, its board and staff began planning for the transition, retaining an outside transition consultant to assist through the process of reviewing organizational goals and strategies; examining board and staff roles and responsibilities; and preparing for the recruitment, selection, and arrival of a new executive director. All members of the Grassroots Leadership’s Board of Directors committed to extending their terms of service so that they would remain on the board for at least one year following Si Kahn’s retirement. On February 1, 2010, Donna Red Wing assumed the position of Executive Director, ensuring a three-month overlap with Mr. Kahn and smooth transition. Ms. Red Wing served on the Grassroots Leadership Board of Directors from 2006 to 2009 and has a long and distinguished career as an activist and organizer fighting for the rights and protection of abused children, working towards equity for LGBTQ individuals and communities, and defending religious liberties. On February 17, 2010, Criminal Justice Fund staff met with Ms. Red Wing and is confident that under her leadership Grassroots Leadership will remain committed to addressing the issues and policy reform priorities of concern to OSI.

While the organization is working hard to secure multi-year pledges of support from individual donors and multi-year grants from local foundation partners to help ensure the sustainability of its projects for several years following the executive director transition, we recommend general support over one year to provide flexibility to the organization and to give us the opportunity to assess and evaluate the Grassroots Leadership’s progress under the new executive director.

For these reasons, the Criminal Justice Fund recommends renewed general support to Grassroots Leadership in the amount of \$150,000 over one year.

---

<sup>4</sup> Sabol, William J., Todd D. Minton, and Paige M. Harrison. “Prison and Jail inmates at Midyear 2006.” Washington, DC. Bureau of Justice Statistics: March 12, 2008 (Revised).

**Name of Organization:** Harm Reduction Coalition

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To provide general support

**FPOS Grant Description:** To provide \$400,000 general support over one year to the Harm Reduction Coalition, which engages in policy analysis, advocacy, public education, and technical assistance to service providers to challenge the stigmatization of people who use drugs and advance policies and programs that help people address the adverse effects of drug use, including syringe exchange; overdose, HIV, hepatitis C, and addiction prevention and treatment; and reducing the role of incarceration and other criminal justice responses to drug use.

**Previous OSI Support:** \$3,192,655  
(\$24,475 International Harm Reduction Development Program-2009; \$200,000 Criminal Justice Fund-2009; \$13,520 International Harm Reduction Development Program-2009; \$200,000 U.S. Justice Fund-2008; \$200,000 U.S. Justice Fund-2007; \$230,000 U.S. Programs-2001; \$520,000 U.S. Programs-2000; \$230,000 U.S. Programs-1999; \$5,000 U.S. Programs-1999; \$55,500 U.S. Programs-1999; \$260,000 Lindesmith Center-1999; \$65,000 Lindesmith Center-1999; \$230,000 Lindesmith Center-1998; \$24,000 Lindesmith Center-1998; \$260,000 Lindesmith Center-1998; \$130,000 Lindesmith Center-1998; \$25,160 Lindesmith Center-1997; \$260,000 Lindesmith Center-1997; \$260,000 Lindesmith Center-1996)

**Organizational Budget:** \$3,002,594

**Project Budget:** Not Applicable

**Sources of Support:** \$1,302,500 Centers for Disease Control and Prevention; \$338,791 New York State Department of Health; \$145,620 Public Health Solutions; \$100,000 M.A.C. AIDS Fund; \$100,000 Comer Foundation; \$83,000 Ford Foundation; \$80,000 AIDS Institute; \$75,000 H. van Ameringen Foundation; \$73,336 San Francisco Department of Public Health; \$50,000 National AIDS Fund/Irene Diamond Fund; \$60,000 Roche Pharmaceutical; \$40,000 New York City AIDS Fund; \$25,000 National AIDS Fund/Syringe Access Fund; \$20,000 New York City Department of Youth and Community Development; \$10,000 amFAR; \$10,000 Boehringer-Ingelheim; \$10,000 Gilead; \$7,500 Bristol-Myers Squibb; \$5,000 Roche/Genentech

**Amount Requested:** \$400,000

**Amount Recommended:** \$400,000  
(\$162,500 USP Drug Policy Reform, T1: 21031)  
(\$162,500 IHRD Drug Policy Reform, T1: 14880)  
(\$75,000 Criminal Justice Fund, T1: 24027)

**Term:** 1 year

**Matching Requirements:** None

**Description of Organization:**

Founded in 1993 and incorporated in 1994 by a working group consisting of needle exchange providers, advocates, and drug users, the Harm Reduction Coalition (HRC) is a national advocacy and capacity-building organization that promotes the health and dignity of individuals and communities impacted by drug use, addiction, and the “War on Drugs.” HRC has educated and mobilized tens of thousands of people across the country, cultivated broad networks with deep commitments to harm reduction principles, and has brought the harm reduction philosophy into the mainstream across several fields and disciplines. Its membership is a diverse network of community-based organizations, service providers, researchers, policy-makers, academics, and activists that challenge the persistent stigma placed on people who use drugs and advance policies and programs that help people address and reduce the adverse effects of drug use, including overdose, addiction, and incarceration.

HRC prioritizes its advocacy efforts on areas where structural inequalities and social injustice magnify drug-related harm. HRC’s core programs integrate a particular focus on the most at-risk communities, concentrating on environmental factors that contribute to the communities’ vulnerability to drug-related harm. Within this context, HRC’s core programs have a unique understanding of how structural forces hinder the health and well-being of drug users:

The *African-American Capacity Building Initiative* (AACBI) provides capacity building assistance to Centers for Disease Control-funded community based organizations and health departments targeting African Americans in the United States. AACBI is the national master trainer for two of the current effective behavioral interventions (Safety Counts and VOICES/VOCES), and the program’s capacity building assistance activities include information and technology transfer, technical consultation and assistance, and skills building.

The *Hepatitis C Harm Reduction Project* (HCHRP)—with full funding from the New York City Department of Health and Mental Hygiene—provides hepatitis C capacity building services to New York City’s syringe exchange programs. Its work includes developing and implementing hepatitis C programs; providing technical assistance and training around hepatitis C counseling and testing and hepatitis A and B vaccinations; and working with healthcare providers to increase access to medical care, psychiatric treatment, and drug treatment for syringe exchange participants living with hepatitis C.

The *Harm Reduction Training Institute* (HRTI), the first national training center focused exclusively on harm reduction, provides trainings, in-services, and workshops to service providers and the public on harm reduction issues and provides a regular quarterly series of skills building trainings to providers working with drug-using populations in New York and Oakland, California. Since 2002, the NYS Department of Health AIDS Institute has designated HRTI as a Center of Expertise and has funded it to provide statewide training and education on harm reduction.

The *Policy Department* works for the adoption of harm reduction approaches to improve the health of drug users and their communities on the local, state, national, and international levels through public education, policy analysis and development, direct advocacy with policy makers, and coalition-building.

The *Syringe Access Expansion Project* (SAEP) works with the Injection Drug Users Health Alliance, community-based organizations, the New York City Department Health and Mental Hygiene (NYC

DOHMH), and New York State AIDS Institute to stimulate and support the expansion of syringe access for injection-drug users through needle exchange and Expanded Syringe Access Provider (ESAP). Through a combination of outreach, needs assessment, education and training, and technical assistance, SAEP identifies and assists community-based organizations in implementing syringe exchange and ESAP programs to increase the availability of sterile syringes.

HRC's *Opiate Overdose Prevention Projects* provide overdose education in shelters, jails, treatment programs, and single room occupancy hotels and supportive housing units; training to heroin users on overdose prevention and on the use of naloxone kits; capacity-building support to programs looking to incorporate opiate overdose prevention programming; and training and technical assistance for staff of local community based organizations. HRC is under contract with the NYC DOHMH to address the gap in buprenorphine prescriptions by developing and implementing an expansive training curriculum for health care providers and is fully funded by the California State Office of AIDS to provide assistance to local health jurisdictions and community-based agencies to stabilize existing syringe exchange programs and to start syringe exchange programs where they currently do not exist.

In addition to these programs, HRC sponsors and organizes *regional conferences* and, bi-annually, the only *national harm reduction conference* in the United States, which focuses on key public health issues and target geographic regions, disciplines, and specific populations. Its conferences provide a critical and unique forum for the exploration and development of harm reduction practice, theory, and policy, and serve as crucial networking mechanisms for individuals working in harm reduction. HRC engages in *coalition building* with other national and local organizations committed to progressive social change and its *publications* include brochures, manuals, bulletins, online materials, and other resources, and provide state-of-the-art information on methods for reducing drug related harm and current information on regional and national activities.

Last year, HRC was successful in its reapplication to the Centers for Disease Control and Prevention (CDC) to continue its syringe exchange program capacity building efforts. The CDC now funds HRC at a higher level than in previous years and acknowledges HRC as the primary conduit for building capacity in communities across the country interested in starting syringe exchange programs. Also in 2009, HRC's ambitious public education campaign about the negative impacts of the ban on federal funding for syringe exchange created a favorable environment for the ban's removal. HRC collaborated with a broad, ad hoc coalition of advocacy groups, local organizations, and researchers to provide communities, healthcare professionals, and policymakers with timely, accurate, and complete information about syringe exchange and the effects of the federal funding ban on HIV and hepatitis C prevention and the health of people who inject drugs and their communities. HRC has been an OSI grantee since 1996. In 2009, the Criminal Justice Fund awarded HRC renewed general support funding.

### **Description of the Project for Which Funding Is Sought:**

The Harm Reduction Coalition requests renewed general support.

### **Rationale for Recommendation:**

This grant would advance the Criminal Justice Fund, OSI-Baltimore's and the International Harm Reduction Development Program's shared interest in developing and enriching the drug policy reform debate by engaging public health and medical experts to press the public health benefits nationally and internationally of syringe exchange programs and other harm reduction practices. The grant would also advance the Criminal Justice Fund's interest in reducing mass incarceration and eliminating harsh punishment by fostering new approaches to drug policy.

From its strong bases in California and New York under the direction of Allan Clear and through its leadership in public education, community mobilization, and advocacy, Harm Reduction Coalition has played an important role in bringing harm reduction principles into mainstream policy discussions. Just in the last decade, harm reduction strategies were solidly on the margins of the debate over the appropriate and effective policy responses to drug use. Media coverage of syringe exchange programs was largely negative, suggesting the availability of clean needles would encourage drug abuse and social disorder. Only a few experimental syringe exchange programs existed and policymakers who promoted harm reduction strategies be adopted for policy were loudly criticized by political adversaries and the press. Even leading HIV/AIDS prevention and service organizations whose work relied on the movement's innovations were reluctant to openly acknowledge harm reduction approaches to their public and private funders. Today, largely as a result of HRC's work, there are now approximately 217 syringe exchange programs operating in jurisdictions in 36 states across the U.S.; media coverage often highlights the effectiveness of making clean needles available to users in preventing the spread of disease and enhancing public safety; and most organizations, local health departments, and state agencies that serve people affected by HIV and hepatitis C embrace harm reduction principles.

Moreover, the public education and stakeholder mobilization work of HRC and its allies over the past sixteen years and intensified beginning in 2007, helped prepare the policy environment that enabled Congress to lift the 20-year ban on federal funding for needle exchange programs in December 2009. The Centers for Disease Control has long recognized HRC for its work, and this year funded HRC at a higher level than in previous years because of its role as the primary means for building capacity in communities interested in starting syringe exchange programs.

In 2008, HRC was catapulted into the international arena through its participation in a yearlong governmental review and evaluation of policies set forth during the 1998 United Nations General Assembly Special Session on Drugs. This formal evaluation process incorporated government and non-governmental organization participation in the development of a Political Declaration during the March 2009 52<sup>nd</sup> Commission on Narcotic Drugs meeting. HRC's well-honed policy development and advocacy practices readily translated to this international forum and resulted in HRC playing both a collaborative and leadership role in engaging progressive US-based organizations and independent advocates in these international advocacy efforts.

Over the next year, HRC's state and local focus will be on: 1) providing training, capacity building, and support to key existing syringe exchange programs to prepare them for the possibility of receiving federal funding; 2) educating and mobilizing syringe exchange programs, harm reduction advocates, and other constituents to strengthen state-level syringe access advocacy efforts to preserve and build on the lifting of the ban of federal funding for needle exchange; 3) expanding syringe access through advocacy, community organizing, and by providing training, capacity building, and support to new organizations interested in starting syringe exchange programming; and 4) establishing state funding streams for hepatitis C prevention, education, and care. On the national level, HRC is focusing its efforts on: 1) working with its main allies<sup>5</sup> to engage federal agencies and officials to ensure that the ban on federal funding for needle exchange remains lifted and on post-ban implementation; 2) increasing the scope of drug treatment by increasing access to buprenorphine, especially in low-income communities of color; 3) increasing the federal government's responsibility for, and investment in overdose prevention; 4) monitoring national HIV policies to ensure drug users have equal access to treatment and care, in an effort to curb higher rates of AIDS-related deaths; 5) advocating for national hepatitis C policies and funding

---

<sup>5</sup> Harm Reduction Coalition's main coalition members on national public education and advocacy efforts to keep the ban on federal funding for needle exchange lifted and to guide post-ban implementation include OSI grantees Trust For America's Health and North American Syringe Exchange Network, and amFAR, AIDS Action Fund, and Physician's for Human Rights.

focused on treatment options for people who use drugs and/or are co-infected with HIV; and 6) planning for its 8<sup>th</sup> Bi-Annual Harm Reduction Conference “Harm Reduction Beyond Borders,” which it is holding in Austin, TX in November 2010.

As the Criminal Justice Fund leads an effort to integrate OSI’s various U.S. drug policy reform efforts, and in accordance with the U.S. Program Board’s authorization at its February 2010 meeting, staff believes it is strategically necessary and appropriate to recommend a small number of grants to key organizations while we work to finalize our strategy. HRC is a longtime OSI partner, as a U.S. Programs grantee since 1996 and as a recent grantee of the International Harm Reduction Program, and it will continue to play a pivotal role in promoting harm reduction principles and in keeping the federal funding ban on syringe exchange lifted. Because its work is consistent with the strategy we are developing, staff believes strongly that funding for HRC remains an important investment priority.

For these reasons, staff recommends continued general support funding for the Harm Reduction Coalition in the amount of \$400,000 over one year.

**Name of Organization:** Campaign for the Fair Sentencing of Youth

**Tax Status:** 501(c)(3)

**Purpose of Grant:** To implement national coordination activities to work toward ending the practice of sentencing youth to life in prison without parole.

**FPOS Grant Description:** This grant will provide \$170,000 over two years to support the Campaign for Fair Sentencing of Youth's (CFSY) effort to implement national coordination activities to end the practice of sentencing juveniles to life in prison without parole. CFSY will achieve this goal through coalition building, strategic communications, technical support to state-based campaigns, and facilitating coordination and information sharing among members of the Campaign.

**Previous OSI Support:** None

**Organizational Budget:** \$331,534

**Project Budget:** \$331,534

**Sources of Support:** USHRF \$113,272; Fund for Nonviolence \$25,000; Butler Family Fund \$15,000

**Amount Requested:** \$170,000

**Amount Recommended:** \$170,000 (T1: 24027)

**Term:** Two years (January 2010 – December 2012)

**Matching Requirements:** None

**Description of Organization:**

Launched in February 2009, the Campaign for the Fair Sentencing of Youth (CFSY) uses a multi-pronged strategy, which includes coalition building, public education, strategic advocacy and collaboration with impact litigators to end the sentencing of youth to life in prison without the possibility of parole. This comprehensive approach was developed after several national convenings with the support of the Open Society Institute and the JEHT Foundation in 2005 and 2006, and with OSI's support in 2007. The Campaign is modeled after the strategy utilized to eliminate the use of the death penalty for children.

The CFSY is the only national coordinating body that supports advocates around the country working to end sentencing of juveniles to life without parole and other extreme sentencing for youth. Rather than having disparate local campaigns, the CFSY brings several state-based groups together in one organized and strategic movement. The Campaign currently supports state reform at various stages of development in Alabama, California, Florida, Illinois, Iowa, Louisiana, Massachusetts, Michigan, Missouri, Nebraska, Pennsylvania, and the state of Washington.

**Description of the Project for Which Funding Is Sought:**

The CFSY seeks to end the practice of sentencing juveniles to life without parole for crimes committed before the age of eighteen. This complex effort requires strategic national coordination. To achieve this



goal, the CFSY will: 1) support and enhance state-based strategies; 2) promote strategic communications; and 3) strengthen and broaden its national campaign.

