

Making the Case

Philanthropy's Role in the Movement to Reimagine Criminal Justice

By Allana Jackson, Alexandra Williams, Leslie Hicks, Yizhi Hu, and Cora Daniels

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Cover photos: (from left) Courtesy of Faith in Florida, Richard Wallace/Equity and Transformation, Freedom Community Center

For months people organized, marched, advocated, and resisted, not letting a deadly global pandemic stop them.

In the end, as many as 25 million people in the United States took to the streets¹ during the summer of 2020 demanding racial justice in the wake of the murders of George Floyd, Breonna Taylor, and the thousands of other Black lives that have been lost to police violence and other forms of anti-Black violence. On just a single day, June 6, more than half a million people turned out for protests in nearly 550 communities across the United States. Because of numbers like these, scholars and data scientists are calling the Black Lives Matter (BLM) uprisings the largest movement in our nation's history.²

Although the work is far from done, the BLM movement has already helped change public views on what policing and safety can look like. Discussions that social justice movement leaders have been having for years, like defunding the police—the concept of taking money from police budgets and investing in a vision of community safety that address needs like access to living wages, quality health care, quality public education, and freedom from police violence³—began to gain traction in the national discourse and show up in local budgets across the nation.

Since the uprisings there has been a broader understanding that inequitable outcomes based on race are not the result of the behavior of individual people of color nor the individual racism of others but the result of something much bigger—systemic racism.⁴ Though not yet embraced by all, that understanding has implications not just for transformative change of the criminal justice system (see “[What’s in a Word: Criminal Justice Language](#)”) but also for all racial equity and racial justice work going forward.⁵

Meanwhile, in part sparked by the summer of 2020, philanthropy’s interest in movements is shifting as well. A question that The Bridgespan Group is increasingly hearing from funders, both from institutional foundations and high-net-worth individuals, is: **when it comes to movement building, is there a place for philanthropy?**

The short answer is yes.

1 Larry Buchanan, Quoctrung Bui, and Jugal K. Patel, “[Black Lives Matter May Be the Largest Movement in US History](#),” *The New York Times*, July 3, 2020.

2 Ibid.

3 M4BL, “[The Time Has Come to Defund the Police](#).”

4 Keeanga-Yamahtta Taylor, “[Did Last Summer’s Black Lives Matter Protests Change Anything?](#)” *The New Yorker*, August 6, 2021.

5 Cleve R. Wootson Jr. and Scott Clement, “[Concern Over Crime Is Growing—but Americans Don’t Just Want More Police, Post-ABC Poll Shows](#),” *The Washington Post*, July 2, 2021.

For funders interested in criminal justice reform in particular, movement building is central because it strives to transform a system—the criminal legal system and the harm that it causes. That kind of transformative systems change is the very work, as complex as it is, that movements, as complex as they are, are designed to do.

“Interrogating discomfort is important [for funders]. Some things feel easier to fund because they’re not as transformative,” says Thenjiwe McHarris, co-founder of [Blackbird](#), a movement building organization that works with organizers, storytellers, and advocates around the world. She continues, “Ultimately, if we want to shift away from the level of violence and harm that people are experiencing, we are going to need to raise the bar in terms of the level of demands that we’re advancing and think about things being structurally different.”

Part of the complexity of movements, including those working to transform the criminal legal system, is that movements push society to imagine a future that does not yet exist and then strategically coordinates and conducts the work to get there.

For instance, the type of widespread collective action we witnessed in 2020 didn’t just happen; it was made possible by years of strategic thinking and work to build a movement. The first BLM hashtags started to appear back in 2013, the brainchild of Black organizers, specifically three Black women—Patrisse Cullors, Alicia Garza, and Ayo Tometi—following the acquittal of George Zimmerman in the shooting death of 17-year-old Trayvon Martin in Florida. The work over the next seven years took various forms from place to place across the country, including mobilizing communities, building capacity across a network of Black-led community-

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THENJIWE MCHARRIS, CO-FOUNDER,
BLACKBIRD



based organizations and coalitions, developing a community-driven analysis of the issue and radical imagination efforts to develop solutions, and, of course, creating digital media narrative change campaigns like #BlackLivesMatter.

Therefore, given the complexity and longer timeframes of how movements operate, it is understandable that some funders, even those who recognize the purpose and value in movements, find it difficult to see the role philanthropy could play in movement building and how their mindsets need to shift to support movements effectively and thoughtfully.

What Is a Movement?

There are lots of robust definitions of movements so no single way to define them. We do not wish to create our own definition of a movement; instead we have summarized a combination of those put forth by [Solidaire](#), [Building Movement Project](#), [Ayni](#), [National Committee for Responsive Philanthropy](#), [Crea](#), and others: simply put, **movements are networks of individuals and organizations affected by an injustice who challenge existing power structures and advance a new vision by using collective action to create cultural, economic, and/or political change.**

Bridgespan's experience and relationships working with institutional foundations and philanthropists created an opportunity to dive into the common challenges we've heard funders navigate: **What role could philanthropy play in movement building in criminal justice reform? How might mindset and practice need to shift to enable effective giving to movement?**

The purpose of this report is to provide guidance for some of those common challenges by offering the perspectives and wisdom of those doing the work. Our

research included interviews with more than 40 movement leaders, funders, and others across the ecosystem seeking transformative change of our criminal legal system, as well as a review of literature to understand how social movements can achieve equitable change.

Bridgespan recognizes that this research is indebted to the work of many others who have long been thinking about these issues deeply. We hope to contribute to that ongoing conversation and the fight for equity and justice.

What's in a Word: Criminal Justice Language

As those immersed in the criminal justice space know, "criminal justice" and "criminal justice reform" are not agreed upon terms to refer to the system we are describing and the efforts to transform it. For purposes of clarity, we have chosen to use criminal justice reform most of the time, although not exclusively, throughout this report.

Why the debate? Many commonly used terms are the product of the very same system, and its structural racism, that these movements are trying to reimagine.

