

MEMORANDUM

TO: Diana Morris, U.S. Programs Staff
FROM: Criminal Justice Fund
DATE: May 4, 2012
RE: Criminal Justice Fund, June 19, 2012 docket

The Criminal Justice Fund is considering eleven funding requests, totaling up to \$3,745,000, for inclusion on U.S. Programs' Docket II, scheduled for June 19, 2012. These grants would advance our goals of reducing mass incarceration, eliminating harsh punishment and eliminating racial disparities and securing an equitable justice system.

Reducing Mass Incarceration

We are considering recommending five grants, totaling up to \$2,450,000, that advance the Criminal Justice Fund's programmatic goal of reducing mass incarceration. They include:

The Sentencing Project, up to \$700,000 general support renewal over two years. The Sentencing Project is a DC-based organization that engages in research, public education, and policy advocacy to reduce the United States reliance on incarceration, reduce racial disparities, and ensure a more fair and effective criminal justice system. Its priorities include identifying the financial and social costs of prison expansion and the limits of incarceration for strengthening public safety; promoting viable options for sentencing and drug policy reform and greater use of alternatives to incarceration; reducing racial disparities in the criminal and juvenile justice systems; reforming national and state felony disenfranchisement policies; and building capacity among state organizations for advocacy by enhancing communication and fostering collaboration and providing technical, campaign, and research assistance to state-level advocates.

Families Against Mandatory Minimums Foundation (FAMM), up to \$600,000 general support renewal over two years. FAMM is a DC-based nonprofit, nonpartisan organization that engages in research, public education, constituency organizing and mobilization, and policy advocacy at the federal, state, and local levels to ensure fair and proportionate sentencing policies that promote public safety. Its priorities include eliminating or limiting the reach of federal mandatory minimum sentencing policies, preserving and increasing judicial discretion, expanding the use of the clemency power, preventing restoration of mandatory guidelines, and supporting state-level sentencing reform campaigns in Florida and Massachusetts, while exploring other states for possible campaigns.

The Judge David L. Bazelon Center for Mental Health Law (Bazelon), up to \$500,000 project support renewal over two years to redirect public investments in incarceration toward effective mental health treatment and stable supportive housing alternatives that reduce the number of people in prison and promote successful reentry. OSF funding would enable Bazelon to continue: 1) litigation and oversight of the implementation of court rulings to replace unwarranted institutional confinement with community-based services and supportive housing; 2) working with federal agencies to expand their participation in protecting the rights of people with mental illness in the criminal justice system; 3) providing technical assistance to local jurisdictions to improve community mental health programs' performance in reducing crises leading to the criminal justice involvement of people with mental illness; and 4) public education about the rights of and the need for decriminalizing people with mental disabilities.

The Tides Center (Justice Strategies project), up to \$400,000 project support renewal over two years to support the Justice Strategies Project to provide non-partisan research and technical assistance to inform

and support grassroots organizations, advocates, and policymakers. OSF funding will enable Justice Strategies to continue its focus on downsizing prison populations, abolishing the privatization of prisons and corrections services, ending the inappropriate criminalization and detention of immigrants, and reforming police policies and practices.

Ella Baker Center for Human Rights in California (EBC), up to \$250,000 project support renewal over one year to support the reform activities of the California Partnership (including the Ella Baker Center, Drug Policy Alliance, and the newly configured ACLU of California). Funding would enable the CA Partnership to play a leading role in the campaign for criminal justice reform in California as criminal justice reform advocacy experts by: 1) participating in campaign planning and development; 2) engaging and mobilizing criminal justice reform organizations across the state, with particular emphasis on organizations based in Latino and African-American communities in Southern California; and 3) supporting the on-the-ground implementation of the campaign's communications and media strategy to demonstrate widespread public support for fair and cost effective sentencing policies.

Eliminating Harsh Punishment

We are considering five grants, totaling up to \$1,095,000, that advance our goal of eliminating harsh punishment. Two grants would address the collateral consequences of criminal convictions, one grant would support our efforts to strengthen the capacity of advocates to seize opportunities for reform presented by states' fiscal crises, and two grants would support the end to the sentencing of juveniles to life without the possibility of parole.