### ***1. Enhance state-based strategies***

State reform is a top priority for the CFSY. The CFSY has identified advocates working on campaigns in more than a dozen states and continuously makes strategic resources available to this group, which includes:

- Promoting and sharing criteria for model sentencing policies, advocacy strategies, expert witnesses, public statements, letters of support, and other useful documents and tools to share with advocates working on JLWOP reform;
- Facilitating regular communication with campaign advocates about policy-reform efforts;
- Sharing effective documentation methods including interviewing, corresponding with, and collecting data about juveniles serving JLWOP; and
- Disseminating research and best practices about advocacy strategies that incorporate the participation and perspectives of juveniles serving JLWOP, their family members, and victims' family members.

### ***2. Promote strategic communications***

The CFSY will work with litigators, communications experts and advocacy organizations to develop effective communications strategies to support the reform and abolition of JLWOP sentences. Specifically, CFSY will coordinate a state-focused JLWOP communications strategy including strategic communications and media outreach in more than a dozen states. CFSY's media specialist will work with state-based campaigns to help tell a more complete story about who is affected by JLWOP and to ensure consistent, strategic message dissemination across the country.

### ***3. Expand the national campaign and include the federal system***

To date, CFSY has gained the official support of over fifty organizations. Some of these national partners include the National Juvenile Justice Network, Youth Law Center, Campaign for Youth Justice, Equal Justice Initiative, Human Rights Watch, ACLU, ABA, and NAACP. Over the next two years, CFSY will expand support for JLWOP reform among national organizations by: 1) conducting outreach to many unlikely allies such as prosecutors, victims, and conservative groups; 2) targeting new states for JLWOP reform; 3) identifying organizations to spearhead campaigns in target states; and 4) using research to strengthen advocacy to reduce or eliminate JLWOP in the federal system.

### **Rationale for Recommendation:**

This grant advances the Criminal Justice Fund's goals of eliminating harsh punishment and racial disparities in sentencing practices by supporting a national infrastructure capable of coordinating state-based campaigns that are working to end the practice of sentencing youth to prison without the possibility of parole.

The United States is the only country in the world that continues to sentence juveniles to life without parole (JLWOP). Currently, there are over 2,500 such sentences being served. States with the largest number of JLWOP sentences include Pennsylvania (444), Michigan (346), Louisiana (335), Florida (266), California (250) and Missouri (116). Detailed research about the people serving JLWOP around the country shows systemic racial disparities, gross failures in legal representation, and many examples of youth being sentenced more harshly than adults convicted of the same crimes. African American youth constitute 60 percent of the youth serving life without parole nationwide and whites constitute 29 percent. On average across the country, African-American youth are serving life without parole at a per capita rate

that is 10 times that of white youth. Many states have racial disparities that are far greater. Among the 26 states with five or more youth offenders serving life without parole, the highest African-American to white ratios are in Connecticut, Pennsylvania, and California, where African-American youth are between 18 and 48 times more likely to be serving a sentence of life without parole than white youth. In California alone, 75 percent of all JLWOP cases are African-American or Latino. African-Americans in California serve the sentence at a rate that is 18.3 times higher than for white youth. Latino youth in California serve life without parole at a rate five times higher than for white youth.

The CFSY is uniquely positioned as the only national group dedicated to coordinating JLWOP reform. In this role, CFSY has worked diligently to include a diverse group of advocates including family members of people serving sentences, faith leaders, attorneys, national and grassroots organizations, and human rights organizations. CFSY has already increased state-based capacity to take on JLWOP reform and will continue to do so by: 1) developing more cohesive and coordinated strategies among state campaigns; 2) advancing state-specific goals to end JLWOP through the use of strategic communications; 3) expanding coalitions to include a broader base of support in states with active campaigns; 4) growing positive media coverage of JLWOP reform efforts; 5) enhancing public awareness of the consequences of JLWOP; and 6) raising awareness of key decision-makers about JLWOP in the federal system.

CFSY is expected to play an important role in organizing state-based advocates and helping to coordinate communications efforts after the Supreme Court issues its rulings in the *Sullivan* and *Graham* cases this Spring. The decisions in *Sullivan* and *Graham* are not expected to eliminate the practice of sentencing youth to JLWOP. However, the decisions in these cases will increase the need for strategic coordination among advocates, litigators and communications specialists. A favorable decision will create a need to provide legal assistance to the individuals whom the decision entitles to relief. This group could comprise 111 non-homicide cases or as many as 200 cases that involve non-homicide offenses or younger teenager offenders. As a national organization with access to advocates and litigators in several states, CFSY will play a leading role in the JLWOP reform strategy after the Court's rulings, along with other OSI grantees such as the Equal Justice Initiative and the Juvenile Law Center.

For the above mentioned reasons, the Criminal Justice Fund recommends a grant of \$170,000 to the Campaign for the Fair Sentencing of Youth over two years.

**Name of Organization:** Corporation for Supportive Housing

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To continue promoting justice reinvestment and systems integration across criminal justice, human service, and housing sectors to create and sustain Reentry Supportive Housing and to promote the reuse of foreclosed properties as supportive housing for populations that face severe barriers to housing and economic stability

**FPOS Grant Description:** To provide \$660,000 in project funding over two years to the Corporation for Supportive Housing to continue promoting justice reinvestment and systems integration across criminal justice, human service, and housing sectors to create and sustain Reentry Supportive Housing and to promote the reuse of foreclosed properties as supportive housing for populations that face severe barriers to housing and economic stability. OSI funding will enable CSH to: 1) continue facilitating collaboration across criminal justice, human services, and housing sectors to develop flexible, integrated funding streams for the creation and operation of affordable supportive housing for people returning from jail or prison and 2) apply lessons learned from successful pilot projects that target the acquisition and reuse of foreclosed properties as supportive housing and to bring technical expertise in supportive housing development to other jurisdictions receiving federal neighborhood stabilization funds.

**Previous OSI Support:** \$1,075,000  
(\$400,000 JEHT Emergency Fund-2009; \$300,000 U.S. Justice Fund-2007; \$200,000 U.S. Justice Fund-2005; \$100,000 Criminal Justice Initiative-2003; \$25,000 Criminal Justice Initiative-2001; \$50,000 Center on Crime, Communities & Culture-1997)

**Organizational Budget:** \$19,756,942

**Project Budget:** \$2,639,005  
(\$2,381,265 Reentry Supportive Housing project)  
(\$257,740 Foreclosure Reuse project)

**Sources of Support:** \$446,134 Robert Wood Johnson Foundation; \$300,000 William S. Abell Foundation; \$300,000 Second Chance Act; \$100,000 District of Columbia; \$75,000 Nicholson Foundation; \$50,000 Fannie Mae; \$191,000 Jacob & Valeria Langeloth Foundation; \$76,408 Melville Foundation; \$25,000 Connecticut Department of Corrections; \$12,500 Bank of America; \$12,000 Merancas Foundation; \$13,000 U.S. Department of Housing and Urban Development; \$5,000 Rhode Island Housing

**Amount Requested:** \$660,000

**Amount Recommended:** \$660,000  
(\$300,000 Criminal Justice Fund, T1: 24027)

(\$260,000 Neighborhood Stabilization Initiative, T1: 21083)  
(\$100,000 JEHT Emergency Fund, T1: 59959)

**Term:** 2 years

**Matching Requirements:** None

**Description of Organization:**

The Corporation for Supportive Housing (CSH) was established in 1991 with funding from the Pew Charitable Trusts, the Robert Wood Johnson Foundation, and the Ford Foundation to support local nonprofits to develop service-supported housing for people coping with homelessness, extreme poverty, and chronic health conditions such as mental illness, addiction, and HIV/AIDS. Through its hubs in California, Connecticut, District of Columbia, Illinois, Indiana, Michigan, Minnesota, New Jersey, New York, Ohio, Rhode Island, and Texas; targeted initiatives in Kentucky, Maine, Oregon, and Washington; and assistance to other communities, CSH has created nearly 42,000 units of operational supportive housing, ending homelessness for at least 29,000 adults and children. CSH promotes coordinated systems and funding streams to foster the development and operation of supportive housing; provides financial and technical assistance to local partners to expand the supply, availability, and variety of supportive housing; enhances the supportive housing sector's skills and knowledge to ensure high-quality housing and services over the long term; and documents and publicizes supportive housing's efficient use of public resources and positive impacts on tenants, communities, and neighborhoods.

Since 2004, with OSI funding—along with Robert Wood Johnson Foundation, JEHT Foundation, and local funders—CSH has expanded the availability of supportive housing for people coming out of prison and jail, by replicating in Connecticut, New Jersey, Rhode Island, and the District of Columbia its *New York City Frequent Users of Jail and Shelter Initiative (FUSE)*, a justice reinvestment strategy aimed at reducing the reliance on incarceration by spurring and coordinating public investment in supportive housing for people after jail and prison. In 2009, OSI awarded CSH JEHT Emergency funding to evaluate its *FUSE* replication in Cook County, Illinois, and to assess replication opportunities in up to five other cities across the country.

Since the announcement of the first round of federal funds to support the acquisition and rehabilitation of foreclosed properties through the Neighborhood Stabilization Program (NSP) in 2008, CSH has been providing technical assistance, training, and financial support to recipients of NSP funds in Illinois and Indiana to prioritize the reuse of foreclosed properties as permanently affordable supportive housing for populations that face severe barriers to housing and economic stability.<sup>6</sup> In Illinois, CSH and its affiliates successfully advocated for a statewide plan that included a goal of utilizing up to 40% of NSP funds for households earning 50% or less of the area median income, with priority given to supportive housing for special needs populations. In Indiana, CSH has delivered intensive technical assistance to state and local agencies and housing providers to ensure that a maximum amount of NSP funds are used to address the housing needs of individuals and families who are long-term or chronically homeless.

CSH has been an OSI grantee since 1997.

---

<sup>6</sup> CSH prioritizes the creation of new supportive housing opportunities for the following populations: homeless individuals and families, youth aging out of foster care, people with mental or physical disabilities, people with HIV/AIDS, recently incarcerated individuals, and individuals coping with addiction.

## **Description of the Project for Which Funding Is Sought:**

The Corporation for Supportive Housing requests renewed project funding to continue *FUSE* replication initiatives in Colorado, Connecticut, Kansas, New Jersey, New York, Rhode Island, Washington, and the District of Columbia and to expand to three additional sites receiving NSP funds, its successful efforts in Indiana and Illinois targeting the acquisition and reuse of foreclosed properties as supportive housing.<sup>7</sup> Specifically, OSI funding will enable CSH to engage in the following activities:

### 1. Frequent Users of Jail and Shelter Initiative Replication

CSH's Frequent Users of Jail and Shelter Initiative promotes policy reform and systems integration across criminal justice, human services, and housing sectors and encourages reinvestment of saved justice dollars to create and sustain supportive housing for people at risk of homelessness after leaving state prisons or local jails. Its continued work in six states and the District of Columbia to increase supply of and access to supportive reentry housing involves ongoing efforts to:

*Identify Priority Sub-Populations and Create Demonstration Initiatives.* In each state, CSH assists government agencies and local non-profits to identify populations that are inappropriately incarcerated due to a lack of housing or other support services and that represent high costs or "management challenges" for the corrections system or government as a whole. In some states, this means focusing on "frequent users," the relatively small number of low-risk individuals (often mentally ill or otherwise challenged) who cycle in and out of jails and prisons and whose chronic use of public systems is disproportionately costly. Once sub-populations are identified, CSH works with criminal justice and other agencies to design and implement integrated interventions targeting their special needs.

*Develop Mechanisms for Justice Reinvestment.* CSH assists criminal justice and other agencies with developing and implementing reinvestment mechanisms that channel cost-savings realized from system usage reductions into ongoing integrated funding streams to sustain reentry supportive housing models and create new interventions targeted toward other populations.

*Design and Develop Projects.* CSH works with the partner agencies to identify community-based non-profits with the capacity and experience to develop and implement appropriate reentry housing models. CSH blends and leverages the existing resources of non-profit partners to design and develop projects that reduce the reliance on jail and prison, improve access to health and mental health care, and increase housing and employment stability for people with criminal records.

*Document Outcomes and Cost Savings.* CSH will track outcomes related to jail and/or prison, arrest, court appearance, and other system utilization reductions; health status, housing stability, employment, and earnings; and outcomes less directly related to public costs (e.g., re-established family ties, civic participation, and client satisfaction). CSH will prepare cost savings analyses in each jurisdiction to provide justification to criminal justice and other agencies for sustaining the implemented reentry housing.

### 2. Transforming foreclosed properties into supportive housing.

---

<sup>7</sup> CSH has identified the greatest need and opportunity for expansion of its foreclosure-related activities in the following jurisdictions: Baltimore, MD; Los Angeles, CA; Austin, Dallas, and Houston, TX; and Essex and Camden Counties, NJ. After further assessment of each of these sites, they plan to identify three sites to target for additional assistance and resources to transform foreclosed properties into supportive housing.

*Systems level work to create housing for low-income and vulnerable groups.* CSH will advise state and local governments on how to include and prioritize supportive housing in NSP-funded initiatives, including assisting government agencies in drafting requests for proposals to select housing developers and service providers and leveraging the organization’s extensive knowledge of housing and service funding streams.

*Project level assistance to create a supportive housing pipeline from foreclosed properties.* CSH will assist non-profit affordable housing developers and service providers to identify and assess foreclosed property inventories that could be transformed into supportive housing. It will advise project sponsors in creating plans to develop, own, and operate the housing, with emphasis on strategies for developing multiple properties into a scattered-site supportive housing model. CSH will also assist providers and project sponsors in navigating the complex application processes for service, capital, and operating funds for their projects and provide access to a CSH loan pool that bridges gaps in available public and private financing.

**Rationale for Recommendation:**

This grant would advance the Criminal Justice Fund’s interest in reducing mass incarceration and harsh punishment by attacking the excessive and economically destructive costs of incarceration, eliminating unreasonable barriers to reentry, and decriminalizing vulnerable populations such as people suffering mental illness and homelessness. The grant would also advance the Neighborhood Stabilization Initiative’s goal of stabilizing communities hardest hit by the foreclosure crisis by preventing neighborhood blight and disinvestment, and its specific interest in linking neighborhood stabilization to workforce development and broader economic opportunities for residents of those communities. It would also advance the Equality and Opportunity Fund’s interest in lifting barriers that prevent people from participating fully in all aspects of economic, social, and political life.

Criminal justice reformers and practitioners have come to see stable housing as fundamental not only to successfully transition people back into the community after jail or prison but also to prevent first-time jail admissions due to homelessness. Yet, access to affordable and publicly subsidized housing, whether permanent, transitional, or assisted, is scarce for populations that face severe barriers to housing and economic stability, especially people with criminal records. Federal Housing and Urban Development guidelines continue to allow banning people with felony convictions from returning to their subsidized homes, a reality that is particularly daunting for those with mental disabilities or other special needs. Faced with competing demands for housing from those who have not had contact with the criminal justice system, housing officials and the public have been resistant to accommodate the housing needs of formerly incarcerated people, especially without financial incentives to do so. The result is often the unnecessary and wasteful introduction into the criminal justice system of people whose only “crime” is not having safe, reliable shelter; a quick and costly turnaround from release to re-incarceration for many “frequent users” of homeless shelters and jails; and the unnecessary detention of others who, without a home to which to return, are refused release. Thus, criminal justice and housing experts independently note that the criminal justice system has become an extremely expensive and ineffective temporary housing “solution” for many people who need mental health and other kinds of assistance.

Similarly, despite the significant investment in neighborhood revitalization that the federal Neighborhood Stabilization Program (NSP) represents, the program has been widely criticized for failing to either turn-around foreclosed properties at scale in order to stem blight or to serve the needs of populations that face the greatest barriers to housing and economic stability. NSP constitutes the single largest source of public funds to stabilize and revitalize communities that have been devastated by the current mortgage foreclosure crisis. Released in two rounds, the combined pool of NSP funds totals almost \$6 billion—representing a sizeable portion of the total federal dollars for affordable housing and community

development (by comparison, the total annual HUD budget that provides operating subsidies for all public housing developments in the country is \$4.6 billion). If implemented properly, the federal response to the mortgage crisis could help address the lack of available housing for particularly vulnerable communities.