"Almost every mass destruction of an oppressed group starts with those in power using language to strip group members of their humanity," writes Rahsaan Thomas, an imprisoned journalist, in [an essay](#) about the importance of language when writing about these issues published by [The Marshall Project](#), the nonprofit newsroom dedicated to US criminal justice system reporting. The essay was published as part of the newsroom's own [commitment](#) to the movement's ongoing people-first language campaign to prevent the [lasting harm](#) that word choice can inflict.

Instead of the "criminal justice system," our interviewees preferred other terms including **criminal legal system**, **criminal punishment system**, or **prison industrial complex**. We tried to be sensitive with the terms we used in this report, and made an effort to respect the language used by the people doing the work whenever we could.

Additionally, in this report when we use "criminal justice reform," we are **inclusive of efforts to abolish historical institutions and holistically transform our approach to public safety** including through repairing harm caused by the criminal legal system, and reimagining and implementing alternatives to community safety that center the lives and needs of communities most affected by racist policies and practices. We also include approaches to restorative justice, which brings victims and perpetrators together for healing and accountability, and transformative justice, which cultivates healing, accountability, and resilience through community-based, life-giving support. We do not include efforts focused on punitive reform, including increasing the number of prisons, jails, and police, which are in opposition to equity and justice.

The time is now to fund criminal justice reform movements

Despite the increase in funders' good intentions to give to racial equity issues in the past year, there's been a gap between what was promised and what has been given.⁶ For example, an analysis by *The Washington Post* on corporate racial justice giving after the murder of George Floyd found that, despite bold statements of support, corporate foundations shied away from investing in the core issues that sparked the uprisings. In the end, corporations pledged only 2 percent of their grants, or \$70 million, to criminal justice reform.⁷

Compounding this lack of follow through on financial resources is the need to consolidate progress that has been made. Movements involve challenging power structures and power structures will inevitably push back. This makes funding needs even more urgent: without defending past victories, the risk is that criminal justice reform ends up worse off than where it started.

“The opposition stays ready. Too often we as progressive people with resources count every victory as meaningful and material

and don't actually fight to keep it,” says Carmen Rojas, CEO of the Marguerite Casey Foundation, a long-time funder of community organizing efforts.

Rojas continues, adding: “People from the most marginalized communities are constantly coming together and fighting for things. Right now, in this moment, I am trying to make clear that the people we support would come together and fight for a better life anyways. But our resources create a more even terrain for that fight.”

In other words, **money matters for movements**. Philanthropic funding will never be able to start a movement, because as Rojas points out, people would come together and fight for a better life regardless. But philanthropy is the fuel that gives movements lasting power, can propel them to the next level to achieve transformative success and sustain it against powerful opposition. To see how that plays out, consider a recent example in Florida, where one part of the movement's ebbs and flows are playing out for all to see.

6 Michael McAfee et al., “[Moving from Intention to Impact: Funding Racial Equity to Win](#),” PolicyLink and The Bridgespan Group, July 2021; Malkia Devich Cyril et al., “[Mismatched: Philanthropy's Response to the Call for Racial Justice](#),” Philanthropic Initiative for Racial Equity, July 2021.

7 Tracy Jan, Jena McGregor, and Meghan Hoyer, “[Corporate America's \\$50 Billion Promise](#),” *The Washington Post*, August 23, 2021.

The Movement to Restore Voting Rights in Florida

Photo: Courtesy of Faith in Florida



Movement building is a phrase increasingly tossed around by doers and donors alike. But what does it really mean? Solidaire, a network of progressive donors and donor organizers devoted to giving to social justice movements, particularly Black- and Indigenous-led ones, has developed a helpful framework that identifies the key characteristics of successful movements. Namely, **movements disrupt narratives, organize people and communities, and institutionalize shifts in power and new policies.**⁸ Movement building is the development and support of all three of these activities.

So how can funders recognize these activities that go into building a movement to ultimately better invest? Here we turn to the story of Amendment 4 in Florida. When Amendment 4 passed in 2018, it knocked down the ban on voting for people with felony convictions (returning citizens) and marked the single largest addition to the nation's voting population since the 1965 Voting Rights Act. How's that for transformative change?

The passage of Amendment 4 was made possible by more than a decade of work carried out by an ecosystem of grassroots actors, national organizations, faith communities, and returning citizens. The story is certainly not over—opposing forces are already rolling back Amendment 4 gains. But it still shows how collective action driven by those most impacted by an issue can lead to tangible social change. And what was the role of funders? The story reveals how philanthropy both unlocked and missed opportunities along the way.

To understand how a 150-year-old policy rooted in systemic racism strips away a person's right to vote for life, take a glimpse at the state's clemency hearing system. Before Amendment 4, hearings run by the governor's appointed board were the only space where returning citizens could hope to get their rights back. The board had broad discretion when deciding on a returning citizen's request for rights to be reinstated.

Under former Governor Rick Scott, the process went from arbitrary to impenetrable when a waiting period was introduced in 2011 shortly after he took office requiring that people released from prison wait at least five years to apply for a hearing. Because the hearings took place only four times a year, it meant people could wait decades to get heard. An investigation by the *Palm Beach Post* found the process led to significant racial disparities. The *Post* reported: "During his nearly eight years as governor, Scott restored the voting rights of twice as many whites as Blacks and three times as many white men as Black men."⁹

That combination commonly created clemency hearings like the one witnessed by Pastor Rhonda Thomas, executive director of [Faith in Florida](#), an interfaith network that addresses systemic racial and economic issues that cause poverty. Pastor Rhonda, as she is known, shares: "This man from Miami-Dade County had committed a nonviolent felony at the age of 18 and had paid his debt to society by the age of 23. He was now 68 years old trying to get his voting rights restored, and Rick Scott and the clemency board told him, 'Because

8 Solidaire Network, [Movement Philanthropy: Solidaire's Guide to Doing Things Differently](#).

9 Matthew S. Schwartz, "[Old Florida Clemency System Was Unconstitutional, Racially Biased](#)," NPR, January 8, 2019.

you received five traffic tickets between the age of 23 and 68, we cannot restore your voting rights.’ The tears began to roll from my eyes. I just couldn’t believe the

state of Florida did not believe in second chances until I heard it for myself. I knew then that I had to get more involved [in the movement].”

