

MEMORANDUM

To: Aryeh Neier
From: Ann Beeson, Laleh Ispahani and the Transparency and Integrity Fund
Date: July 24, 2009
Re: Transparency and Integrity Fund's July Docket

We look forward to meeting with you next Friday, July 24, 2009, to discuss the second docket of the Transparency and Integrity Fund (TIF). We respectfully seek approval of eighteen grants in this docket.

As reflected in its 3 year strategic plan, TIF's grant making and program strategies include support for:

- Ensuring a transparent democracy and an engaged public through support for media and government 'watchdog' groups and support for the development and use of emerging technology tools and practices that increase public access to information;
- Addressing the crisis in journalism in part through supporting the development of solutions that ensure high quality, sustainable journalism on state and local governance and beat issues remains, or emerges on the Internet, radio, television or in newspapers;
- Promoting government accountability principally, though not solely, through supporting broad and equal access to the ballot and advocacy on the independence and diversity of the judiciary; and
- Exploring the impact of the increasing privatization of government functions, especially in relation to other USP priorities; e.g., privatization of prisons and immigration detention facilities.

The grants recommended in this docket and summarized below include support for important new journalism initiatives that signal the Fund's evolving and deepening involvement in this area. There are also recommendations to fund important elections systems reform, and national and state-level government watchdog groups. Finally, we recommend grants for work on judicial independence, nominations, and on engaging the public in the role of the courts and the Constitution.

Grants in this docket:

Journalism

OSI is deeply interested in the unfortunate decline of watchdog journalism and its programs are addressing the issue collaboratively. TIF recommends in this docket grants

to six organizations that are testing promising new models of journalism or continuing to build on successful models in order to maintain, and where possible expand, media coverage of important issues to the American public.

TIF's first grant to the **Center for Investigative Reporting** (CIR) would support its in-depth investigations as well as its participation in a pilot project with the Associated Press and a new state-focused initiative, *California Watch*. A renewal grant to the **Center for Public Integrity** would allow it – in partnership with CIR – to lead the formation of a nationwide network of non-profit journalism organizations that would share editorial, administrative and financial resources and collaborate on major projects, and to also support its own original investigative reporting. A renewal grant to the **Center for Independent Media** would support its continued building of an independent online news network to sustain public interest journalism at the state and national levels, delivering continuous coverage of national and local government, news analysis, special investigative reports and other stories traditional media are increasingly unable to support.

TIF's ethnic media interests are largely represented by a renewal recommendation to Pacific News Service (**New America Media**), a national AP-style ethnic media news exchange that integrates the ethnic media sector into mainstream American journalism.

Finally, we are proposing two state-based grants. One is a renewal grant to the Texas Democracy Foundation (d.b.a. **Texas Observer**) to broaden the *Observer's* coverage, and its reach, to complement its deep and extensive reporting on state government in a state that TIF has identified for concentrated work. The other is an initial grant to the new **Wisconsin Center for Investigative Journalism**, a state-level nonprofit journalism center that has forged a first-of-its-kind alliance with public television and radio, and the University of Wisconsin's journalism school, to produce high quality professional journalism in the public interest, while also working closely with Wisconsin ethnic media. Wisconsin is another state TIF has identified for concentrated work. (Both the Wisconsin Center and the *Texas Observer* are part of the evolving national network of non-profit journalism organizations mentioned above led by CIR and CPI.)

Access to Information

Originally, TIF envisioned supporting the broad field of government “watchdogs” as one of its goals, and planned to fund a wide range of strategies and tactics in use in the field. After further refining our goals and considering our resources, TIF concluded that the Fund would have greater impact if it narrowed this portfolio to support only those groups who increase access to information. Accordingly, we recommend a grant to the **Public Justice Foundation of Texas**, a vital member of the Texas community of government watchdog and investigative journalism groups, and one that does important work tracking and publicizing corruption in state government, in a state TIF has identified for broader and deeper work. We also recommend a grant to the American University-based **Collaboration on Government Secrecy** (CGS), led by a former Department of Justice information policy attorney. CGS has been convening government officials and

transparency advocates to identify and discuss issues of importance to the field and their implementation.