We believe CSH is well-positioned to squarely address these concerns. CSH has a strong history and reputation as an effective developer of low-income housing, and its strategy to deliver, sustain, and then bring to scale supportive housing for people with criminal records and other populations that face severe barriers to housing and economic stability is sound and promising. In 2001, growing out of a meeting of NYC supportive housing providers convened by OSI to discuss strategies for addressing the issue, CSH helped organize the Reentry Supportive Housing Coalition, a working group comprised of supportive housing providers, advocacy organizations and non-profit intermediaries. The coalition continues studying and advocating for the expansion of housing opportunities for people leaving jails and prisons.

CSH has also built close partnerships with other OSI grantees, such as the Council of State Governments, the Legal Action Center, and the Judge David L. Bazelon Center for Mental Health Law, and has developed a replicable justice reinvestment model that targets state and local criminal justice, housing, and other agencies and assists them in co-investing and blending existing resources to create a flexible, integrated funding stream for reentry supportive housing. CSH's reentry supportive housing efforts continue to leverage new foundation funding and new and existing public funding for reinvestment in supportive housing. The Jacob and Valeria Langeloth Foundation—a relative newcomer to criminal justice reform funding—covered a portion of CSH's lost JEHT Foundation funds by funding a three-year evaluation of the *New York City Frequent Users of Jail and Shelter Initiative* that OSI and JEHT originally seeded. The Ohio Department of Rehabilitation and Corrections, and a coalition of Los Angeles agencies, the County Sheriff, the Mental Health Department, and Homeless Services Authority, have also become recent partners. We are cautiously optimistic that CSH will succeed in expanding on these investments.

As the leading national expert on financing and policy issues related to supportive housing development, CSH has also begun to play a critical role in both enhancing NSP implementation and ensuring that federal housing dollars are used to stabilize the lives of those that are most vulnerable in the economic downturn—very low-income households and special needs populations that already face significant barriers to housing and economic opportunity. CSH has successfully piloted the acquisition and reuse of foreclosed properties as supportive housing in Indiana and Illinois. NSI support will enable CSH to apply lessons learned from these two states and bring technical expertise in supportive housing development to other jurisdictions receiving federal neighborhood stabilization funds. In doing so, CSH will help NSP live up to its promise of serving as both a vehicle for stabilizing neighborhoods and bridging the widening affordability gap faced by very low-income and special needs populations in the hardest hit communities.

For these reasons, Criminal Justice Fund and Neighborhood Stabilization Initiative staff jointly recommends project funding to Corporation for Supportive Housing in the amount of \$660,000 over two years.

**Name of Organization:** National Association of Service and Conservation Corps  
(dba the Corps Network)

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To continue programmatic and technical assistance to 17 Civic Justice Corps demonstration sites and to advance the Civic Justice Corps as a national service model for people with criminal records

**FPOS Grant Description:** To provide \$200,000 project grant renewal over two years to the Corps Network to continue oversight and programmatic and technical assistance to Civic Justice Corps (CJC) sites across the United States and to advance the Civic Justice Corps as a national service model for people with criminal records. Continued OSI funding will enable the Corps Network to continue supporting, monitoring, and coaching the CJC sites, connecting the sites to one another for peer support and information sharing, and connecting the CJC to national green collar job creation efforts.

**Previous OSI Support:** \$637,000  
(\$300,000 U.S. Justice Fund-2008; \$20,000 U.S. Justice Fund-2008;  
\$100,000 U.S. Justice Fund-2007; \$192,000 U.S. Justice Fund-2006;  
\$25,000 U.S. Justice Fund-2006)

**Organizational Budget:** \$3,733,957

**Project Budget:** \$670,469

**Sources of Support:** \$458,408 Corporation for National and Community Service (AmeriCorps); \$12,061 Open Society Institute

**Amount Requested:** \$200,000

**Amount Recommended:** \$200,000 (Criminal Justice Fund, T1: 24027)

**Term:** 2 years

**Matching Requirements:** None

**Description of Organization:**

Heirs to the New Deal’s Civilian Conservation Corps, which engaged six million Depression-era young men in conservation work, a new wave of state and local service corps began to emerge in California in 1976 to engage, primarily, youth and young adults in full-time community service, training, and educational activities. The Corps Network was formed in 1985, when the nation’s 24 existing youth and conservation corps directors banded together to create an advocate at the federal level that also served as a central information clearinghouse and technical assistance provider to support existing and aspiring service corps on issues related to how to establish and run effective and sustainable corps. Today, The Corps Network brings resources to member corps through national grant-funded programs; provides convenient web-based news, trends, and tools; manages the *Excellence in Corps Operations*, a field-tested peer-driven continuous improvement initiative; provides a range of member services including health



insurance and AmeriCorps Education Awards for Corps members; holds an Annual Corps Forum in Washington, DC; and represents corps' interests on Capitol Hill and in federal agencies. As the leader of the national corps community, the Corps Network has grown to encompass 144 member urban and rural service and conservation corps in 43 states and the District of Columbia collectively serving 29,000 young people each year. The Corps Network has achieved a respected status nationally in the youth employment and training field, and continues to be an active and effective leader in developing policies and legislation related to national service, workforce development, conservation, and the environment.

In 2006, OSI began funding the Corps Network to provide programmatic and technical assistance to local Civic Justice Corps demonstration sites funded, through the Corps Network, mostly by the Corporation for National and Community Service (AmeriCorps) and U.S. Department of Labor (DOL), along with OSI and a few other private funders. Today, there are 17 Civic Justice Corps demonstration sites<sup>8</sup> across the country affirmatively recruiting people with criminal convictions: most of these sites are associated with longstanding service and conservation corps, which typically engage young people between the ages of 16 and 24.

The Corps Network has been an OSI grantee since 2006.

### **Description of the Project for Which Funding Is Sought:**

The Corps Network is requesting funding to continue providing programmatic and technical assistance to 17 Civic Justice Corps demonstration sites and to advance the Civic Justice Corps as a national service model for people with criminal records. Specifically, OSI funding will enable the Corps Network to:

*Develop long-term funding streams to sustain the Civic Justice Corps.* To develop and identify priorities for long-term, local and national funding and to inform applications, on behalf of itself and CJC demonstration sites, the Corps Network will catalogue and analyze variations on the existing business models and funding strategies at all CJC demonstration sites and conduct community mapping to prioritize CJC sites for immediate, medium-term, and long term investments based on financial need, ability of the CJC program to demonstrate positive outcomes, and geographic location. The Corps Network will develop a plan and timeline for strategic growth of the Civic Justice Corps based on the prospects for capturing available public and private funding, the strength of local and national organizational partnerships, and other factors, and will develop strategies for securing long-term public and private funding for CJC demonstration sites and The Corps Network's leadership. Over the next year, the Corps Network will also develop proposals for funding from federal and foundation sources on behalf of the Civic Justice Corps demonstration sites and to strengthen its long-term capacity to support and bring the CJC to scale.

*Provide program and technical assistance to CJC demonstration sites.* The Corps Network will continue to connect the 17 CJC demonstration sites to one another for peer support and shared learning and will provide technical and programmatic assistance and oversight to the sites to ensure that program design and service-learning curricula are consistent with and promote basic CJC values, principles, and goals.

---

<sup>8</sup> The 17 Civic Justice Corps demonstration sites include: Fresno Local Conservation Corps (Fresno, CA); CiviCorps (Oakland, CA); Sacramento Local Conservation Corps (Sacramento, CA); Urban Corps of San Diego (San Diego, CA); Mile High Youth Corps (Denver, CO); Earth Conservation Corps (Washington, DC); Greater Miami Service Corps (Miami, FL); Limitless Vistas, Inc. (New Orleans, LA); Louisiana Green Corps (New Orleans, LA); New Jersey Youth Corps of Camden County/The Work Group (Camden, NJ); Jewish Renaissance Foundation (Perth Amboy, NJ); Isles YouthBuild Institute (Trenton, NJ); New York Justice Corps (New York, NY); Quilter Conservation Corps (Fremont, OH); Heart of Oregon Corps (Bend, OR); American Youth Works (Austin, TX); and Operation Fresh Start (Madison, WI).

These standards include equity and inclusion; voluntary participation by CJC members; closely-linked classroom and service experiences (service-learning); green projects selected in collaboration with the community to enhance the health, safety, beauty and sustainability of high-incarceration neighborhoods; and transformative partnerships with prison, parole and probation agencies.

Through conference calls, webinars, convenings, and one-on-one consultations, the Corps Network will facilitate a community of practice among existing and potential CJC sites and provide supports and guidance on strengthening the financial and operational viability of demonstration sites, including the development of long-term sustained funding relationships and improved outcomes tracking systems for more robust and reliable evaluation. To foster local partnerships between CJC demonstration sites and local communities and governmental agencies, the Corps Network will organize strategy sessions at local sites engaging key CJC staff and local stakeholders. To ensure that the educational and service experiences available to formerly incarcerated CJC members is informed by strategies and best practices, the Corps Network will continue engaging with criminal justice policy reform advocates, service-learning experts, environmental and green jobs advocates, and other relevant experts.

*Evaluate and promote CJC model and demonstration sites.* To better inform its technical assistance to sites and to strengthen the case for the CJC model to funders, policymakers, and other key stakeholders, the Corps Network will improve its evaluation processes for tracking CJC demonstration sites' outcomes, successes, and challenges. It will establish a formalized system across CJC demonstration sites for data collection, revamp current CJC reporting processes to ensure metrics align with current practices in measuring outcomes as well as funder expectations, and revise its assessment tool for measuring and tracking program outcomes. The Corps Network will coordinate trainings for site staff directly involved with tracking both qualitative and quantitative data. The Corps Network will also collect information, publications, and tools from CJC demonstration sites; incorporate effective CJC practices into unified Civic Justice Corps publications and resources; develop and publish print and web-based materials; and develop a communications strategy to promote and advance the CJC model.

### **Rationale for Recommendation:**

This grant would advance the Criminal Justice Fund's interest in eliminating harsh punishment by eliminating unreasonable barriers to successful reentry and reducing mass incarceration by reforming parole and probation practices.

The Civic Justice Corps is an OSI-initiated and seeded national service model for reversing the divestment in the civil institutions and infrastructure of high incarceration neighborhoods that has accompanied the over-reliance on and investment in punishment and high levels of incarceration. By engaging members in visible and valuable neighborhood improvement projects, the CJC reintroduces to the community people returning from prison in a way that helps reverse the stigma and alienation associated with incarceration, provides a civic pathway to successful reentry and responsible citizenship, and builds public support for smarter justice policies. Its focus on green service projects in high incarceration communities and preparing residents for careers in the emerging green economy is unique. More than simply providing meaningful employment and job training, the CJC is designed to encourage critical thinking and civic participation and to prepare members for viable careers in the emerging green economy. Today, there are 17 local Civic Justice Corps demonstration projects across the country, funded largely by dollars from local private foundations and individuals and supplemented by limited funding from the Corporation for National and Community Service (AmeriCorps) as well as fee-for-service contracts with local public agencies and municipalities. In addition, Civic Justice Corps finds support for services and support for Corps members from local public social service and health agencies, schools, and community colleges.

Although modest local and national private foundation and public funding has been critical in the early, developmental stages for supporting CJC programming in demonstration sites and the Corps Network's work as an intermediary, institutionalizing the CJC as a sustainable, national service program for people with criminal records will require significant, long-term public funding. The Civic Justice Corps is not there yet. Previous U.S. Department of Labor (DOL) and current AmeriCorps funding included only a small amount of funding for operations and staffing, and mainly provided important resources (stipends, tuition, health insurance, etc.) for CJC members; neither source provided funding for program development or quality assurance. Yet, future funding from DOL and other federal government agencies under current "evidence-based guidelines" will depend on the Civic Justice Corps' continuing capacity to document its effectiveness in achieving its goals, including ensuring that CJC sites demonstrate their ability to expand service and learning opportunities to current and formerly incarcerated people in a way that facilitates successful reentry, enhances public safety, and introduces innovative and practicable service projects to the wider service and conservation corps community. OSI Special Fund for Poverty Alleviation staff have identified CJC as a potential grantee and is in discussions with Corp Network senior staff and other funder partners about how to significantly invest in bringing CJC to scale. CJF funding will enable the Corps Network to continue to coordinate and provide the necessary technical assistance to and evaluation of the CJC demonstration sites to ensure quality programming and that they are implemented in accordance with core values around system change and protecting and improving the lives of people in marginalized communities by expanding opportunities for civic participation.

In its first two full years of implementation under the direction and oversight of the Corps Network, the Civic Justice Corps is making significant headway in meeting its goals. During this time, the CJC has enrolled 559 young people—436 of whom had criminal convictions or juvenile adjudications—; almost half (47.1%) of those enrolled have completed their GED; the CJC has placed 79% in a job or in school (72.2% of those retained their jobs or remained in school); and only 10.2% returned to incarceration (compared to the national average of 50-70%). Local CJCs have begun establishing working relationships with probation, parole, and law enforcement agencies and communities are benefiting from CJC projects, including tree planting, retrofitting buildings, creating and maintaining trails and parks, and building "green" homes, sometimes with Habitat for Humanity. And, because of the Civic Justice Corps' on-the-ground experience working with especially "hard-to-serve" populations and the Corps Network's reputation and knowledge in the service and conservation corps world, the Corps Network has become a valuable member of numerous coalitions seeking major federal government investment in green collar job creation and training and national service. We believe that these efforts, if successful, offer excellent opportunities to sustain and grow the Civic Justice Corps and expanding opportunities to people with criminal records.

For these reasons, the Criminal Justice Fund recommends project funding to the Corps Network in the amount of \$200,000 over two years.

<b><u>Name of Organization:</u></b>	Public Interest Projects
<b><u>Tax Status:</u></b>	501(c)(3)
<b><u>Purpose of Grant:</u></b>	to support the ongoing efforts of the Juvenile Life Without Parole Sub-fund of the U.S. Human Rights Fund that supports a coordinated advocacy campaign to eliminate the sentencing of youth to life without parole in the United States.
<b><u>FPOS Grant Description:</u></b>	\$200,000 over two years to support the Juvenile Life Without Parole (JLWOP) Sub-fund of the US human Rights Fund, a funder collaborative operated through Public Interest Projects. The JLWOP Sub-fund supports the humane treatment of youth, targeting the U.S. as the only country in the world that continues to condemn youth as young as 13 to life imprisonment without the possibility of parole. The Sub-fund currently supports grassroots organizations, legal service advocates and strategic communications, and provides technical assistance to its grantees.
<b><u>Previous OSI Support:</u></b>	\$200,000 Gideon Project 2008
<b><u>Organizational Budget:</u></b>	\$6,510,750
<b><u>Project Budget:</u></b>	\$500,000
<b><u>Sources of Support:</u></b>	\$200,000 U.S. Human Rights Fund
<b><u>Amount Requested:</u></b>	\$200,000
<b><u>Amount Recommended:</u></b>	\$200,000 (T1: 24027)
<b><u>Term:</u></b>	Two years (January 2010 – December 2012)
<b><u>Matching Requirements:</u></b>	None

**Description of Organization:**

Public Interest Projects (PIP) is a 501(c)(3) public charity that operates grantmaking, technical assistance, and strategic planning programs for institutional and individual donors interested in advancing social justice and human rights.

The U.S. Human Rights Fund (USHRF) is one of six collaborative funds operated through PIP<sup>9</sup> that represent partnerships of funders who pool their resources to provide strategic, field-building support for the human rights movement in the United States. Founded in 2005, USHRF aims to expand the base and capacity of an identifiable number of domestic activists actively engaged in target advocacy areas. The Fund provides grants in four strategic themes: training and education; networking and collaboration; communications and messaging; and strategic advocacy. In 2010, the Fund plans to continue to build capacity in the field and will also support national coordinated campaigns related to housing, breaking the school to prison pipeline, and ending immigration enforcement abuses. To date, USHRF has raised \$16 million from 13 institutional and private donors. Current donors, which form the Steering Committee, are The Atlantic Philanthropies, the

---

<sup>9</sup> Other funds are: the American Dream Fund, Fulfilling the Dream Fund, Communities for Public Education Reform.

Ford Foundation, the John Merck Fund, the Libra Foundation, the Mertz Gilmore Foundation, the Open Society Institute, the Otto Bremer Foundation, the Overbrook Foundation, the Shaler Adams Foundation, the Starry Night Fund of the Tides Foundation, and an anonymous donor.