How the movement disrupted longstanding narratives

Pastor Rhonda visited a clemency hearing for the first time that day after the Black church, given its history in the fight for civil rights, was challenged to get more involved with the movement to restore voting rights to formerly incarcerated people. That urging came from Desmond Meade, executive director of the [Florida Rights Restoration Coalition](#) (FRRC), a grassroots membership organization run by returning citizens dedicated to ending the disenfranchisement and discrimination of people with convictions.

“By giving returning citizens access to democracy, and all that comes with it, we reverse the narrative that it is okay to treat some people the way that [society has] been doing and instead create a new narrative that recognizes and honors the humanity in all of us,” says Meade. “That is how we create a better world for everyone.”

Meade became head of FRRC in 2011. At the time it was an eight-year-old project housed within the ACLU of Florida and the movement to restore voting rights to those in Florida with felony convictions was still fledgling at best. What was missing was a strategy and vision shaped and driven by those most impacted by the issue. That would change with Meade, a returning citizen himself who experienced homelessness after being released from prison. He used his lived experience and strategic insight to drive FRRC to become a pivotal organization in the movement.

Meade’s first act as head of FRRC was to quickly establish it as an independent organization. He had no paid employees, no revenue, and worked full time from his car to slowly build relationships across the state. It would be another five years before FRRC received its first major funding, a grant in 2016 of \$48,000¹⁰ from Open Philanthropy.

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DESMOND MEADE, EXECUTIVE
DIRECTOR, FLORIDA RIGHTS
RESTORATION COALITION



By centering those with felony convictions, especially Black leaders, in leadership positions across the ecosystem, the movement continues to disrupt narratives and biases against people who have been incarcerated as uninterested in social change or incapable of being effective leaders.

10 Open Philanthropy, [“Florida Rights Restoration Coalition—General Support.”](#)

How the movement organized people power and communities

With the Open Philanthropy grant, FRRRC was able to hire eight to 10 returning citizens to canvass their own communities part time. The organizers started conversations about the importance of voting by passing out flyers that read: “I am a returning citizen who can’t vote. Can you please vote for me and family members who can’t cast a vote?” The tactic worked: by relying on the community ties of returning citizens, FRRRC achieved a contact rate of more than 70 percent as opposed to that of typical canvass activity of 20 percent.¹¹

However, movements are never the work of one actor but rather a collective, and Meade’s relationship building was paying off. For instance, Pastor Rhonda eventually became one of the key organizers of faith communities in Florida, often using the tale of the clemency hearing she witnessed to gain support from 827 churches, synagogues, and mosques across the state. She coordinated the Souls to Polls initiative that turned out 275,000 voters to the polls to vote for Amendment 4.

Also instrumental were the many efforts led by returning citizens, including the [Formerly Incarcerated, Convicted People & Families Movement](#) (FICPFM), a national network of over 50 civil and human rights organizations, which provided phone banking support throughout the Amendment 4 campaign. In one of FICPFM’s day of service events, 1,000 of its members, all formerly incarcerated people, traveled from various parts of the country to Orlando and over a four-hour period sent 10,000 text messages, made 7,000 phone



Community outreach organized by Faith in Florida raised support for Florida’s Amendment 4 in 2018, restoring voting rights to those with felony convictions. (Photo: Courtesy of Faith in Florida)

calls, and knocked on 2,000 doors to reach Florida voters about Amendment 4.¹²

In the end, it would take two years to gain the more than 700,000 signatures needed to introduce Amendment 4 to the Florida ballot. As Denise Collazo, author and senior advisor at Faith in Action asserts, “The entire ecosystem in Florida had to be involved in order to win.” The various

¹¹ Henderson, Norris, interview by authors, October 18, 2021.

¹² Ibid.

local and national organizations across the movement ecosystem include: national organizations [Forward Justice](#) and [Alliance for Safety and Justice](#) (ASJ) provided strategy, planning, and outreach; [Black Women's Roundtable](#) provided leadership training; [Voice of the Experienced](#)

contributed to mobilization efforts and communication along with FICPFM and Faith in Florida; [Tides Advocacy](#) provided infrastructure support for FRRRC; and the national organizations [ACLU](#) and the [Brennan Center for Justice](#) provided legal, research, and policy expertise.

How the movement institutionalized shifts in power and new policies

In November of 2018, nearly 65 percent of Florida voters rose above political rancor to approve an amendment to the state's constitution that restored voting rights to as many as 1.4 million residents who had been barred from voting because of prior felony convictions. Amendment 4 did not apply to those convicted of murder or felony sexual assault, and those who did qualify had to complete "all terms of sentence including parole or probation" before they could hope to ever vote. (That language would become a critical weapon for the opposition.)

The number of people impacted was so high, in part, because so many infractions are classified as felonies in Florida. Among the 533 different felonies¹³ are driving with a suspended license, releasing helium-filled balloons into the air,¹⁴ disturbing lobster traps, or trespassing at a construction site.¹⁵ Amazon sells tourist t-shirts for the Florida Keys emblazoned with what some, including Meade, like to joke is the state's unofficial slogan: "Come on Vacation, Leave on Probation."

More seriously, the prevalence of felony infractions is a legacy of criminal laws introduced after the Civil War that targeted Black citizens across the South.¹⁶ "I am not going to say this is a new civil rights movement because it is kind of like a continuation of that work," says Norris Henderson, founder and executive director of Voice of the Experienced (VOTE). "If you look at the historical foundation of these laws, where they come from and how they were enacted, it all goes back to Jim Crow."

The weight of that history is not overlooked by those whose voting rights were restored under Amendment 4. "When I voted for

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NORRIS HENDERSON, FOUNDER AND EXECUTIVE DIRECTOR, VOTE AND VOTERS ORGANIZED TO EDUCATE



13 Ari Berman, "[Inside the Unlikely Movement That Could Restore Voting Rights to 1.4 Million Floridians](#)," *Mother Jones*, November/December 2018.