Challenging Collateral Consequences of Criminal Convictions

National Employment Law Project (NELP), up to \$400,000 project support renewal over two years to challenge unreasonable employment barriers faced by people with criminal records. OSF funding will enable NELP to: 1) promote reform of federal hiring practices and improvements to federal criminal records databases; 2) foster expansion and enforcement of civil rights and privacy protections of persons with criminal records; 3) support state and local hiring reform efforts; and 4) expand communications and media outreach.

Legal Services for Prisoners with Children (LSPC), up to \$400,000 project support renewal over two years to support the efforts of the All of Us or None project to train, organize, and mobilize formerly incarcerated and convicted people and to direct regional campaigns to end the discrimination of people with criminal records in California. OSF funding will enable LSPC to continue public education, grassroots organizing and mobilization, and advocacy to: 1) to challenge unreasonable employment barriers faced by people with criminal records; 2) to educate people with criminal records of their voting rights and secure these rights for people in prison or on parole or probation; and 3) expand meaningful reentry supports and services for people coming home from prison. Funding will also enable LSPC to continue to direct a statewide coalition of public defenders, neighborhood and volunteer legal services organizations, and people with criminal records and their family members to advocate for changes in criminal record-clearing procedures so that individuals may apply for records remedies statewide in one application.

Eliminating Harsh Punishment of Juveniles

National Coalition of State Juvenile Justice Advisory Groups (National Juvenile Justice Network), \$125,000 in renewed project support over one year to continue the development of the Fiscal Policy Center. The Fiscal Policy Center will provide state and national reformers with crucial knowledge and

tools around state budgets, and corresponding messaging and communications strategies so they can better understand their state's fiscal architectures, maintain existing reforms, and leverage fiscal constraints into progressive programming. Through general training on state budget structures, in-depth state-specific graphic communications materials, communications training, and technical assistance, the Network will arm those seeking the improved treatment of youth in conflict with the law with concrete tools for change in an era of fiscal deficits.

Ending the Sentencing of Juveniles to Life without Parole

Barry University School of Law (Juvenile Life without Parole Defense Resource Center), \$90,000 in renewed project support over one year to continue to implement the Supreme Court's decision, in *Graham v. Florida*, of banning the sentences of life without parole for juveniles convicted of non-homicide offenses. Specifically, Barry University will continue to serve as a strategic litigation clearinghouse for *Graham* cases in Florida at the trial and appellate levels; support public education to further policies that address *Graham* implementation in Florida; and begin coordinating strategic litigation in Florida to address the issue of juvenile life without parole for homicide cases and felony murder.

Juvenile Justice Project of Louisiana (JJPL), \$80,000 in renewed project support over one year to continue to implement the Supreme Court's decision, in *Graham v. Florida*, of banning the sentence of life without parole for juveniles convicted of non-homicide offenses. Specifically, JJPL will litigate and obtain relief for all remaining individuals in Louisiana eligible for relief under *Graham* and ensure that life without parole for juveniles for a non-homicide offense is replaced by a sentence that allows a meaningful opportunity for release.

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

We are considering one grant recommendation totaling \$200,000 that would advance CJF's goal of securing a fair and equitable system of justice and eliminating racial disparities through reform of our nation's indigent defense systems.

Improving Public Defense Services

Spitfire Strategies, \$200,000 in renewed project support over two years to continue Spitfire's efforts to increase the strategic 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 affiliated organizations. In particular, Spitfire will conduct national trainings, webinars and specialized technical assistance for public defenders, as well as new allies, to ensure a coordinated and strategic approach to indigent defense communications. Trainings will also equip community members to be credible spokespersons for indigent defense reform. Spitfire will additionally strengthen efforts to increase federal support for indigent defense systems and help state-level advocates press for reforms unique to their jurisdictions, particularly in states such as Pennsylvania, Louisiana, New Mexico, and Michigan, where reform efforts are gaining headway. In anticipation of the 50th anniversary of the Supreme Court's *Gideon v. Wainwright* decision ensuring right to counsel in 2013, Spitfire will also develop a messaging platform and toolkit for advocacy and leverage for specific communications opportunities related to the anniversary.