USHRF's "Sub-fund" initiatives provide support to specific advocacy campaigns. The Juvenile Life Without Parole Sub-fund (JLWOP Sub-fund) was created in 2008 with encouragement and financial support from OSI's Gideon Project, following recommendations by the field gathered at Gideon's 2008 JLWOP convening. This gathering, the most recent—and largest—of these convenings,<sup>10</sup> drew more than 40 advocates from key juvenile justice organizations, representatives from 12 state JLWOP abolition campaigns, and grantmakers from 11 foundations. The JLWOP Sub-fund supports the humane treatment of youth, targeting the U.S. as the only country in the world that continues to condemn youth as young as 13 to life imprisonment without the possibility of parole. The Sub-fund currently supports grassroots organizations, legal service advocates and strategic communications. Each grantee focuses on its expertise, with ongoing coordination provided by the Fair Sentencing of Youth project, described below, and support from USHRF staff. To date, the USHRF has raised \$590,000 and contributed \$400,000 from its general fund to support the JLWOP Sub-fund between 2008 and 2009, and has made grants totaling \$971,500.

### **Description of the Project for Which Funding Is Sought:**

The Sub-fund supports the work of grantees pursuing a variety of organizing, advocacy and legal strategies aimed at eliminating the practice of sentencing youth to life without parole. Some of the JLWOP Sub-fund grantees include: the California Working Group on Juvenile Life Without Parole, the Illinois Coalition for the Fair Sentencing of Youth, the Campaign for the Fair Sentencing of Youth, and the University of San Francisco Center for Law & Global Justice.

USHRF's support for the development of the Campaign for the Fair Sentencing of Youth (CFSY), a national coordinating body for JLWOP advocacy efforts, has been critical to advancing advocacy on this issue. CFSY provides needed national coordination of state-based JLWOP advocacy campaigns by linking multiple advocacy groups in the JLWOP field to ensure regular communication between activists, defense attorneys, impact litigators, researchers and funders. As a result of the Sub-fund's support, CFSY launched a successful communications campaign that has empowered advocates to respond to opponents of JLWOP reform. The Criminal Justice Fund (CJF) is also recommending support to the Campaign for Fair Sentencing of Youth directly through a separate grant on this docket. This level of support will solidify the Campaign's growth from a start-up organization to one gaining national prominence in the movement to abolish juvenile life without parole. In particular, funding from the Sub-fund and from CJF will enable the Campaign to sustain its operations over the next two years and take on a central role organizing advocates after the Supreme Court's decision in *Sullivan v. Florida* and *Graham v. Florida*.

The JLWOP Sub-fund also provides support for direct legal action in state and local courts. Its grant to the University of San Francisco Center for Global Justice in 2008 helped spearhead several key lawsuits. The Center acts as a litigation hub, launching online web resources for other attorneys, disseminating key lessons and resources to other champions of youth justice, and has already helped forge connections between state and federal litigators.

The most important development for the Sub-fund in 2009 was the hearing of two U.S. Supreme Court cases: *Sullivan v. Florida* and *Graham v. Florida*. In each case, the Court will decide whether sentencing youth to life without parole for a non-homicide offense constitutes cruel and unusual punishment. Both cases have the potential to limit excessive punishment for children although the ruling may be tailored to

---

<sup>10</sup> Previously, the Gideon Project hosted JLWOP convenings in 2004, 2005 and 2006.

the age of the offender or to the nature of the offense (e.g. non-homicide versus homicide crimes, or sexual crimes versus violent crimes). The JLWOP Sub-fund staff played a key role in connecting advocates and donors who subsequently developed a multipronged legal and communications efforts for these cases—including grant support from the Criminal Justice Fund.

The Sub-fund will continue to offer technical assistance and capacity building to its grantees, which may include support to attend conferences, fundraising advice, trainings to support improvements in financial management, and project evaluation assistance. The USHRF's goal is to grant between \$400,000 and \$500,000 per year to support the ongoing JLWOP campaign and currently has approximately \$200,000 reserved in matching funds from the USHRF General Fund for JLWOP work in 2010.

### **Rationale for Recommendation:**

This grant advances the Criminal Justice Fund's priorities of eliminating harsh punishment, and eliminating racial disparities and securing a fair and equitable system of justice by supporting advocacy and litigation efforts aimed at ending the practice of sentencing juveniles to life without the possibility of parole.

In 39 states, youth are denied the opportunity for a second chance, despite behavioral research by the American Psychiatric Association and the American Psychological Association that shows that young people lack adult levels of judgment and impulse control. Currently, over 2,500 youth are serving this sentence in U.S. prisons, with approximately two-thirds in five states: Pennsylvania, Michigan, Louisiana, Florida, and California. In these states, minority youth are disproportionately represented in the criminal justice system and African American minors are nine times more likely than white youth to receive an adult prison sentence such as JLWOP.<sup>11</sup> Nearly 60 percent of those serving JLWOP are first time offenders. Youth deserve meaningful and periodic review of their life sentences so those who prove they have reformed can re-enter society and live healthy, productive lives.

Recently, the most notable limitation to the harsh sentencing practices of juveniles has been the 2005 *Roper v. Simmons* decision, which outlawed the death penalty for defendants who were juveniles at the time of their crime. The *Roper* victory provides a meaningful example of the benefits of a coordinated litigation and advocacy effort aimed at sentencing reform. However, even with the potential for success at the level of the U.S. Supreme Court, important work remains for JLWOP advocates. A response to the *Sullivan* and *Graham* decisions in 2010 will require a well-coordinated effort among advocates and litigators.

The JLWOP Sub-fund plays a singularly important role by ensuring that donor resources are coordinated to maximize their impact. The Sub-fund will expand assistance to advocacy organizations to coordinate effective litigation, provide training and resources to public defenders, and improve public education and communication efforts in order to take advantage of the numerous opportunities and challenges expected for JLWOP reform in 2010.

As one of the leading participants in the Sub-fund, CJF will continue to work closely with Sub-fund members to coordinate donor outreach in response to the expected *Sullivan* and *Graham* decisions. OSI grant support will also help the JLWOP Sub-fund increase its capacity to provide needed resources and technical assistance to grantees. For the above mentioned reasons, the Criminal Justice Fund recommends a grant of \$200,000 to Public Interest Projects over two years to support the Juvenile Life Without Parole (JLWOP) Sub-fund of the USHRF.

---

<sup>11</sup> Campaign for Youth Justice: *Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America*, Nov. 2007.

**Name of Organization:** National Legal Aid and Defender Association (NLADA)

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To support the National Indigent Defense Infrastructure Initiatives and the Federal Indigent Defense Reform Campaign.

**FPOS Grant Description:** Project grant support over two years to support the National Indigent Defense Infrastructure Initiatives (NIDI), a group of activities dedicated to developing a coordinated strategy to reform indigent defense systems on a state-by-state basis. These efforts include the National Indigent Defense Collaboration (NIDC), the National Defender Leadership Institute (NDLI), Justice Standards, Evaluation and Research Initiative (JSERI), and the American Council of Chief Defenders (ACCD). Collectively, these initiatives will work to provide national leadership and management training for the public defense community; identify and address current gaps in public defense standards; provide states with comprehensive assessments and plans to guide state officials toward needed reform; develop a blueprint to address reform approaches to end the practice of “no counsel” courts; and advance indigent reform efforts in at least seven states. Funding will also support the production of a report on the 2010 Department of Justice Indigent Defense Symposium.

**Previous OSI Support:** \$125,000 Racial Justice Initiative 2009; \$400,000 Seize the Day Fund 2009; \$650,000 Gideon Project 2008; \$150,000 Racial Justice Initiative 2007; \$700,000 Gideon Project 2005; \$150,000 Racial Justice Initiative 2005; \$300,000 Racial Justice Initiative 2004; \$150,000 Gideon Project 2003; \$400,000 Gideon Project 2003; \$300,000 Independence of the Judiciary 2003; \$50,000 Gideon Project 2003; \$50,000 Independence of the Judiciary 2003; \$300,000 Independence of the Judiciary 2002; \$64,230 Independence of the Judiciary 2002; \$200,000 Gideon Project 2002; \$300,000 Law & Society 2001; \$100,000 Law & Society 2001; \$500,000 Gideon Project 2001; \$400,000 Law & Society 2000; \$8,000 Law & Society 2000; \$152,000 Law & Society 2000; \$175,000 Law & Society 2000; \$310,000 Gideon Project 2000; \$50,000 Re-Entry 1999; ; \$118,507 Re-Entry 1998; \$150,000 Law & Society 1998; \$120,000 Law & Society 1998; \$800,000 Law & Society 1998; \$24,000 Independence of the Judiciary 1997; \$20,815 Law & Society 1997; \$400,000 Independence of the Judiciary 1997.

**Organizational Budget:** \$4,200,000

**Project Budget:** \$650,000 National Indigent Defense Infrastructure Initiatives  
\$10,000 Department of Justice 2010 Symposium Report

**Sources of Support:** \$70,000 Technical Assistance Contracts; \$34,000 Atlantic Philanthropies; \$17,000 American Council of Chief Defenders Meetings; \$9,125 American Council of Chief Defenders Dues; \$8,741 National Defenders Leadership Institute Trainings

**Amount Requested:** \$650,000 National Indigent Defense Infrastructure Initiatives  
\$5,000 Department of Justice 2010 Symposium Report

**Amount Recommended:** \$650,000 (Criminal Justice Fund Grantmaking, TI: 24027)  
\$5,000 (Seize the Day Fund, TI: 21079)

**Term:** Two years (January 2010 – December 2011)

**Matching Requirements:** None

**Description of Organization:**

Founded in 1911, the National Legal Aid and Defender Association (NLADA) is the nation's oldest and largest national non-profit membership organization dedicated to achieving equal justice through quality legal representation for people who cannot afford counsel. NLADA works to promote excellence in the delivery of civil legal services and public defender services in every state and territory in the United States by engaging in national advocacy in support of this goal, offering structures to support coordination and collaboration in the field, conducting standards-based assessments of systems in need of repair, and providing training and other forms of technical assistance to the field. Launched in 2000, the mission of the National Indigent Defense Infrastructure Initiatives (NIDI) is to create high-quality, well-funded indigent defense systems through four related initiatives.

**Description of the Project for Which Funding Is Sought:**

NLADA seeks a two-year renewal project support grant of \$650,000 to continue its National Indigent Defense Infrastructure (NIDI) initiative to expand the capacity of the national indigent defense reform infrastructure. The four initiatives supported by NIDI are designed to address issues of undeveloped or non-existent indigent defense systems, chronic underfunding, and the lack of political will to support reform. NLADA also seeks funding to support production of a report of the February 2010 Department of Justice Indigent Defense Symposium, as part of its Federal Indigent Defense Reform Campaign.

**National Indigent Defense Infrastructure Initiative (NIDI)**

The National Indigent Defense Collaboration (NIDC) is comprised of the leading national organizations working for indigent defense reform, and serves as a vehicle to support information sharing and the coordination of reform efforts nationally. In addition to NLADA, NIDC currently includes the American Bar Association's Standing Committee on Legal Aid and Indigent Defendants (ABA SCLAID), the ABA's Death Penalty Representation Project, The Brennan Center for Justice, the National Association of Criminal Defense Lawyers, The Spangenberg Group, The Justice Project, the National Juvenile Defender Center, the American Civil Liberties Union, and the NAACP Legal Defense and Educational Fund. NIDC also coordinates the work of Spitfire Strategies, a communications firm that builds the field's media capacity with funding from OSI.

The Justice Standards, Evaluation, and Research Initiative (JSERI) engages in standards-based research on, and produces assessments of, deficiencies in the delivery of indigent defense services. Additionally, it offers technical assistance to support the design and implementation of systemic reforms. Since 2002, JSERI has performed assessments in New York, Idaho, Louisiana, Montana, California, Nevada, Michigan, Ohio, Pennsylvania, and Texas. JSERI objectives for the next two years include completing ongoing work in several states (Louisiana, Michigan, Idaho, Nevada); and adding reform efforts in several new states (potentially Pennsylvania, California and Mississippi). JSERI also plans to conduct an assessment of a pilot program in Texas that combines criminal and civil defense to determine the benefits and challenges of merging those services and whether this is a promising new model of indigent defense.



The American Council of Chief Defenders (ACCD) is comprised of Chief Defenders and Deputy Chief Defenders from around the country. ACCD has created a long overdue counterweight to national groups of Chief Justices, Chiefs of Police, and Chief Prosecutors, and offers its members the power that comes from speaking collectively on issues of mutual concern. In 2009, ACCD saw a net increase of 12 members, up 5.6% from 2008 membership of 214. Over the next two years, NLADA plans to advance racial justice initiatives in partnership with the Louisiana Public Defender Board in pursuit of a more racially just Louisiana criminal justice system. In 2010, NLADA plans to leverage its resources by partnering with the ABA to offer a “train the trainers” program designed to provide culturally competent training to public defenders, prosecutors, and court personnel in New Orleans, Seattle, the 10<sup>th</sup> Judicial District of Minnesota, and Miami-Dade County, FL.

The National Defender Leadership Institute (NDLI) provides innovative trainings and technical assistance to develop future leaders of the public defender bar who will successfully advocate for, and manage, well-funded systems that provide quality representation and support progressive criminal justice policy development. Since 2005, NDLI has trained more than 400 public defenders, including many ACCD members, and it has provided on-site leadership trainings in Georgia, Massachusetts, Arizona, and South Carolina. In response to numerous requests from the field, NDLI staff is currently developing plans to offer the *Nuts & Bolts of Management of Leadership* training on September 17-19, 2010 in Cincinnati, OH. This national event is designed for current supervisors and managers and front line attorneys moving into leadership roles within their system. NDLI anticipates holding a similar national event in 2011.

NLADA participated on the planning committee that shaped the Indigent Defense Summit hosted by the U.S. Department of Justice (DOJ) on February 18-19, 2010 in Washington D.C., which was centered on strategy development and innovative collaborations to advance reform.

### **The Federal Indigent Defense Reform Campaign**

On the national level, NLADA has seized on the federal government’s stated interest in advancing indigent defense reform by collaborating with the DOJ on a number of important projects. ACCD organized a meeting with DOJ officials to educate them on the crisis in indigent defense and propose possible solutions; U.S. Attorney General Eric Holder attended, and affirmed DOJ’s commitment to address the national indigent defense crisis. NLADA also serves as an expert to the Bureau of Justice Statistics (BJS) as they develop a comprehensive survey on public defender offices, and is partnering with the Bureau of Justice Assistance (BJA) and American University to hold a focus group to develop strategies for shaping the future of indigent defense in our country.

In 2009, the Seize the Day Fund awarded NLADA a two year grant to take advantage of, and build on, this interest expressed by federal policy makers. In February 2010 the Department of Justice (DOJ) hosted a National Symposium in coordination with NLADA, bringing over 500 defenders, judicial officials and state policy makers together for two days of discussions on a variety of topics related to indigent defense reform. The DOJ commissioned a follow-up report under its imprimatur to memorialize the training that took place at the Symposium and provide a reference for strategic guidance to the field as they pursue institutional improvements and seek state, Federal and philanthropic support. The report will be presented in monograph form, compartmentalized by issue into the four thematic areas of the Symposium: Fulfilling the Promise of Counsel; Innovations in Juvenile Defense Reform; Indigent Defense reform, the many modes of Collaboration; and Ensuring Quality Representation—making the Symposium’s strategic planning easily accessible to local defenders.

### **Rationale for Recommendation:**

This grant advances the Criminal Justice Fund’s priorities of securing a fair and equitable system of justice by improving indigent defense systems and advocating for the elimination of racial disparities in

the criminal justice system. This grant also advances the goals of OSI's Seize the Day Fund to influence the transformative national agenda by targeting the difficult issues not fully addressed by the new administration, and by expanding public participation at the local, state and national levels.

Indigent defense reform is as relevant now as it was in 2000 when NLADA launched the NIDI Initiatives. In 2007, the Bureau of Justice Statistics found that 964 public defender offices across the nation received nearly 6 million indigent defense cases. African Americans, due in part to greater poverty levels, are disproportionately impacted by the failures of current indigent defense system. For example, a 2006 study by the U.S. Census Bureau found that the poverty rate among African Americans was 24.9% compared to 8.3% poverty rate among whites. Thus, although African Americans comprise only 12% of the U.S. population, they make up over 40% of persons in the criminal justice system and are incarcerated at nearly six (5.6) times the rate of white defendants. The Latino community is similarly situated. Many states, however, continue to be either unable or unwilling to adequately fund or administer effective indigent defense delivery systems.