14 Lesley Stahl, "[The Legal and Political Fight over Amendment 4, Granting as Many as 1.4 million Florida Felons the Right to Vote](#)," *60 Minutes*, September 27, 2020.

15 Berman, "Inside the Unlikely Movement."

16 Erin Kelley, "[Racism & Felony Disenfranchisement: An Intertwined History](#)," Brennan Center for Justice, May 9, 2017.

the first time it was an affirmation of my humanity. It was an affirmation of me being a part of society,” says Meade who graduated from law school while working on the Amendment 4 campaign but was banned from sitting for the bar because his civil rights had been stripped. “I wasn’t voting as a Democrat or Republican. I was voting as a human being who’s taking his space in our society.”

In Florida, FRRC and the movement helped to register almost 88,000 formerly incarcerated people to vote ahead of the 2020 presidential election, as well as

more than 31,000 people living in the same households as returning citizens.

“When I voted for the first time it was an affirmation of my humanity. It was an affirmation of me being a part of society.”

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The aftermath of Amendment 4’s passage

Those in power responded to the movement’s ballot success almost immediately. Within a month of Amendment’s 4 passage, the Florida legislature passed a clarification that defined “all terms of sentence” to more than just time served, parole, and probation. In Florida, it would also mean that returning citizens had to pay the fines and legal fees imposed by the court during their felony conviction before they could vote. Of the nearly 1.4 million people who had regained their right to vote, 774,000 lost it again because of debt. The “clarification” hit Black Floridians the hardest.¹⁷ It was an illustration of how, even after a win, the work of movements is often not done.

Amendment 4 also gave new energy to others across the country. When it passed, there were more than six million people across the country who had lost their right

to vote because of criminal records. Efforts in several states, including California, North Carolina, Virginia, and Mississippi, gained traction after Amendment 4’s passage. Louisiana has restored the rights of approximately 36,000 people thanks to VOTE and the movement there led by formerly incarcerated people.

“Everyone is trying to replicate what happened in Florida; we have built a national network where we are helping each other to achieve those goals,” says VOTE’s Henderson, fresh off a retreat with movement leaders from Tennessee and Arkansas also working to restore voting rights. “Starting in North Carolina and coming down south and heading west there is so much possibility when it comes to this issue. Folks are realizing this is not as challenging as people think; we just have to keep pushing.”

17 Stahl, “The Legal and Political Fight over Amendment 4.”

How funders joined the movement

To be blunt, the movement has struggled at times for funding. Before Open Philanthropy's initial grant to FRRRC in 2016 unlocked a door for more funders to walk through, including the Ford Foundation, Marguerite Casey Foundation, and Public Welfare Foundation, there were lean years that stifled progress. "It took forever and a day for funding to start to come in," says Meade. "We could have been more effective or got a larger return on investment if we would have gotten that money earlier."

Mila Al-Ayoubi, who worked closely with Meade on the ballot initiative when she was at Faith in Action and FRRRC, and is currently at The Ballot Initiative Strategy Center, says getting the \$125,000 of funding needed in 2014 for exploratory research around policy and narrative messaging was also a struggle but eventually became a critical piece of ballot success. The collaborative research process showed how biases manifest differently when reading material versus hearing it. As a result, the effort started relying more on online polling to mirror how voters would react to reading Amendment 4 language.

Funding for the ballot campaign's research was raised piecemeal with grants as small as \$5,000 because most funders did not understand the value. Meanwhile the participatory approach that was used, bringing together 50 organizations, including directly impacted people, policy wonks, and faith communities, eventually solidified the trust of the ecosystem creating a "high-functioning coalition," says Al-Ayoubi, which was invaluable to the success of the work.

Open Philanthropy was also an early funder to several other organizations across this ecosystem, including Henderson's VOTE in

Louisiana, and the national actors Forward Justice, and Alliance for Safety and Justice. It is an example of funders investing in movement infrastructure players that all contribute to the ultimate goal.

By 2020, significant funding from across the nation poured in to pay fines and fees right before Election Day, bringing the organization's annual budget that year to \$53 million, with less than half marked for general operating support. That was a stark contrast to FRRRC's coffers a few years before. In 2018, the year Amendment



Desmond Meade, left, executive director of Florida Rights Restoration Coalition, and Pastor Rhonda Thomas, executive director of Faith in Florida, circa 2018. Both were active in bringing community members and voters together to pass Amendment 4. (Photo: Courtesy of Faith in Florida)

4 passed, Meade's annual budget was \$7 million. But in 2017, six years after Meade became head of FRRC, his annual operating budget was still just \$1 million.

"Many funders like to give money at the last minute, at the eleventh hour, when we really need it earlier to prepare for the eleventh hour," says Pastor Rhonda. Instead of this last minute "Hail Mary," sustained funding is needed to combat both ongoing and new opposition so that wins stay wins and losses can be turned into wins too. By recognizing the potential of cross pollination in efforts happening beyond

Florida, philanthropy has an opportunity to offer the catalytic support needed to make lasting change.

“Many funders like to give money at the eleventh hour, when we really need it earlier to prepare for the eleventh hour.”

PASTOR RHONDA THOMAS,
EXECUTIVE DIRECTOR, FAITH IN
FLORIDA



Funding Gaps in the Criminal Justice Reform Movement

Photo: Richard Wallace/Equity and Transformation



Large-scale criminal justice philanthropy— funders who think of themselves as tied to these issues in the ways that housing or education funders focus their giving—has come into prominence only in the past five or six years, often spurred by events such as the uprisings in Ferguson after the police killing of Michael Brown. Its infancy means that across the ecosystem many organizations are still very under-resourced. In 2019, the most recent year that data is available, funding to criminal justice reform accounted for just \$343 million up from \$130 million in 2014.¹⁸ Compare that to the \$2.2 billion bail bonds industry, just one slice of the system that has a strong interest in the status quo.¹⁹ Philanthropy has an opportunity to resolve the chronic underfunding of the many small and early-stage organizations across the ecosystem.