Election Systems

TIF's main priority in this area is to support the smart and well-coordinated effort to modernize the nation's antiquated voter registration system, so as to shift the onus for registration from private individuals and groups to the government and also to further simplify the process by making use of new technologies. We recommend the **Pew Center on the States'** Voter Registration Modernization Initiative, which engages and educates state elections officials nationwide on the feasibility and prudence of such reform, while also concentrating efforts in a handful of target states to develop state registration systems that are automatic, permanent and more efficient to administer. Such efforts would help build the state infrastructure likely to be required by any federal action on the matter. (In its last docket, TIF presented, and you approved, a grant to support the complementary federal reform effort coordinated by the Rockefeller Family Fund.)

In addition, TIF and the Criminal Justice Fund (CJF) recommend a joint grant to **Demos**, the **Prison Policy Initiative** and the **Public Policy & Education Fund of New York** for their coordinated effort to end the districting bias that results from the Census Bureau's policy of counting the incarcerated as residents of their prison districts rather than of their home communities. This allows typically rural communities to inflate their population numbers and thus receive increased government dollars, while racially gerrymandering communities and depleting communities of color of votes. The groups would respectively engage in litigation, public education and grassroots organizing to seek reform of this policy in New York State. A successful effort could have an impact on reform of the federal rule.

The Judiciary

Recognizing the central role the judicial branch plays in checking government power and providing access to justice for the most marginalized members of society, OSI has long provided support for efforts aimed at an independent and diverse judiciary. The Senate confirmation hearings of Judge Sotomayor – in which conservative views of the Constitution and the role of the judiciary defined the debate - only highlight the need for greater public education as to the role of courts and the Constitution. Still, because TIF's judiciary-related funding is disproportionately high and we need to free up funds for our other portfolios, TIF is significantly reducing its funding in this portfolio, and continuing support for only 'anchor' organizations, effective coalition leaders, long-term strategic thinkers, and organizations that provide coalition members research, communications and organizing support. Thus, although the total funding for Judiciary grants in this docket still appears high relative to the other portfolios, over half are tie off grants. By 2011, the size of this portfolio will approximate the others in the Fund.

In this docket, TIF recommends seven judiciary-related grants, four of which are tie-off grants. They are to the **Bazon Center for Mental Health Law & Policy**, which

represents the interests and concerns of the mental health disability community in the Coalition for Constitutional Values; the **National Partnership for Women & Families**, which works to educate and coordinate women's organizations around judicial nominations while also playing a prominent role in the Coalition for Constitutional Values (the Coalition); and, the **National Women's Law Center**, a go-to resource and key inside player in federal judicial nominations battles; and, long-time grantee the **Illinois Campaign for Political Reform**, a core member of the Justice at Stake Campaign (a TIF grantee) and the leader of recent efforts to reform judicial selection in Illinois.

The three organizations that TIF staff are recommending for current and likely ongoing funding are **Defenders of Wildlife**, for its Judging the Environment Project (formerly housed at Earthjustice) which performs a critical function in tracking and distributing media coverage and discussion of judicial nominations to Coalition members, the **League of Women Voters Education Fund**, which is launching two state-based campaigns to improve judicial diversity, and the **National Senior Citizens Law Center**, a key player in the effort to transform the conversation about the Constitution and the courts.

Core Grantees

The **Brennan Center for Justice** is being recommended for general support as a core TIF grantee at a level of \$1 million a year.¹ Previously, Brennan received project support from numerous USP funds and campaigns, most of it from TIF. The decision to locate the Brennan grant in a single fund – and to now give it general support - is the result of a USP process to streamline our grant making. This decision makes particular sense in Brennan's case where nearly every Brennan program received USP project support.

¹ The Transparency & Integrity Fund is committed to providing \$1.5 million over 2 years, while the Criminal Justice Fund is contributing \$300,000 over 2 years and the National Security and Human Rights Campaign is contributing \$200,000 over two years. Due to related budget constraints, TIF can only commit \$750,000 in the 2009 fiscal year, but plans to recommend an add-on grant of \$750,000 no later than the first docket of 2010 to bring the total funding to \$2 million over 2 years.