In 2000, NLADA sought to change the traditional landscape of indigent defense programs: underfunded, overextended, and under political attack, they focused their scarce resources on providing sound trial representation to their clients, and spent few, if any, resources on strengthening public defender systems or pushing for systemic changes. Since its inception, NIDI Initiatives' core services: research and evaluation, leadership development and support, developing a coordinated communications strategies, and national coalition building among public defender advocates has made steady and measurable progress towards its boldly ambitious goal of establishing well-funded public defense systems that adhere to the *ABA Ten Principles of a Public Defense System* in every state and territory in the country by 2013 – the 50<sup>th</sup> anniversary of the *Gideon v. Wainwright* decision.

On the local level, the organization continues to support public defense communities through the JSERI (research and development, technical assistance) and NDLI (leadership and management training, networking and coalitions building) projects. JSERI staff released two seminal reports on the indigent defense crisis in Louisiana and provided technical assistance to the legislature that resulted in the enactment of Louisiana Public Defender Act of 2007. NDLI faculty traveled to Baton Rouge to train the new oversight board and staff in long- and short-range strategic planning; effective policy-setting and implementation; and communication with their staff and the district defender offices. All Louisiana initiatives are supported with OSI funding.

In 2009 JSERI advanced reform in a number of states. In December 2009, JSERI released its latest evaluation on trial level indigent defense services in Idaho. Many of the same issues found in other jurisdictions are prevalent in Idaho, including "no counsel courts" and flat-fee contracting for juvenile delinquency representation. A draft copy of the report has been vetted with the statewide criminal justice commission and a validation sub-committee of the commission failed to find any issues with any their findings. NLADA's expectation is that reform will move swiftly in 2010. In Nevada, JSERI continued to provide technical assistance to the Nevada Supreme Court, providing recommendations at a Court Hearing to ban flat-fee contracting, impose binding workload standards, create a permanent statewide indigent defense committee, and mandate detailed on-going data collection. In Harris County, Texas (Houston), JSERI staff's analysis of data on the assigned counsel system, undertaken on behalf of CBS News, uncovered rampant abuse of tax payers funding and exorbitant caseloads. This news story is generally credited with prompting the successful campaign to create the first ever public defender office in Houston. Additionally, in June 2009, NDLI partnered with the Texas Criminal Defense Lawyers Association to provide a one-and-a-half day program to over 67 public defenders representing 12 of the 15 public defender offices in Texas, and various agencies, which focused on performance standards,

policies and communications, and transitioning from trial attorney to supervisor/manager. NDLI will provide follow-up support to the participants.

Despite these successes, there remain significant challenges, particularly with the overwhelming need in the field for leadership development, research and evaluation, technical assistance, and communications efforts. Additionally, the proliferation of specialty courts (i.e. treatment courts, domestic violence), and the rapidly advancing blending of civil and criminal issues (i.e. immigration, education, child welfare) increases the workload for already overburdened public defense systems. Due to its expertise in quality standards and its representation in both the civil and defender community, NLADA is uniquely positioned to play a leadership role in helping jurisdictions benefit from the merging of the civil and criminal issues and ensure that these developments result in improved representation, and in maximizing the possibilities for meaningful role for the federal government in reform efforts.

The work, expertise, and vision of NLADA and the NIDI Initiatives are critical to the success of the indigent defense reform movement in the United States, and have already changed the indigent defense landscape. NIDI promises greater success as the organization builds upon its current achievements in the field. For these reasons, the Criminal Justice Fund staff recommends a two-year renewal grant in the amount of \$650,000 to support the National Indigent Defense Infrastructure Initiatives of the National Legal Aid and Defender Association. CJF staff also recommends \$5,000 from the Seize the Day Fund to supplement DOJ's commission of NLADA to prepare and disseminate the Symposium report, a key piece of the Federal Campaign structure, strengthening NLADA's ongoing leadership of federal efforts to foster national reform of indigent defense services and systems.

**Name of Organization:** Northwestern University School of Law (Center on Wrongful Convictions of Youth)

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** to conduct state-based organizing, strategic litigation, training, and public education efforts aimed at increasing the reliability of juvenile convictions and preventing the wrongful convictions of youth

**FPOS Grant Description:** This grant will provide \$280,000 over two years to support the Center on Wrongful Convictions of Youth’s effort to increase the reliability of juvenile convictions and prevent the wrongful convictions of youth. Through research, litigation, organizing, training, and public education, the project seeks to change the procedures and practices of police and prosecutors who interact with youth, particularly during investigations and interrogations.

**Previous OSI Support:** \$40,000 Center on Crime and Culture- 1999

**Organization Budget:** \$6,208,262

**Project Budget:** \$582,500

**Sources of Support:** \$62,500 Public Welfare Foundation; \$35,586 Northwestern University School of Law (anticipated);

**Amount Requested:** \$280,000

**Amount Recommended:** \$280,000 (CJF, T1:24027)

**Term:** 2 years

**Matching Requirement:** None

**Description of Organization**

Launched in the fall of 2009, the Center on Wrongful Convictions of Youth (CWCY) at Northwestern University is a joint project by two programs housed at the Bluhm Legal Clinic at Northwestern University School of Law—the Children and Family Justice Center (CFJC) and the Center on Wrongful Convictions (CWC). The CFJC has represented hundreds of children in juvenile and adult court, establishing a record of zealous legal advocacy for youth charged with crimes. The CFJC has been a catalyst for local, national, and international efforts to provide greater fairness and due process protections for children. The CWC is one of the most successful clinical programs of its type in the nation. Dedicated to identifying and rectifying wrongful convictions and other serious miscarriages of justice, the CWC and its staff have helped to free more than 40 innocent men and women from Illinois prisons. Building on these successes, the mission of CWCY is to identify, investigate, and litigate credible innocence claims of wrongfully convicted young people, provide resources and support for actors in the juvenile and criminal justice systems, and advocate for policy reforms that will decrease the likelihood that any youth will be wrongfully convicted.

## **Description of Project for Which Funding Is Sought**

The Center on Wrongful Convictions of Youth at Northwestern University seeks project funding over two years to conduct state-based organizing, litigation, training and public education efforts aimed at increasing the reliability of juvenile convictions and preventing the wrongful convictions of youth. Specifically, OSI funding will enable CWCY to accomplish the goals listed below.

- 1. *Increase public awareness of the problem and causes of wrongful convictions of youth.***  
Building on partnerships with the Innocence Project and researchers who study wrongful convictions and false confessions, CWCY will collect and analyze data for DNA and non-DNA exonerees to identify key problem and causes of wrongful convictions of youth in particular states. In addition to analyzing data, the Center will engage in public education by developing compelling stories about exonerees, produce opinion editorials, and develop multi-media presentations and videos as outreach tools.
- 2. *Coordinate and support state-based reform efforts to reduce the wrongful convictions of youth.***  
CWCY's existing relationships with advocates and allies suggest opportunities for reform of police and prosecution practices and in Florida, Louisiana, Arizona, Colorado, California, and Wisconsin. Based on its data and research collection, CWCY will prioritize states in which to develop and support reform campaigns to reduce the wrongful convictions of youth.
- 3. *Support the development of interrogation practices of youth that are developmentally appropriate.*** To develop a deeper understanding of the tactics that make youth provide false information, CWCY will review police interrogation manuals, videos, interviews, and transcripts of false confessions of youth. CWCY will similarly study successful interviews of young witnesses that produce reliable information to draft and promote alternative guidelines. CWCY will continue to cultivate relationships with law enforcement and partner with organizations and individuals that are already conducting police trainings to educate police, prosecutors, and judges about the unique factors that apply to questioning of youth in the justice system, and which lead to wrongful convictions.
- 4. *Educate defense practitioners and advocates.*** CWCY will analyze recent court decisions, legislation, social science research, and clinical psychology studies from across the country that demonstrate the rationale to treat youth who are being interrogated and prosecuted with more caution. CWCY will use this information to conduct training sessions with national and state defender organizations to better educate them about the wrongful convictions of youth. These training sessions will also include up-to-date information about the reliability of evidence and confessions and use of evidentiary rules.
- 5. *Engage in strategic litigation to challenge the wrongful conviction of juveniles.*** CWCY will continue to litigate cases that challenge the wrongful convictions of youth.

## **Rationale for Recommendation**

This grant advances the Criminal Justice Fund's priorities of eliminating harsh punishment and securing a fair and equitable system of justice by challenging practices that contribute to the wrongful convictions of youth and supporting best practices and innovative approaches in policing and prosecution.

Post-conviction DNA testing and the innocence movement have brought much needed attention to the problem of wrongful convictions generally. However, often overlooked is the fact that that 20 percent of post-conviction DNA exonerations since the first in 1989 involve individuals who were accused as teenagers or younger. As stated in *Roper v. Simmons*, adolescents, compared to adults, are categorically less mature, less able to weigh risks and view long-term consequences, more vulnerable to peer pressure, and more compliant with authority figures. Youthful differences make young people disadvantaged

defendants – they are often unable to appreciate the gravity of their circumstances, exercise their rights as an accused, or to adequately assist counsel in preparing a defense.

Most starkly, juveniles are much more susceptible to making unreliable police-induced statements, including false confessions to their own guilt and/or false accusations against peers. The younger the defendant, the greater likelihood there is of a false confession. Recent anecdotal evidence continues to cast light on this problem. In Michigan, new evidence discovered that Davontae Sanford confessed to police and pled guilty at the age of 14 to a quadruple murder that he did not commit. Under the threat of an adult prosecution, a teenager in Virginia pled guilty to raping another teen, although both the victim and her mother now admit that the sex was consensual. Post-conviction DNA testing also recently excluded Anthony Caravella as the rapist in a Broward County, Florida case. Anthony was 15 at the time of his arrest. There is also the case of Anthony Harris, who falsely confessed after just an hour of interrogation at the age of 12 to the murder of his 5-year-old neighbor. At this tender age, Anthony was no match for the experienced interrogator who was brought in specifically to get a confession from him.

Although there are a growing number of innocence projects around the country and numerous coalitions working on juvenile justice issues, CWCY is the only organization that is seeking juvenile-specific reforms through an innocence or reliability framework. As the Center on Wrongful Convictions and other innocence projects have shown, focusing on innocence and reliability is a strategic foundation around which to build a consensus as no one believes that an innocent person should be incarcerated. Similarly, focusing on youth strategically capitalizes on public support for rehabilitation, second chances, and the fair treatment of juveniles.

Moreover, support of CWCY's is consistent with the Criminal Justice Fund's broader priority of investing in the reform of "front end" police and prosecution practices. The wrongful convictions of youth begin with the way police and prosecutors investigate and charge suspected young offenders. Yet police departments have refused to alter their traditional investigation and interrogation techniques of younger suspects notwithstanding undisputed scientific evidence that they are developmentally different than adults. For example, the Reid Technique – the most popular model used by police in interrogating suspects – does not recommend taking any special precautions with interrogating a minor. Pursuing reforms in the way police and prosecutors treat juvenile suspects may also lead to reforms in the way police and prosecutors treat all suspects.

Since its inception in 2009, CWCY has already achieved considerable accomplishments. Through its consultation and technical assistance, the Center helped secure the release of a 17-year-old in New York who almost certainly falsely confessed and was coerced to plead guilty to a 10-year term of intense probation so he would not serve life in prison. CWCY's amicus brief in the Illinois Supreme Court prevailed in securing a new post-conviction trial, which significantly impacts many wrongfully convicted juveniles in Illinois, many of whom would have been barred procedurally from making claims of innocence. In Indiana, CWCY was one of the leading organizations advocating for a rule, which the state supreme court instituted in September 2009, requiring the electronic recording of custodial interrogations.

CWCY's leadership is equally impressive. CWCY is founded and directed by seasoned juvenile justice advocates at Northwestern University School of Law's Children and Family Justice Center (CFJC) and the Center on Wrongful Convictions (CWC). CFJC's long-time director, Bernardine Dohrn, and the CWC's current legal director, Steven Drizin, are the founders of CWCY. Bernardine Dohrn is a child advocate who teaches, lectures, and writes about children's law, juvenile justice, the needs and rights of youth, and international human rights. Steven Drizin has lectured and published widely on the subject of false confessions and police interrogations. Last year, his work was cited in the majority opinion of *Corley v. U.S.*, where Justice Souter noted that "custodial police interrogation, by its very nature, isolates

and pressures the individual, and there is mounting empirical evidence that these pressures can induce a frighteningly high percentage of people to confess to crimes they never committed.”

OSI funding will allow the Center to develop and strengthen its efforts to advance juvenile justice reform and alter police and prosecution practices that lead to the wrongful convictions of youth. For the above mentioned reasons, the Criminal Justice Fund recommends a grant of \$280,000 to the Center on the Wrongful Convictions of Youth at Northwestern University.

**Name of Organization:** Spitfire Communications

**Tax Status:** For-profit entity

**Purpose of Grant:** Spitfire Strategies LLC requests project funding of \$169,320 over two years to increase the communications capacity of advocates working to improve indigent defense systems in the United States.

**FPOS Grant Description:** To advance indigent defense reform nationally by providing public defenders and key allies with specialized communications training and technical assistance in targeted states. To accomplish this goal, Spitfire will: 1) expand the base of trained spokespeople in targeted reform states through in-person communications trainings and webinars; and 2) provide technical assistance, including one-on-one communications counsel to public defenders and indigent defense reform advocates and organizations.

**Previous OSI Support:** \$200,000 Gideon Project 2008

**Organizational Budget:** \$7,200,000

**Project Budget:** \$169,320

**Sources of Support:** None

**Amount Requested:** \$169,320

**Amount Recommended:** \$169,320

**Term:** Two years (April 2010 – March 2012)

**Matching Requirements:** None

**Description of Organization:**

Spitfire Strategies was founded in 2002 to provide strategic communications solutions to promote positive social change. Spitfire’s mission is to help social change organizations use their voice in a strong, clear and compelling way to articulate their vision of a better world. Specifically, Spitfire provides communications assessments, strategic planning, implementation and training to philanthropies and nonprofits.

**Description of the Project for Which Funding Is Sought:**

During the most recent grant period, Spitfire conducted in-depth research, with Widmeyer Research & Polling, with more than 70 policymakers and other thought leaders in selected states to understand the most salient values and barriers related to public defense reform. The research revealed that the two messages most likely to gain traction with policymakers were financial efficiency and the constitutional mandate of public defense. Spitfire used these research findings to develop a new message platform with a set of primary themes on financial efficiency and constitutional mandate, and secondary themes of fairness and public safety for use only with select targets.



During the current grant period, Spitfire will continue to build upon its communications research and tested communications strategies by providing public defenders and key allies with training and technical assistance they need to advance indigent defense reform in target states. To accomplish this goal, Spitfire will: 1) expand the base of trained spokespeople in targeted reform states through in-person trainings and webinars; and 2) provide technical assistance, including communications counsel to reform advocates and organizations. To advance these objectives, Spitfire will continue to partner with current OSI grantees including the National Legal Aid and Defenders Association (NLADA) and the National Indigent Defense Collaboration, which is led by NLADA and includes National Association of Criminal Defense Lawyers (NACDL); American Civil Liberties Union (ACLU); NAACP Legal Defense and Educational Fund (LDF); and Brennan Center for Justice.

### National Training

Spitfire will develop two intensive national-level trainings to enable up to 50 public defenders from across the country to learn about the latest research findings about indigent defense reform, key messaging strategies and tools for employing these messages. The trainings will enable public defenders to increase their capacity to craft specific messages to varied audiences, become skilled in on-camera communications, and learn the skill of communicating tailored messages to policymakers to advance their reform agendas.

To expand outreach nationally, Spitfire will also conduct a series of webinar trainings. Given state budget cuts many public defenders have seen their travel budgets reduced, which limits opportunities to participate in communications training. To address this challenge, Spitfire will work with the National Indigent Defense Collaboration (NIDC) to deliver eight skills-building webinars to over 90 public defenders regardless of their location. The webinars will supplement and greatly expand the outreach capacity of Spitfire's in-person national trainings.