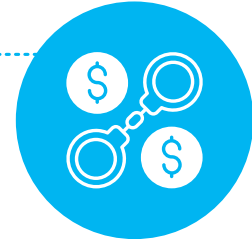
Bear in mind that many leaders who have criminal records themselves, also known as justice-impacted people, are people of color. We found the intersection of those identities can be a significant hurdle to securing funding. “During the entire Amendment 4 campaign the heaviest burden that I carried was I am a Black man who is a returning citizen,” says Meade about his fundraising efforts at FRRRC. “There is this understanding, even when it is unspoken it is implied, that we didn’t have the strategic wherewithal to even be leading a campaign of this importance, especially a campaign that may cost a lot of money.”

There are [race-based barriers to funding](#) across the social sector. Our [research with Echoing Green](#) revealed that both the revenues and unrestricted net assets of

Despite need, **little philanthropy** goes to criminal justice reform

2019 bail bonds industry

\$2.2B



2019 funding to criminal justice reform

\$343M



Source: The Bridgespan Group; data from IBISWorld, “Bail Bond Services in the US—Market Size 2003-2026”; Bridgespan analysis of Foundation Maps data.

Black-led organizations are significantly smaller than their white-led counterparts even when doing the same work. The struggles faced by justice-impacted leaders were similar to the stories we heard previously from leaders of color at large, but amplified because justice-impacted CEOs are often unable to get past the initial hurdle of making connections to the philanthropic community.

Consider the fundraising experience of Mike Milton, the Black founder and executive director of [Freedom Community Center](#) (FCC), working to dismantle state systems of punishment and oppression in St. Louis that inflict harm and trauma on Black communities. Prior to founding FCC, Milton worked as an organizer for the [Close the Workhouse](#) movement that was successful

18 Bridgespan analysis based on Candid data. These are conservative estimates of funding to criminal justice reform related organizations. Some subject areas that may include criminal justice recipients, including legal aid, public interest law, and voter rights, are excluded because the focus of these organizations is not exclusive to criminal justice reform.

19 IBISWorld, “[Bail Bond Services in the US—Market Size 2003-2026](#).”

in getting the city of St. Louis to agree to shut down the infamous “poverty jail” where he himself was incarcerated as a teenager.²⁰

Still, his white FCC colleague, Patrick Sullivan, says: “If I walk into a room and Mike walks into a room and we say the exact same thing, people hear what I say differently than what Mike says. Often what that translates to is the proven ‘program model design’ that philanthropy is looking for. They hear that in what I say but they don’t seem to trust that Mike has the same

level of expertise even though he has way more than I do.” As Sullivan shares, Milton continuously nods his head affirmatively.

As for what areas to fund, we heard repeatedly in our conversations with both funders and movement leaders that there are **three critical areas of the ecosystem that are deeply under-resourced: leadership development, organizing, and direct advocacy work.** Funding gaps like these jeopardize the impact potential of the movement.

Leadership development

Leaders require resources, knowledge, support, and structure to run successful organizations. They also need the space to do the big picture visioning for the future and the support to develop strategies to get there. When it comes to the criminal justice reform ecosystem, there is not enough comprehensive leadership development of either the day-to-day skills or the strategic visioning.

Philanthropy can also look across the ecosystem and invest resources to develop leaders with competencies that may be scarce. For instance, how many people in the ecosystem can successfully run a ballot initiative or fundraise for a campaign? And is there a pipeline of future leaders being developed?

“Resources are needed for developing staff from the ground up, from how to use Asana, email, all the way up to organizing,” says Richard Wallace, founder of Chicago’s [Equity and Transformation](#), where more than 90 percent of the team are people

who were formerly incarcerated. “Getting to develop people to become leaders in this work becomes a lot. We need not only the resources but also places to develop leaders or training institutions.”

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RICHARD WALLACE, FOUNDER AND EXECUTIVE DIRECTOR, CHICAGO’S EQUITY AND TRANSFORMATION



We also heard from place-based funders that understanding the local context and dynamics of a region is critical. In some regions, change-makers may not be at typical movement organizations but rather at community-based direct service

²⁰ Although the jail is now mostly empty, the fight continues as there are currently people still being incarcerated there temporarily; Chad Davis, [“St. Louis to Close Workhouse This Week but Will House Temporary Detainees There,”](#) St. Louis Public Radio, June 16, 2021.

organizations. The voices and development of these leaders are equally critical to accelerating systemic change.

In the case of the Amendment 4 work, Al-Ayoubi attended a pilot leadership training program at the Ballot Initiative Strategy Center (BISC) that she credits for giving her the hard skills she needed to create a successful campaign. The benefits of the BISC-Amendment 4 relationship went both ways. BISC ended up revamping its own leadership training program, so it could better train leaders to “disrupt race, power, and privilege dynamics” after seeing the importance of those dynamics in restoring voting rights in Florida, says Al-Ayoubi.

Developing and supporting leaders also means creating space for healing and recharging in community with others. There is a hidden cost in the work: movement leaders of color, especially Black leaders and those most impacted by the criminal

legal system, are trying to liberate a community from the harm of injustices while carrying the added emotional weight of having been harmed by those same injustices.

Panelists at a recent CHANGE Philanthropy Unity Summit about how funders can better support movements for transformative change of the criminal legal system discussed this issue of harm. Movement leaders were upset that they often have to “peddle their grief as currency.” Je’Kendria Trahan, executive director of Collective Action for Safe Spaces, said during the conference: “Folks have been traumatized and organizing under really stressful conditions and are barely making it. We have to dismantle and destruct the prison industrial complex and carceral culture and still survive it and build something new. This work is hard and the harm is real.”²¹

Organizing

The foundation of a movement’s power is the mobilization of people around a shared issue. In essence, movements hope to use numbers of people to right the imbalance of power that money and the status quo hold. The job of organizers is to build that base of support and grow it continually.²² It is no coincidence that Meade’s first grant went directly to hiring organizers and his constant trips across the state in the early days were about relationship building. An organizer’s work takes time and can be labor intensive with a vast scope of activities that might include,

among other things, running community meetings to understand needs and identify key issues, holding “one-on-ones” or deep conversations with key community members to develop them as leaders, imagining strategic actions, developing winning campaigns, canvassing to mobilize support, or building coalitions with other complementary efforts.²³

“The difference between traditional modes of social policy change and grassroots organizing is that member-based grassroots groups tend to be more multi-

21 2021 Unity Summit, “[Main Stage Plenary: Abolition Solidarity: Deepening Philanthropy’s Partnerships with Movements](#),” October 26, 2021.