Spitfire will also work with NLADA to develop a new cadre of directly-impacted spokespersons for indigent defense reform. Even the strongest cases for indigent defense reform can fail without real examples of the system's failures and challenges. To address these gaps in reform efforts, NLADA has worked to identify individuals whose lives have been directly impacted, most often, adversely, by the failure of public defense systems. Spitfire will work with NLADA to train at least 10 directly impacted, non-experts become effective spokespersons for indigent defense reform. Some of these individuals may include persons accused of crimes, family members of the accused, community leaders, and unlikely allies such as religious leaders or victims of crime.

### Technical Assistance

Spitfire provides custom-tailored communications and media technical assistance to social change organizations. Spitfire will allocate 25 hours of communications technical assistance to partner organizations of the NIDC each quarter of the grant period to support their indigent defense reform efforts. The assistance may include drafting press releases, developing media lists, consulting on release strategies for reports, providing one-on-one spokesperson training in preparation for key events, pitching stories to the press, drafting letters to the editor for advocates to use, updating communication toolkits, and creating fact sheets and other press material. Spitfire will also distribute weekly summaries of important media stories related to indigent defense to partner organizations.

### **Rationale for Recommendation:**

This grant advances the Criminal Justice Fund's goals of eliminating racial disparities and securing a fair and equitable system of justice by improving the capacity of indigent defense experts and public defenders to effectively communicate messages advocating reform to policymakers and key stakeholders.

Indigent defense systems nationwide are in crisis. Many jurisdictions are systemically underfunded, poorly administered, lack effective leadership, and are challenged even more by recent statewide budget cuts. These obstacles deprive defendants of their constitutional right to a fair trial and disproportionately impact low-income communities of color. To address this problem, Spitfire has significantly increased the capacity of public defenders and advocates to better understand the key policy issues that resonate with specific constituencies and to effectively communicate the need for institutional reform of indigent defense systems. During the most recent grant period, Spitfire trained over 55 spokespeople providing them with communications toolkits, message guides and specialized media and messaging training that they used to educate decision-makers about the need for indigent defense reform.

Spitfire's research and training has helped public defenders and reform-oriented organizations effectively identify key messages and advocate for change in Louisiana, Michigan, Idaho and Nevada. In particular, Spitfire provided expert counsel to NLADA as the organization developed and launched its report on Michigan's public defense system. Advocates in Michigan are now a model for other states and are leading indigent defense reform at the state-level. With Spitfire's support to advocates, the Supreme Court in Nevada is now taking courageous steps toward reforming the Nevada system of indigent defense including the establishment of a statewide standard for the determination of indigence and promulgating mandatory performance standards. Spitfire has also helped indigent defense reform advocates in Louisiana reach out to more traditionally conservative stakeholders by emphasizing messages of public safety and the efficient use of resources. Moreover, Spitfire worked with advocates in Louisiana to help launch an extensive editorial outreach campaign about the new chief public defender and to communicate the state's progress concerning recently implemented reform efforts. Spitfire also worked with indigent defense reform advocates in Ohio, Rhode Island, Washington, Florida and Kentucky to craft and implement communications and media strategies, reaching key constituencies.

Spitfire will continue work with advocates and public defenders to educate policymakers about the need for indigent defense reform, while building public support. Specifically, Spitfire will maintain its alliance with the National Indigent Defense Collaboration and target new states for indigent defense reform. Moreover, Spitfire will provide training and technical assistance to NLADA's stakeholders as the organization launches its OSI-funded federal campaign for indigent defense reform. Spitfire's communications expertise and support to advocates and public defenders is now more important than ever given the recent commitment by the U.S. Attorney General Eric Holder and the U.S. Department of Justice to improve indigent defense systems through its new Access to Justice program. For the above mentioned reasons, the Criminal Justice Fund recommends a grant of \$169,320 to Spitfire Communications over two years.

**Name of Organization:** W. Haywood Burns Institute

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To provide general support

**FPOS Grant Description:** To provide \$100,000 general support grant renewal over two years to the W. Haywood Burns Institute, a San Francisco-based national nonprofit organization that addresses racial and ethnic disparities in local juvenile justice systems by engaging system and community stakeholders in a data-driven, consensus-based process of reform. Through its site-based engagements, consultations, evaluations, trainings, and the *Community Justice Network for Youth (CJNY)*, BI seeks to reduce disproportionate minority contact in secure detention and within the juvenile justice system.

**Previous OSI Support:** \$775,000  
(\$150,000 U.S. Justice Fund-2008; \$150,000 U.S. Justice Fund-2005; \$150,000 U.S. Justice Fund-2004; \$175,000 Criminal Justice Initiative-2003; \$150,000 Criminal Justice Initiative-2001)

**Organizational Budget:** \$2,000,000

**Project Budget:** Not Applicable

**Sources of Support:** \$825,000 Contracts; \$390,000 Annie E. Casey Foundation; \$233,000 Atlantic Philanthropies; \$94,000 California Endowment; \$125,000 Ford Foundation; \$262,000 Marguerite Casey; \$131,000 MacArthur Foundation; \$50,000 Public Welfare Foundation; \$30,000 Rosenberg Foundation; \$25,000 Individual Donors; \$10,000 Speaking Fees; \$3,000 Other Income

**Amount Requested:** \$100,000

**Amount Recommended:** \$100,000 (Criminal Justice Fund Grantmaking, T1: 24027)

**Term:** 2 years

**Matching Requirements:** None

**Description of Organization:**

The W. Haywood Burns Institute (BI) is a San Francisco-based national nonprofit organization that addresses racial and ethnic disparities in local juvenile justice systems by engaging system and community stakeholders in a data-driven, consensus-based process of reform. Through its site-based engagements, consultations, evaluations, trainings, and the *Community Justice Network for Youth (CJNY)*, BI seeks to reduce disproportionate minority contact in secure detention and within the juvenile justice system.

Through its *Site Based Engagements*, BI consults intensively with a local jurisdiction over a two to three year period, with traditional and non-traditional stakeholders, including judges, prosecutors, public

defenders, police, probation, school officials, political leaders, service providers and community groups, through a strategic data-driven and consensus-based process to reduce disproportionality. The diverse collaborative identifies populations of securely detained youth who could instead be safely supervised in alternative community-based settings.

*Readiness Assessment Consultation (RAC)* is a thorough evaluation of a local jurisdiction's overall will and capacity to effectively address racial and ethnic disparities. BI evaluates a series of internal and external factors, such as: purpose of detention and detention utilization; community engagement and collaboration; system stakeholders' engagement and collaboration; data collection and analysis capacity; and current juvenile justice policies and practices. Upon completion of the assessment, BI provides the jurisdiction with a report on the RAC findings, which includes a corresponding set of recommendations. BI also facilitates an on-site debriefing to discuss the report and potential future engagement.

*Consultation and Training* are designed for a jurisdiction's unique needs, including strategic planning, training, workforce development, assistance with data collection and analysis, the development of community engagement strategies and coaching that helps jurisdictions move forward in efforts to reduce racial and ethnic disparities. BI's trainings for professionals who work with youth (e.g. probation, law enforcement, prosecutors, indigent defenders and judges) are aimed at increasing the understanding of disparities in the juvenile justice system. A key component is the introduction and utilization of tools that provide all staff levels with information essential to reducing racial and ethnic disparities.

*Community Justice Network for Youth (CJNY)* allows BI to build the capacity of local organizations to improve and strengthen their programs and organizations, and to engage in policy work. *CJNY* is a national network comprised of 140 community based programs, grassroots organizations, service providers, residential facilities and advocacy groups in 21 states whose mission is to promote the availability of effective, culturally appropriate interventions for youth of color and poor youth, and to hold local juvenile justice systems accountable through the development of a Racial Disparities Task Force. *The Parents Project* is no longer a stand-alone project, but its strategies of engaging parents and their voices have been integrated into *CJNY*. *CJNY* hosted retreats that focus on parent advocacy efforts and grassroots campaigns organized by parents to address juvenile justice issues. Participants, including parent organizers, youth and parents of youth with a history in the juvenile justice system, shared their experiences and expertise on parent advocacy and parent organizing to collectively develop parent advocacy strategies.

The W. Haywood Burns Institute has been an OSI grantee since 2001.

### **Description of the Project for Which Funding Is Sought:**

The W. Haywood Burns Institute requests renewed general support.

### **Rationale for Recommendation:**

This grant would advance the Criminal Justice Fund's interest in reducing mass incarceration and eliminating harsh punishment by attacking the excessive and economically destructive costs of incarceration and in eliminating racial disparities and securing a fair and equitable justice system by reforming police, prosecution, and detention policies and practices affecting youth of color. It would also support the broader commitment in U.S. Programs to dismantle the school to prison pipeline.

It is well documented that youth of color are overrepresented in the juvenile justice system. While youth of color make up 38 percent of the United States youth population (ages 10-17) they comprise 65 percent of the secure detention population. Moreover, youth of color are arrested, charged, and incarcerated more

than white youth for similar conduct, and are overrepresented at every decision-making point in the juvenile justice system. African American youth are six times more likely to become securely detained than white youth, Native American youth are nearly four times as likely, and Latino youth are more than twice as likely.

Additionally, overzealous school disciplinary policies and practices, including zero tolerance policies, and a desire among some school officials to move students who are perceived as “problem” or “underperforming” out of the classroom, has led to an increasing number of youth being excluded from the educational mainstream but included in the pipeline to prison. There is substantial evidence that increased disciplinary sanctions are disproportionately applied to youth of color. Approximately 15 percent of the nation’s African American students in grades K-12 are suspended at least briefly each year, compared with 4.8 percent of white students, according to federal data from 2006, the latest available. One in 200 black students is expelled versus one in 1,000 white students. BI looks beyond mere detention reform and focuses its efforts on addressing disproportionate minority contact at every decision making point along the justice continuum.

There has been a growing movement to replace harsh school disciplinary practices and juvenile detention with empirically-based and humane alternatives to punishment, arrest, and incarceration. Moreover, public opinion polls demonstrate increased public support for more youth-appropriate, therapeutic approaches to the juvenile justice system and educational disciplinary policy.

The Burns Institute has been at the forefront of the movement to reduce racial disparities in juvenile justice systems and the school-to-prison pipeline by connecting local efforts, raising the discourse, and increasing the visibility of the problems of using the justice system to respond to school-based disciplinary problems. By intentionally including many voices and opinions, including traditional adversaries, BI supports organizations and communities to build their capacity to hold local juvenile justice systems accountable, reduce the overuse of detention, and promote community alternatives. In the last two years, BI reduced Latino detention in Tucson, Arizona, and Santa Cruz, California, by helping create alternatives to detention for family disputes and restricting the use of detention for minor behaviors. In Baltimore, BI worked with other advocates and system stakeholders to develop policies that decreased the number of youth securely detained for failing to appear in court, leading to reduction of the use of secure detention for African American youth by nearly 50 percent. By developing a pilot restorative justice project to address “zero tolerance” policies in schools, BI also reduced African-American youth admissions to detention in Peoria County, Illinois, for aggravated battery (school fights) by 43 percent.

While much progress has been made, there is much more that still needs to be done. Recently, the State of California contracted with BI, with funding from the Juvenile Justice and Delinquency Prevention Act, to work with six counties in California to develop customized plans for reducing racial disparities in their systems’ treatment of young people. OSI funding will ensure that the BI, a respected leader in the field of juvenile justice reform led by people of color, can continue to provide technical assistance to reduce disproportionate minority contact and bring fairness and equity to all young people being served by public systems in jurisdictions where there is significant buy-in from key system stakeholders and decision-makers but where public resources are slow to arrive or insufficient.

For these reasons, the Criminal Justice Fund recommends renewed general support to W. Haywood Burns Institute in the amount of \$100,000 over two years.

**Name of Organization:** Protex: Network for a Progressive Texas, Inc.  
(dba Texas Criminal Justice Coalition)

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To provide general support

**FPOS Grant Description:** To provide \$400,000 general support over two years to the Texas Criminal Justice Coalition (TCJC), an Austin-based organization that engages in policy research and analysis, building effective statewide coalitions, and public education to promote effective management, accountability, and best practices across Texas’ juvenile and criminal justice systems. Through its five projects—Juvenile Justice Initiative, Public Safety Project, Fair Defense Project, Solutions for Sentencing & Incarceration Project, and Tools for Reentry—TCJC works to minimize the entry points into the juvenile and criminal justice systems, both to reduce Texas’ reliance on incarceration and to lessen the devastating impact of the state’s juvenile and criminal justice polices and practices have on families.

**Previous OSI Support:** \$1,408,017  
(\$280,000 U.S. Justice Fund-2008; \$113,017 U.S. Justice Fund-2007; \$160,000 U.S. Justice Fund-2006; \$10,000 U.S. Justice Fund-2006; \$200,000 U.S. Justice Fund-2005; \$335,000 U.S. Justice Fund-2004; \$160,000 Criminal Justice Initiative-2002; \$80,000 Criminal Justice Initiative-2001; \$20,000 Southern Initiative Program-2001; \$50,000 The Gideon Project-2000)

**Organizational Budget:** \$559,079

**Project Budget:** Not Applicable

**Sources of Support:** \$158,000 John C. Brittain Fund; \$100,000 Ford Foundation; \$90,000 Public Welfare Foundation

**Amount Requested:** \$400,000

**Amount Recommended:** \$400,000 (Criminal Justice Fund, T1: 24027)

**Term:** 2 years

**Matching Requirements:** None

**Description of Organization:**

The Texas Criminal Justice Coalition (TCJC) is an Austin-based organization that was founded in 1999 as a project of ProTex: Network for a Progressive Texas—an umbrella organization formed to coordinate the efforts of advocacy organizations seeking systemic change to Texas’ criminal justice, health care, and taxation systems. In 2004, when ProTex’s leadership decided to close the umbrella organization, staff and coalition of partners of TCJC—ProTex’s strongest project at the time—agreed on the need sustain their coordinated efforts and assumed ProTex’s 501(c)(3) status. Today, TCJC is an independent

organization committed to identifying and advancing real solutions to the issues facing Texas' juvenile and criminal justice systems by providing policy research and analysis, forming effective partnerships, and educating stakeholders to promote effective management, accountability, and best practices that preserve civil rights and increase public safety in Texas.

TCJC works to minimize the entry points into the juvenile and criminal justice systems, both to reduce Texas' reliance on incarceration and to lessen the devastating impact of the state's juvenile and criminal justice policies and practices have on families, through its five projects: the *Juvenile Justice Initiative*, the *Public Safety Project*, the *Fair Defense Project*, *Solutions for Sentencing & Incarceration Project*, and *Tools for Reentry*.

The *Juvenile Justice Initiative* seeks to address deficiencies in the juvenile justice system that contribute to an increase in young people being waived into the adult system. The project promotes resources for community-based alternatives to incarceration, treatment for substance use and mental health problems, restorative justice practices, and pathways for successful reentry. Through the Juvenile Justice Initiative, TCJC created the Texas Families of Incarcerated Youth (TFIY), a network comprised of family members of youth who are or were incarcerated in the Texas Youth Commission. TFIY provides support and information to other families of system-involved youth, and it advocates as a unified voice for systemic change to improve Texas' juvenile justice practices.

TCJC's *Public Safety Project* engages in research and provides public education materials that address best practices in law enforcement. The project seeks to equip community members and law enforcement agencies with the tools to work together to implement effective, public-safety focused, value-driven police services. Through the Public Safety Project, TCJC promotes model programs that use risk-reduction strategies and provides individuals with the opportunity to access federal and community-based social services and support systems.

The *Fair Defense Project* supports the efforts of the Texas Taskforce on Indigent Defense and promotes systemic change to ensure that indigent defendants are informed of their right to request counsel and receive timely appointment of counsel that serves their best interests. Through community advocacy partnerships, TCJC encourages counties to implement indigent defense systems that ensure an efficient and effective appointment process and provide defendants access to quality representation. It also supports county efforts that facilitate opportunities for the release of low-risk defendants, to reduce costly jail overcrowding and collateral hardships to defendants awaiting trial and their families.

*Solutions for Sentencing & Incarceration* advocates for criminal justice policy solutions that decrease costly jail and prison overcrowding, strengthen communities, increase public safety, and save taxpayer money. It supports alternatives to incarceration and other practices that strengthen accountability and efficiency within the criminal justice system. Through educational outreach at the county and state levels, TCJC promotes productive probation and parole strategies, increased resources for community-based diversion programs, treatment options for people with drug and alcohol addiction and those with mental health needs, and policies that address poor conditions of confinement.