22 Craig McGarvey and Anne Mackinnon, “[Funding Community Organizing Social Change Through Civic Participation](#),” Candid, December 1, 2008.

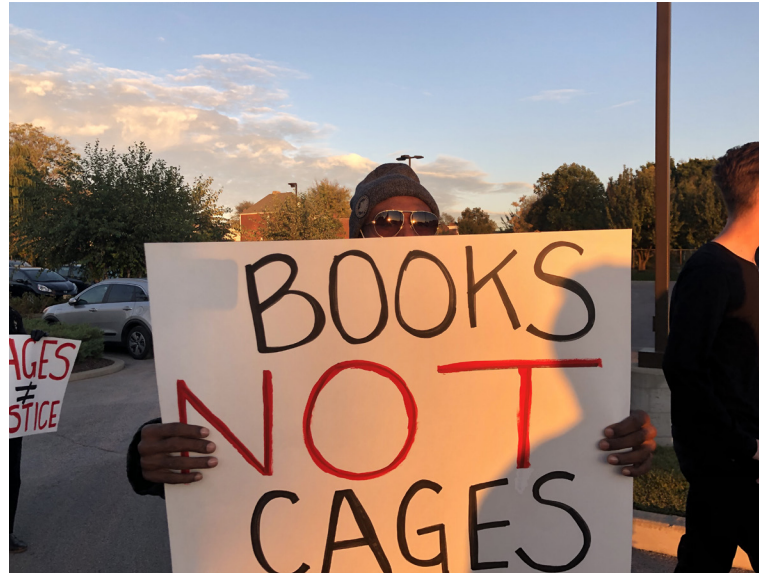
23 People’s Action, “[The Next Move](#).”

issue in orientation,” explains Tanya Coke, director of the Ford Foundation’s Gender, Racial, and Ethnic Justice team, which has a key focus on issues of mass incarceration.

“Their mission at [the] end of the day is to improve the lives of their constituents,” Coke continues. “They understand their difficulties in multiple dimensions: people are struggling, not just because they have a criminal record, but also because there isn’t affordable housing, because the schools are poor, and because women don’t have reproductive choice when they have no health coverage and can’t afford to access those services. They understand people’s problems in a holistic aspect and are therefore much more inclined to address a range of them at the same time. As a funder you get a different kind of coverage by supporting grassroots organizations and organizers than you do by picking a single lane.”

Our [recent research with PolicyLink](#) highlighted how undercapitalized the long-term work of organizing is around issues of racial justice.²⁴ Traditionally, funders tend to avoid the long-term organizing that is necessary for communities of color to achieve equity and justice. Overall, only 1.3 percent of racial equity funding between 2011 and 2018 went to grassroots organizing.²⁵

“Funders are often used to political campaigns but that model of organizing is problematic for long-term power building,” says Pilar Weiss, director of [Community Justice Exchange](#), which provides tools for organizers working to end all forms of criminalization, incarceration, surveillance, supervision, and detention. “An actual movement has to have the structure to build power and contest



Supporters of Freedom Community Center and the Close the WorkHouse movement in St. Louis, October 2021. (Photo: Courtesy of Freedom Community Center)

power. That is more than the work of one or two organizers. The reality is that you will need a large percent of a budget to be dedicated to organizing. Funding is needed for organizers, apprentices, and volunteers. There is often an assumption that volunteers are free, but you shouldn’t be building structures that ask formerly

“There is often an assumption that volunteers are free, but you shouldn’t be building structures that ask formerly incarcerated people to work for free. People have to live and thrive and deal with their personal trauma while they are becoming organizers.”

PILAR WEISS, DIRECTOR, COMMUNITY JUSTICE EXCHANGE



24 McAfee et al., “Moving from Intention to Impact.”

25 Devich Cyril et al., “Mismatched.”

incarcerated people to work for free. People have to live and thrive and deal with their personal trauma while they are becoming organizers.”

In our conversations, movement leaders told us that too often funders underestimate both the number of organizers required to achieve transformative change and the time such mobilization efforts take, which can be decades. Because of this chronic underinvestment, even movements

that have achieved significant wins, like Amendment 4, are often forced to rely on underpaid or unpaid labor to adequately fill its organizing ranks. This contributes to the burnout of organizers and often forces movements to unnecessarily rebuild after big wins rather than having the advantage momentum can bring to continue moving the work forward. The criminal justice reform ecosystem would benefit from more institutions devoted to training organizers and building a robust pipeline of them.

Direct advocacy

We heard repeatedly from movement leaders that there is a tremendous need for more funding for advocacy work, particularly, for 501(c)4 organizations, which do not have the political lobbying limits that 501(c)3 nonprofits are subject to. Because of their scarcity and notable power to help enact policy change, those “c4” dollars are seen as the Holy Grail for change-makers. Given how critical policy can be to transforming the criminal legal system, many 501(c)3 organizations in the ecosystem also have 501(c)4 companions to carry out direct advocacy work.

“C4 money allows us to become influencers in the space instead of just stakeholders,” says Robert Rooks, CEO of REFORM Alliance, which aims to transform probation and parole by changing laws, systems, and culture to create real pathways to work and well-being. “The way you become an influencer is you are able to figure out how to wield power in a space and that is what c4 money allows you to do.” Echoing that sentiment, Norris Henderson, founder of the 501(c)3 [VOTE](#) in New Orleans and its 501(c)4 sibling, [Voters Organized to Educate](#), says simply: “When you attract c4 dollars you don’t just play in the game, you can set the rules for the game.”