*Tools for Reentry* identifies and works to reduce barriers to reentry for formerly incarcerated individuals. Its goal is to connect people who have been incarcerated with available education and job training opportunities, employment, housing, voting information, and other information necessary to successfully transition from jail and prison to Texas communities. TCJC also works to increase support and resources for employers, landlords, and service providers taking part in localized reentry initiatives throughout Texas and monitors the implementation of policies that address community issues.

TCJC has been an OSI grantee since 2000. In 2008, OSI awarded TCJC general support funding in the amount of \$280,000 over two years.

**Description of the Project for Which Funding Is Sought:**

TCJC requests renewed general support.

**Rationale for Recommendation:**

This grant would advance the Criminal Justice Fund's goal of reducing mass incarceration by attacking the excessive and economically destructive costs of incarceration, eliminating harsh and unjust sentencing practices, reforming parole and probation policies and practices, fostering new approaches to drug policy, and decriminalizing people with mental illness. This grant would also further CJF's goals of eliminating harsh punishment by removing unreasonable barriers to reintegration, and eliminating racial disparities and secure a fair and equitable system of justice by reforming police practices and improving indigent defense services and systems.

In the six years since establishing itself as an independent advocacy organization, what has consistently distinguished TCJC's work is its skill in managing the dual role of outside reformer and inside deal maker. TCJC has raised public awareness of the unnecessarily high cost of incarceration, the gross over-representation of African-Americans and Latinos in Texas' state prison system, the lack of quality indigent defense, and the dire need for sound reentry policies to support the approximately 70,000 individuals returning to Texas communities each year.

Working inside the system, TCJC has succeeded in securing the buy-in of government by developing systems that monitor government activities and enable government to work more efficiently. In 2001, the Texas legislature passed the state's first racial profiling law, which, among other things, requires every Texas law enforcement agency to produce annually a report on the race of individuals they stop and search and to submit the report to their local governing body. Because the law neglected to provide for the creation of a central repository to collect and analyze data on a statewide level, TCJC created a model data chart to help agencies streamline their data collection and reporting practices. In 2009, Texas lawmakers required law enforcement agencies to submit all future racial profiling reports to the Texas Commission on Law Enforcement Officer Standards and Education, a state agency.

TCJC also used research and data-driven recommendations to inform policymakers on the need for an expansion of mental health assessment and treatment programs. In 2009, Texas lawmakers supported these measures and called for an increase of millions of dollars in funding for drug treatment programs, which will save the state millions of dollars on prison construction and maintenance. The state has already seen the result of diversion investments: between 2006 and 2009, Texas re-routed more than 14,000 people from prison into probation, and large urban probation departments decreased revocation rates. Likewise, parole revocation rates dropped significantly during that time. Texas policymakers also recently enacted reforms that called for a newly formed statewide Reentry Task Force, a mandatory reentry plan, including access to occupational licenses for formerly incarcerated people, a housing voucher program, and access to identification documents upon release from confinement.

Despite reforms, there remains much work in Texas, particularly as Texas is currently projecting a \$9.1 billion budget deficit for 2011-2012. The state's Legislative Budget board has requested all state agencies consider a 5% budget cut, including the \$2.9 billion budget of the Texas Department of Criminal Justice (TDCJ), which also oversees the probation system. Without funding for legislatively mandated probation and parole diversion programs, Texas faces a possible repeat of its experience during the 2003 budget shortfall, when cuts to treatment programs in TDCJ's budget resulted in an increase of people reentering



the criminal justice system. In addition to reduction of diversion programs and increase jail populations, the courts will also see crowded dockets, making public defender offices especially important. TCJC's policy research, coalition building, and public education is much needed as Texas grapples with inadequate resources to support quality indigent defense.

With only four full-time staff, TCJC has established itself as one of the foremost criminal justice advocacy groups in Texas and in the country. TCJC's dissemination of accurate, non-partisan research, timely recommendations and public safety-driven messages has also secured support from a range of likely and unlikely partners. Executive Director Ana Yanez-Correa has successfully fostered relationships among criminal justice practitioners, law enforcement groups, civil rights organizations, and other community members, allowing TCJC to promote policies that serve diverse stakeholders. During the 80<sup>th</sup> state legislative session in 2007, Ana was formally honored by the Texas House of Representatives and Texas Senate for "working toward real solutions to the problems facing the Texas criminal justice system."

For these reasons, the Criminal Justice Fund recommends renewed general support the Texas Criminal Justice Coalition in the amount of \$400,000 over two years.

**Name of Organization:** The Tides Center (Justice Strategies project)

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To continue providing non-partisan research and technical assistance to inform grassroots organizations, advocates, and policymakers around reforming police policies and practices, downsizing prisons, ending immigrant detention, and abolishing private prisons

**FPOS Grant Description:** To provide \$300,000 in project funding over two years to The Tides Center’s Justice Strategies project to provide non-partisan research and technical assistance to inform grassroots organizations, advocates, and policymakers around reforming police policies and practices, downsizing prisons, ending immigrant detention, and abolishing private prisons. Through tailored and expert policy analysis and research, Justice Strategies—directed by veteran researchers and Soros Justice Fellow Judy Greene—promotes more humane, just, and cost-effective approaches to criminal and juvenile justice and law enforcement.

**Previous OSI Support:** \$479,139  
(\$25,000 Criminal Justice & Equality and Opportunity Funds-2009; \$20,673 Criminal Justice Fund-2009; \$29,000 U.S. Justice Fund-2008; \$127,500 U.S. Justice Fund-2008; \$80,000 U.S. Justice Fund-2006; \$59,666 U.S. Justice Fund-2006; \$4,225 U.S. Justice Fund-2006; \$33,575 U.S. Justice Fund-2005; \$100,000 U.S. Justice Fund-2004)

**Organizational Budget:** \$77,465,548

**Project Budget:** \$1,197,035

**Sources of Support:** \$475,000 Ford Foundation; \$100,000 Public Welfare Foundation; \$99,600 American Civil Liberties Union; \$65,971 Drug Policy Alliance; \$54,963 Open Society Institute; \$25,000 Annie E. Casey Foundation; \$21,772 National Association for the Advancement of Colored People; \$15,000 American Civil Liberties Union of Mississippi; \$8,829 The Sentencing Project

**Amount Requested:** \$300,000

**Amount Recommended:** \$300,000  
(\$250,000 Criminal Justice Fund, T1: 24027)  
(\$50,000 Equality and Opportunity Fund, T1: 24023)

**Term:** 2 years

**Matching Requirements:** None

### **Description of Organization:**

In 1996, the Tides Foundation created The Tides Center (Tides) as an independent nonprofit by spinning-off its Projects Program, which had been providing technical assistance to progressive initiatives in the U.S. since 1979. Today, Tides provides a fiscal home to new and emerging charitable initiatives not incorporated as nonprofit organizations and whose missions promote a more just, healthy, and sustainable world. By providing infrastructure services—such as financial, human resource, payroll, risk and liability, compliance, and grants management—Tides enables its projects to receive charitable donations and grants available only to tax-exempt organizations. For start-up or newly established initiatives, this arrangement provides convenience, peace of mind and, in most cases, cost savings that enables them to focus their energies on programmatic work and establish a crucial track record of programmatic activity for foundations and the public at large. Since creating the Projects Program, the foundation has worked with over 800 projects, and Tides has been fiscal sponsor to 677 projects with combined revenues of \$522.4 million. Tides currently manages almost 200 projects and is part of the Tides family of organizations, a group of nonprofit organizations-including the Tides Foundation, Tides Shared Spaces, and others linked by a commitment to social justice, innovation, and environmental sustainability.

Founded in 2003 as an independent research organization by veteran researchers and Soros Justice Fellows Judy Greene and Kevin Pranis, Justice Strategies became a project of the Tides Center in 2008. Justice Strategies supports criminal justice reform efforts by providing timely strategic research and public education tools to grassroots organizations, advocates, and policymakers in a form that can be used both to win policy reform and also to build organization and field capacity. Through its research and communications strategies, Justice Strategies promotes more humane, just, and cost-effective approaches to criminal justice, juvenile justice, and immigration law enforcement.

Justice Strategies has been an OSI grantee since its founding in 2003.

### **Description of Project for Which Funding Is Sought:**

The Tides Center’s Justice Strategies project requests renewal of project funding to continue providing non-partisan research and technical assistance to inform the grassroots organizations, advocates, and policymakers around reforming police policies and practices, downsizing prisons, ending immigrant detention, and abolishing private prisons. Specifically, OSI funding will support Justice Strategies’ efforts to produce research and provide technical assistance to support state-based advocates, as follows:

*Reshaping police policies and practices.* To help advocates reshape the discourse that justifies current police policy and practice, Justice Strategies will survey advocacy and organizing efforts aimed at changing corrosive police policies, including community “cop watch” organizations that monitor and address chronic problems of police violence and abuse through community empowerment; and community-based organizations that deal with abusive treatment by police of youth and young adults. It will also examine interventions and campaigns aimed at changing the focus of policing in communities, such as those underway in Vancouver, Canada<sup>12</sup>, and the work of public defenders and community organizers in Seattle, Washington, who are successfully challenging mass arrest policing of drug and prostitution markets and advocating for police diversion and an increase of neighborhood-based service programs to reduce arrests. Justice Strategies will also produce research that examines emerging rationales for deployment of police resources that will provide the basis for supporting policing models that afford effective crime prevention and reduce police abuse and the numbers of arrests.

---

<sup>12</sup> In Vancouver, the police department has established an explicit policy statement in support of the city’s “Four Pillars” approach to harm reduction, and has begun to reframe the role of policing as one of those pillars.

*Downsizing the nation's prison systems.* Justice Strategies will build on its *Downscaling Prison* research by continuing to monitor trends in the four states that formed the basis of the report<sup>13</sup> and by compiling data and conducting interviews in additional states that are joining the trend of downsizing their prison populations. It will package this research in a series of policy briefs focusing on significant developments and innovative strategies. In collaboration with the Sentencing Project, Justice Strategies will also create a plan for a national retreat for a relatively small number of committed advocates and policy makers to learn about prison downscaling from advocates and state officials in Kansas, Michigan, New Jersey and New York, and will design the provision of post-conference documentation and technical assistance to support the prison downscaling efforts of participants, including preparation and release of a “blueprint” report to spur downscaling reforms in at least one new state.<sup>14</sup>

*Reducing Immigration detention.* Justice Strategies will investigate the ways in which mandatory detention and mandatory deportation of legal permanent residents for low-level drug offenses continues to stretch the U.S. Immigration and Customs Enforcement (ICE) dragnet across immigrant communities and examine the impact the crackdown on immigrant communities is having on demand for more jails and prisons. It will conduct in-depth research and produce a national report on the impact on families and communities of Secure Communities, a Department of Homeland Security initiative carried out by ICE whose mission is to “improve public safety by implementing a comprehensive, integrated approach to identify and remove criminal aliens from the United States.” These efforts will build on and support a decade of work by Justice Strategies to build bridges between the immigrant rights and criminal justice reform communities.

*Ending prison privatization.* Justice Strategies will investigate and publish a report on the emerging issue involving for-profit, private prison corporations seeking to market themselves as a major player in the reentry field by forming strategic alliances with non-profit organizations that have traditionally provided pre-release and post-prison services for people in reentry. It will conduct an assessment of this issue, documenting its damaging effects and developing strategies to intervene where such alliances threaten to hijack the public policy process and blurring the distinctions between profit-driven privateers and non-profit organizations more traditionally driven by a mission of service delivery to vulnerable and at-risk populations. Justice Strategies will continue to provide research and advice to anti-privatization efforts mounted by organizations across a disparate political spectrum that runs from Critical Resistance to the California Correctional Peace Officers Association and continue to provide content and editorial support to *Texas Prison Bid'ness*, a blog to keep advocates, the public, and policymakers abreast of developments from the private prison in that state.

### **Rationale for Recommendation:**

This grant would advance the Criminal Justice Fund's interests in reducing mass incarceration and harsh punishment by attacking the excessive and economically destructive costs of incarceration through supporting advocacy for reform of current sentencing practices and challenging the privatization of prisons and other criminal justice services. It would also support CJF's goals of eliminating racial disparities and in securing a fair and equitable justice system by reforming the policies and practices of

---

<sup>13</sup> On March 3, 2010, Justice Strategies and The Sentencing Project released their jointly-produced report, *Downscaling Prisons: Lessons from Four States*, which shows how four states—Kansas, Michigan, New Jersey, and New York—have reduced their prison populations by 5 to 20 percent in the last decade while crime rates declined.

<sup>14</sup> State selection would require a careful survey of critical developments and political prospects in a number of states. One state where key policymakers appear to be “turning the corner” is Pennsylvania, where legislators who have long marched to the “get tough” drumbeat are now struggling with the downside of such wasteful policies. Recently, the State's sentencing commission has issued broadly cast recommendations for addressing the problem of mandatory minimums.

law enforcement agencies, including policies that criminalize immigrants. The grant would also advance the Equality and Opportunity Fund's interest in stemming the erosion of the civil and human rights of immigrants and in linking immigration policy to broader policy issues.

Justice Strategies is a research organization dedicated to the proposition that grassroots movements can win real reforms if given access to the right information and public education tools. Its tailored policy analysis and research have helped advocacy groups and policymakers across the country advance progressive policy agendas around reducing prison populations, advancing treatment not incarceration initiatives, challenging mandatory sentencing laws, and exposing the immigration consequences of criminal convictions. Staff regards Justice Strategies as an important component of the criminal justice infrastructure OSI supports to advance its substantive priorities.

With its well-developed network of allies and contacts in many states, Justice Strategies is well positioned to maximize opportunities for reform. Its long history of delivering high-impact research and technical assistance to advocates across the country on law enforcement, the nexus of criminal justice and immigration policy, and prison privatization issues attests to its value to the reform field. Early efforts include Justice Strategies principal, then Soros Justice Fellow, Judy Greene's critique, in a "juried" academic journal, "Zero Tolerance: A Case Study of Police Policies and Practices in New York City" in *Crime and Delinquency*, in April 1999. Since then, a number of its research reports have focused a spotlight of mass arrest policies that target people of color who are demonized by media campaigns that spur police "crack-downs."<sup>15</sup> In February 2009, Justice Strategies rolled out *Local Democracy on ICE*,<sup>16</sup> a 95-page indictment of the federal 287(g) program that blurs the once bright line between criminal and civil immigration enforcement through the use of classic War on Drugs tactics.

Justice Strategies produces all its research and analysis with specific needs of advocates in mind, and its eagerness to partner with local and national organizations has made the organization an invaluable resource for and strategic partner to OSI and a host of OSI grantees. In 2007, in partnership with Grassroots Leadership (also recommended for funding on this docket), Justice Strategies launched *Texas Prison Bid'ness (TPB)*, a blog where bloggers post information daily about the growing prison-for-profit industry in Texas and related issues. The Joint publication of *Downscaling Prisons* by Justice Strategies and the Sentencing Project is the latest example of how Justice Strategies collaborates with other national organizations that work on critical reform issues in our field. It positions both organizations to provide research, advocacy and technical assistance on the need for a national "downscaling" effort that focuses on every critical point in the criminal justice process where rational reforms can impact prison populations.

Justice Strategies has also played an important role in the development of young leaders. In 2000, Soros Justice Fellows Judith Greene and Kevin Pranis began Justice Strategies as an informal partnership, launching it as an organization in 2003. Kevin now conducts action research projects for the labor movement as a Senior Researcher with Change to Win. In 2007, Soros Justice Fellows Robert Rooks and Patricia Allard conducted research under Justice Strategies' sponsorship. Mr. Rooks recently took a position as the Criminal Justice Director for the NAACP in Baltimore and Ms. Allard is now the Deputy

---

<sup>15</sup> Greene, Judith, Kevin Pranis and Jason Ziedenberg. *Disparity by Design: How Drug-Free Zone Laws Impact Racial Disparity—and Fail to Protect Youth*. Washington, DC: Justice Policy Institute. March 2006; Greene, Judith and Kevin Pranis. *Gang Wars: The Failure of Enforcement Tactics and the Need for Effective Public Safety Strategies*. Washington, DC: Justice Policy Institute. July 2007; Greene, Judith and Patricia Allard. *Numbers Game: The Vicious Cycle of Incarceration in Mississippi's Criminal Justice System*. Forthcoming from the Mississippi ACLU in April, 2010.