Giving 501(c)4 funding allows organizations the flexibility and freedom to influence and shape policy, elevate candidates who will be accountable to movement priorities,

“When you attract c4 dollars, you don’t just play in the game, you can set the rules for the game.”

NORRIS HENDERSON, FOUNDER AND EXECUTIVE DIRECTOR, VOTE AND VOTERS ORGANIZED TO EDUCATE



and more aggressively ward off opposition that can roll back policy wins and advance harmful narratives. In 2017 and 2018, in the ramp up to Election Day, FRRC benefitted from about \$6 million in c4 funding, the majority of its funds raised at that time, which gave FRRC the freedom to advocate directly for voters to support Amendment 4.

Power structures invested in maintaining the status quo have deep pockets and will oppose changes to systems. This not only includes well-financed actors eager

to thwart progress from moving forward (or even rolling it back further) but also the institutions themselves that movement leaders are trying to transform.

“Criminal justice reform is unique because opponents to criminal justice reform include law enforcement officials and elected prosecutors, who have offices covering every state, county, and city,” says Ana Zamora, founder and CEO of The Just Trust, which focuses on criminal justice reform giving with a \$350 million investment from the Chan Zuckerberg Initiative. “As funders, we are responsible for investing in robust advocacy and organizing infrastructure to the scale of what our opposition has access to and uses each year to maintain the status quo of criminalization, harsh punishment, and incarceration.”

The Just Trust has a c3 entity, as most private foundations do, and a c4 arm. Its c4 arm, Just Trust for Action, is a fully independent, nonpartisan funding entity that gives resources to build power and transform the system. “Lasting criminal justice reform requires both culture change and policy change, working in concert. This means advocates across the country must have the resources to directly educate and engage decision makers—elected and appointed officials and voters—on an issue we know has support across the political spectrum,” explains Zamora. “The transformation we seek in the criminal justice system requires giving movement leaders the unfettered ability to engage in robust advocacy, which requires robust 501(c)4 resources—it’s that simple.”

Where the Needs Are Most Acute

Gaps in funding are especially potent across the South and the Midwest where philanthropic resources are lower and the criminal justice system challenges are more daunting.

“As a funder of this movement, we believe it is critically important to fund in ways that keep criminal justice reform possible in every state now and for the next 50 years—that means we have to saturate the field in places like the deep South and Appalachia where our nation’s legacy of racial violence and economic injustice are more pronounced,” says Ana Zamora, the founder and CEO of The Just Trust.

Overall, less than 7 percent of the \$76.5 billion in philanthropic giving in 2019 donated by national foundations was directed to the Southeast.²⁶ This pattern exists despite the fact that eight out of the 10 states with the highest incarceration rates are in the South.²⁷ Despite the concentration, foundations in the Southeast give relatively little funding to issues of criminal justice reform and populations impacted by incarceration, according to an analysis by Philanthropy Southeast of Candid data. In 2018, the most recent year complete data are available, organizations focused on incarcerated people received a total of \$24 million, one of the lowest amounts of giving for any population. For comparison, children and youth received almost \$1.6 billion that same year.²⁸

continued on next page

“As a funder of this movement, we believe it is critically important to fund in ways that keep criminal justice reform possible in every state now and for the next 50 years ...”

ANA ZAMORA, FOUNDER AND CEO, THE JUST TRUST

26 Southern Trends Report, “[Non-Southeast Foundation Giving to Southeast \(2019\)](#),”

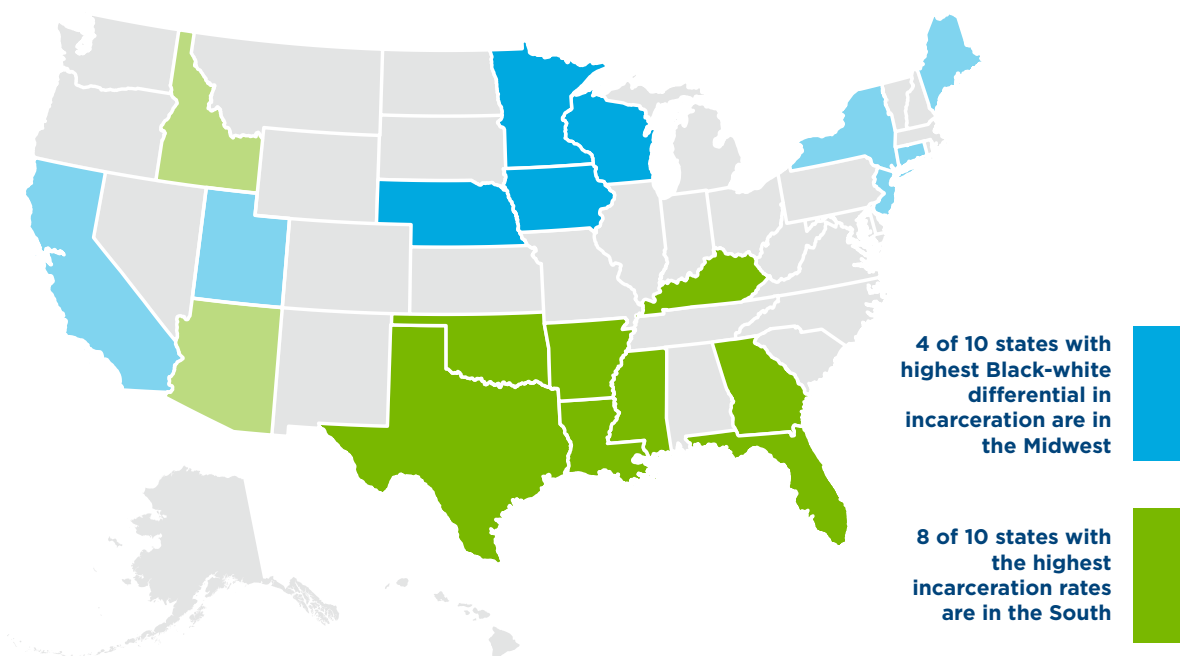
27 Todd Minton, Lauren G. Beatty, and Zhen Zeng, PhD, “[Correction Populations in the United States 2019-Statistical Tables](#),” US Department of Justice Bureau of Justice Statistics,” July 2021.