<sup>16</sup> Shahani, Aarti and Judith Greene. *Local Democracy on ICE: Why State and Local Governments Have No Business in Federal Immigration Law Enforcement*. New York: Justice Strategies. February 2009.

Director of the Canadian HIV/AIDS Legal Network. Aarti Shahani, a long-time collaborator and consultant with Justice Strategies, has extended the scope of her research and advocacy from a base as an organizer in New York City to a more prominent role as a leader in the national immigration reform movement. She continues as a Justice Strategies research fellow as she pursues a graduate degree at Harvard's Kennedy School of Government.

For these reasons, Criminal justice Fund staff recommends a project grant of \$250,000 over two years to The Tides Center Justice Strategies project.

**Name of Organization:** Correctional Association of New York

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To provide general support

**FPOS Grant Description:** To provide \$200,000 general support over two years to the Correctional Association of New York, which engages in policy development, advocacy, public education, and coalition-building to: reorient the juvenile and criminal justice systems away from a punitive approach and toward a stronger emphasis on community-based prevention and alternatives to jail and prison; monitor prison conditions in New York State correctional facilities; ensure Rockefeller Drug Law reforms are implemented successfully; and address the effects of the New York’s criminal justice policies on women and their families.

**Previous OSI Support:** \$585,000  
(\$300,000 U.S. Justice Fund-2007; \$100,000 U.S. Justice Fund-2006; \$80,000 U.S. Justice Fund-2004; \$5,000 Strategic Opportunities Fund-2004; \$50,000 Criminal Justice Initiative-2003; \$25,000 Criminal Justice Initiative-2002; \$25,000 U.S. Programs-2000)

**Organizational Budget:** \$2,268,333

**Project Budget:** Not applicable

**Sources of Support:** \$200,000 Starry Night Fund; \$150,000 Jacob and Valeria Langeloth Foundation; \$125,000 Anonymous Donor; \$100,000 Public Welfare Foundation; \$75,000 Carnegie Foundation; \$75,000 van Ameringen Foundation; \$60,000 Atlantic Philanthropies; \$60,000 NYC AIDS Fund; \$50,000 Guggenheim Foundation; \$50,000 New York Community Trust; \$50,000 State Equity Fund; \$42,500 New York Foundation; \$36,000 Prospect Hill Foundation; \$35,000 Daphne Foundation; \$25,000 Novo Foundation; \$20,000 Donner Foundation; \$20,000 Paul Rapoport Foundation; \$10,000 Dreitzer Foundation; \$10,000 Sonya Staff Foundation; \$5,000 Elias Foundation; \$3,500 Manhattan Borough President; \$2,000 Glickenhau Foundation; \$1,000 Metzger Price

**Amount Requested:** \$200,000

**Amount Recommended:** \$200,000 (Criminal Justice Fund, T1: 24027)

**Term:** 2 years

**Matching Requirements:** None

**Description of Organization:**

Founded in 1844, The Correctional Association of New York (CA) seeks to create a more just and humane criminal justice system and develop and promote workable alternatives to current criminal justice

policies in New York. In 1846, the CA became the only independent organization in New York—and one of only two in the United States—with legislative authority to monitor prisons and report its findings and recommendations to policy makers and the public. Throughout its history, the CA has concentrated public attention on important criminal justice issues and has made substantial progress in improving conditions of confinement and in transforming the public debate on prison issues and sentencing policies in New York. CA addresses these issues through four main projects:

*Juvenile Justice Project (JJP)*. Through coalition-building, leadership development, research, and public advocacy, JJP works to decrease the number of youth entering jails and prisons; reduce racial disparity and LGBT discrimination in the juvenile justice system; ensure the legal rights of court-involved youth; improve conditions and expand programming in juvenile institutions; promote community based alternative to incarceration programs; and involve young people in advocacy and decision-making about juvenile justice policy. The project coordinates and staffs the Juvenile Justice Coalition, an alliance of nearly 400 advocates, attorneys, service providers, family members, and youth working to reform the juvenile justice system. JJP's two leadership training programs, *Each One, Teach One*, and *Safe Passages* encourage young people affected by incarceration to become advocates and leaders in transforming the juvenile justice system in New York. *Safe Passages* specifically recruits LGBT youth and focuses on activism in the gay community and confronting homophobia. JJP works with the Office of Children and Family Services (OCFS) and Commissioner Gladys Carrion to downsize OCFS's juvenile prison capacity, monitor juvenile prisons, and conduct public education, press outreach, and advocacy in support of facility closure plans.

*Prison Visiting Project (PVP)* conducts eight to ten regular monitoring visits each year to the 63 New York State correctional facilities for men, researches and investigates prison policies and practices, and produces public reports that provide assessments and recommendations on issues, such as: mental health services, prison healthcare, educational and vocational services; reentry programming; substance use treatment; correctional officer misconduct; prison staff concerns; disciplinary confinement; and visitation programs. Based on findings from its monitoring work and research, PVP presses for reform by working with the executive staff at an individual prison, and urging the New York State Department of Correctional Services (DOCS) to adopt agency-wide policies, replicate model programs, and institutionalize best practices. PVP also engages Office of Mental Health, and other state agencies such as the Office of Alcohol and Substance Abuse Services (OASAS) to advocate for, and evaluate prison policies and programs.

*Public Policy Project (PPP)*. For the past several years, PPP's primary focus has been coordinating the *Drop the Rock* campaign to repeal the Rockefeller Drug Laws, New York's harsh mandatory minimum drug sentencing statutes. In 2009, after years of advocacy on the part of CA and its allies, New York enacted significant reforms that mark the beginning of the end of these statutes. Building on this advance, PPP has begun a new campaign aiming to further limit the use of incarceration by promoting additional reforms, such as closing underutilized prisons, repealing the vestiges of the Rockefeller Drug Laws, expanding work release and merit time eligibility, revising parole practices, and reinvesting in community-based programs. Through the *Drop the Rock* Coalition, the CA mobilizes formerly incarcerated men and women, their families, representatives of nonprofit organizations, social and child welfare agencies, and other concerned citizens in efforts to change and improve New York's criminal justice system. PPP organizes and participates in public forums and community events, presents regularly at community board meetings, and reaches out to contacts in the media and seeks editorial board support for proposals aiming to reduce incarceration rates in New York.

*Women in Prison Project (WIPP)* works to stop the misuse of prison as a response to social ills, to ensure that prison conditions for women are humane and just, and to advocate for policies and practices that address women's specific needs. In addition to prison monitoring, WIPP performs research and policy



analysis, composes policy papers and reports, manages a leadership training program for formerly incarcerated women, and conducts public education and policy advocacy. WIPP coordinates the Coalition for Women Prisoners, a statewide alliance of more than 1,400 individuals from over 100 organizations, the Coalition's three subcommittees (the Violence Against Women Committee, the Conditions/Re-entry Committee and the Incarcerated Mothers Committee), as well as the Coalition's annual Advocacy Day.

Correctional Association has been an OSI grantee since 2000.

**Description of the Project for Which Funding is Sought:**

The Correctional Association of New York requests renewed general support.

**Rationale for Recommendation:**

This grant would advance the Criminal Justice Fund's goal of reducing mass incarceration by attacking the excessive and economically destructive costs of incarceration, eliminating harsh and unjust sentencing practices, reforming parole and probation policies and practices, and fostering new approaches to drug policy.

The morally dubious way in which our society uses prisons to address socio-economic problems like poverty, homelessness, and unemployment, and the corrosive racial and sexual biases reflected in our criminal justice policies and practices has created a crisis that demands genuine independent oversight and reform of America's prisons and jails. As one of only two private organizations in the country with a legislative mandate to inspect and report on prison conditions, the CA plays a vital role in New York State in documenting and demanding improvements to the administration of jails and prisons. The CA plays an important role in shaping public debate in New York State and nationally on sentencing policy, the war on drugs, prison conditions, the impact of harsh justice and incarceration policies on incarcerated women and families, and the criminalization and disproportionate confinement of young people of color.

Over the past three years, New York enacted significant reforms after years of community education and advocacy on the part of the CA and its allies. In addition to the success of its *Drop the Rock* campaign on repealing the Rockefeller laws, CA also achieved and contributed to other important victories. New York now requires the Department of Health to conduct annual reviews of HIV and hepatitis C care in state and local correctional facilities and mandates necessary improvements that will make correctional healthcare comparable to community standards of care. New York also forbids the use of restraints on incarcerated women during labor and post-delivery recovery, and restricts the use of restraints during transport to and from the hospital. Passage of the Safe Harbor Act will prevent New York from prosecuting and incarcerating children on prostitution charges, and instead create a range of specialized community-based services—such as community outreach, crisis intervention, short-term safe houses, and long-term housing—that more appropriately meet the needs of sexually exploited youth. At CA's urging, OCFS Commissioner Carrion formed the "Working Group on LGBT Youth in State Custody," which drafted and negotiated a landmark anti-discrimination policy designed to support and protect LGBT youth in state custody. CA also received permission from OCFS to inspect juvenile prisons, marking the first time that an advocacy organization has been granted such access to OCFS-administered juvenile facilities.

With a state budget crisis and an OCFS Commissioner committed to reforming New York's juvenile facilities, the coming years are opportune for amplifying advocacy efforts for reform in New York. CA estimates that there are 6,000 empty prison beds in New York and political support for closing underutilized prisons is achievable. The Juvenile Justice Project's support for OCFS Commissioner Carrion's downsizing efforts has helped to close or downsize 14 juvenile facilities over the last two years.

In light of the recent scathing report of Governor Paterson's Task Force on Transforming Juvenile Justice—on which CA Executive Director Robert Gangi served—and New York City's plan to merge the City's Department of Juvenile Justice into the Administration for Children Services, the CA is poised to advance further reform in New York State and New York City.

As CA builds on its momentum, the organization is also preparing for leadership transition. Bob Gangi, who has served as Executive Director of the CA for more than 28 years, will step down in October. The current grant recommendation will give CA and the new Executive Director flexibility during its transition and continue its work.

For these reasons, the Criminal Justice Fund recommends renewed general support in the amount of \$200,000 over two years to the Correctional Association of New York.

<b><u>Name of Organization:</u></b>	Ohio Justice & Policy Center
<b><u>Tax Status:</u></b>	501(c)(3)
<b><u>Purpose of Grant:</u></b>	to provide general support.
<b><u>FPOS Grant Description:</u></b>	\$100,000 over two years to support the Ohio Justice & Policy Center (OJPC), a Cincinnati-based, nonpartisan, nonprofit law office that promotes evidence-based, cost-effective policies to address root causes of crime; decrease recidivism and promote successful community reentry of formerly incarcerated individuals; remedy unconstitutional and dangerous conditions of confinement in Ohio prisons; and reduce racial disparities throughout the criminal justice system. OJPC pursues these goals through direct client services, impact litigation, public education, policy research and advocacy, and leadership development programs.
<b><u>Previous OSI Support:</u></b>	\$25,000 Criminal Justice Fund 2009
<b><u>Organizational Budget:</u></b>	\$805,828
<b><u>Project Budget:</u></b>	\$100,000
<b><u>Sources of Support:</u></b>	\$410,701 Grants Other; \$65,000 greater Cincinnati Foundation; \$12,000 Urban League
<b><u>Amount Requested:</u></b>	\$100,000
<b><u>Amount Recommended:</u></b>	\$100,000 (T1: 24027)
<b><u>Term:</u></b>	Two years (April 2010 – April 2012)
<b><u>Matching Requirements:</u></b>	None

**Description of Organization:**

Founded in 1997, the Ohio Justice & Policy Center (OJPC) is a Cincinnati-based, nonpartisan, nonprofit law office. OJPC promotes evidence-based, cost-effective policies to address root causes of crime, decrease recidivism, and promote successful community reentry of formerly incarcerated individuals. OJPC seeks to empower the formerly incarcerated to become productive members of society; to remedy unconstitutional and dangerous conditions of confinement in Ohio prisons; and to reduce racial disparities throughout the criminal justice system. OJPC pursues these goals through direct client services, impact litigation, public education, policy research and advocacy, and leadership development programs.

OJPC has four primary projects which they will continue to foster and grow over the next two years:

**1. *Second Chance Project.*** This project provides free legal services to adult and youth ex-offenders to help them become more productive members of the community. *Second Chance* provides individual representation in a number of areas, including school enrollment, child support, criminal record expungement, and probation and parole matters. OJPC plans to expand its targeted re-entry legal services by partnering with more workforce-development providers and other social service agencies.

**2. *The Human Rights in Prison Project.*** This project brings impact lawsuits to achieve humane conditions of confinement for Ohio’s more than 50,000 adult and juvenile prisoners. The project is supported by the *Fussell v. Wilkinson* settlement, which resulted from a class action suit OJPC brought to improve health care for Ohio’s 50,000 prisoners. Originally set to expire in November in 2010, OJPC is currently in negotiations with the Ohio Department of Rehabilitation and Corrections (ODRC) to extend the *Fussell* settlement for an additional two years.

**3. *Student Practice Clinics.*** OJPC’s clinics train third-year law students in best-practice litigation strategies for indigent defense representation and civil rights cases in federal and state court. OJPC seeks to gain the capacity to bring the clinic completely in house, rather than rely occasionally on Cincinnati-area law firms to provide supervising attorneys.

**4. *Race and Justice Project.*** The Race and Justice Project works to eliminate racial disparities in the criminal justice system by advancing reform in four areas including: the school-to-prison pipeline, prosecutorial conduct, policing practices, and capital punishment. In particular, OJPC engages in public education campaigns to establish the link between the failed urban education and the criminal justice systems. The Center examines charging practices in Hamilton County, Ohio to determine if inappropriate considerations of race or ethnicity exist. The Center will also continue to litigate issues related to racial profiling and excessive force throughout Ohio.

**Description of the Project for Which Funding Is Sought:**

The OJPC requests a general support grant in the amount of \$100,000 over two years.

**Rationale for Recommendation:**

This grant advances the Criminal Justice Fund’s priorities of eliminating harsh punishment by removing barriers to reentry of the formerly incarcerated, and of securing a fair and equitable system of justice by improving indigent defense systems and advocating for the elimination of racial disparities in the criminal justice system.

Advancing state-wide, systematic criminal justice reform takes extraordinary effort. Ohio is a large, economically and geographically diverse state far from cutting-edge reform movements on either coast. Parts of the state are marked by a distinctive parochial culture that is resistant to “smart on crime” reform. In fact, Ohio represents the heart of prison expansion with a dramatic increase over 292 percent between 1978 and 2008.

Despite obstacles, OJPC has been remarkably effective in implementing successful criminal justice reform efforts by collaborating with partners including incarcerated and formerly incarcerated people and their families; state and local Bar associations of criminal defense lawyers; state and local Public Defenders; the state Judicial Conference; the state Association of County Boards of Commissioners; faith communities; several national organizations, and OSI grantees.<sup>17</sup> Some of OJPC’s numerous accomplishments include:

- Persuaded Hamilton County, Ohio to undertake a comprehensive evaluation of the local public defense system, energizing a state-wide reform coalition to advocate for increased funding, and obtain structural reforms consistent with the ABA’s *Ten Principles of a Public Defense System*.

---

<sup>17</sup> National Association of Criminal Defense Lawyers (NACDL), National Legal Aid & Defender Association (NLADA), and the NAACP Legal Defense and Educational fund (LDF).

- Created a coalition of stakeholders, including prosecutors, law enforcement, and community groups seeking to expand access to mediation services as an alternative to funneling low-level misdemeanor cases through the criminal justice system.
- Co-counseled litigation and settlement of *S.H. v. Stickrath*, a federal class-action lawsuit resulting in comprehensive reform of Ohio's juvenile detention system.
- Began a mental health reentry project to improve service for inmates across Ohio who suffer from mental illness, and to link them with services upon reentry to the community. Their advocacy added five additional physician positions to provide needed care to the growing prison population, and reduced prisoner co-pay by one-third, adding to the numerous health care reforms that came as a result of a lawsuit OJPC filed in 2003.

OJPC has proven to be a leader in institutionalizing statewide criminal justice reform through litigation, policy advocacy, and public education. A general operating support grant will allow OJPC to aggressively expand the reach of its current project areas and improve the quality and effectiveness its public outreach and messaging. For the abovementioned reasons, the Criminal Justice Fund recommends a general operating support grant to OJPC in the amount of \$100,000 over two years.