28 Southern Trends Report, “[Southeast Foundation Giving Priorities \(2018\)](#),”

continued from previous page

Movement leaders in the Midwest say the trends are similar there with philanthropic giving being lower, especially on issues related to the criminal legal system, despite a dramatic increase in incarceration in the region over the past 40 years. Racial disparities are especially stark: four of the 10 states with the highest Black-white differential in incarceration are in the Midwest. Latinx and Indigenous people are two times more likely to be incarcerated than white people in many Midwestern states, and three Midwestern states, including Minnesota, imprison Black people more than 10 times the rate of white people.²⁹ In Minneapolis, there was a surge in commitments from national funders immediately following the police murder of George Floyd, but some of those pledges have yet to materialize, funding was not distributed strategically across the ecosystem, and it is still too early to know if interest will be sustained.³⁰

Funding for criminal justice movements in Midwest, South lower despite increases in rates of incarceration and racial disparities



Source: (Midwest) Ashley Nellis, *The Color of Justice: Racial and Ethnic Disparity in State Prisons*, The Sentencing Project, October 13, 2020; (South) Todd Minton, Lauren G. Beatty, and Zhen Zeng, PhD, "Correction Populations in the United States 2019-Statistical Tables," US Department of Justice Bureau of Justice Statistics, July 2021.

However, as Chanda Smith Baker, chief impact officer at the Minneapolis Foundation, points out, the larger issues surrounding safety and policing, race, and equity have existed for decades but have gotten little attention. "The murder of George Floyd woke many people up to what others have been communicating for decades. For some outside of Minnesota it may have seemed like an isolated situation, however, it was not. It was one of many police involved deadly encounters and we have long dealt with racial inequities in our city," says Baker. "One shift I see is that we, broadly, are now listening to community, valuing those perspectives, and embedding those ideas into solutions. I believe there is an understanding that we all own what happened to George Floyd."

29 Jaimie Worker and Piet van Lier, "[Criminalization of Black and Brown Communities in the Midwest Adds to Public Health Crisis During COVID-19 Pandemic](#)," Economic Policy Institute, May 27, 2020.

30 McAfee et al., "Moving from Intention to Impact."

Winning Mindsets for Movement Funders

Photo: Courtesy of Freedom Community Center



Not surprising, when it comes to movement building, how you fund is as important as what you fund. Philanthropy can play a catalytic role in the transition from our current state of inequity to a more equitable and just world. Our conversations with movement leaders and movement funders suggest that it starts with the democratization of power. These power imbalances can be almost blinding when it comes to criminal justice reform movements where funders and justice impacted people can exemplify the most extreme definitions of haves and have nots in our society.

For movements to be successful it is critical for philanthropy to not only recognize how its own privilege contributes to and shapes the injustices that these movements are trying to overcome but also hold itself accountable by sharing power. The following recommendations are practices funders can use, according to those closest to the work, to better support movement building efforts to transform the criminal legal system.

Winning Mindsets



Embrace the uncomfortable

- Shift concern from whether something is too political to focus on aligning with equity values
- Provide more 501(c)4 funding



Rethink progress and possibilities

- Emphasize progress over wins
- Ask grantees to measure their progress
- Connect small goals to organization's strategy and vision
- Give grantees the freedom to fail without risk of losing funding



Promote the ecosystem

- Resource national and local organizations
- Build understanding of systemic racism, prison industrial complex, and needs of the ecosystem
- Collaborate with other funders

Embrace the uncomfortable

“You can’t just avoid everything that’s uncomfortable and have it all be OK. There’s not a neutral ground. You’re either making progress on this stuff or you’re being pushed back.”

CHLOE COCKBURN, FOUNDER, DIRECTOR, AND LEAD STRATEGIST, JUST IMPACT ADVISORS

Issues related to the criminal legal system can be particularly polarized and dynamic—public sentiment ebbs and flows, strong opposition from police unions to conservative lobbying groups will fight back, and legislative policy is often needed to effect any concrete change. It’s a combination that can make this work a sensitive area for some. Many philanthropic foundations have explicit desires to be nonpartisan. There may also be hesitancy to engage in c4 funding either due to structural limitations or desires to remain politically neutral. What does that mean, then, when movement leaders driven by abolition and liberation rally behind what some funders see as charged calls to “defund the police”? Is it possible to embrace some aspects of a movement’s or organization’s work but not others?

Funders faced with these tensions highlighted a **shift from concern whether an effort is too political (and thus perceived as risky), to a focus on whether the effort aligns with equity values**. In complex systems like the criminal legal system, which is so interconnected with other systems like housing, education, and public health, they anchor their giving to shared and explicit values, and a vision of what could be.

Movements are nonlinear; specific efforts are constantly evolving. A funder can expect aspects of the work to seem less certain. But with this evolving nature comes great potential for transformative change. “You can’t just avoid everything that’s uncomfortable and have it all be OK,” warns Chloe Cockburn, former head of criminal justice reform for Open Philanthropy and now the founder, director, and lead strategist of Just Impact Advisors, a grantmaking and donor advisory group working

to end mass incarceration. “There’s not a neutral ground. You’re either making progress on this stuff or you’re being pushed back.”

While specific campaigns will come and go, clarity on what your philanthropy is driving toward can keep your investments focused over the long term. Importantly, your vision of a more equitable future can evolve over time based on new learnings, deeper relationships with movement actors and communities, and as new realities we might not be able to imagine today come into being.

Ultimately, it will take policy and electoral action to bring these visions into fruition and sustain them. While significant advocacy work can be supported with 501(c)3 gifts, movement leaders we spoke to repeatedly emphasized the need for more 501(c)4 funding. However, c4 movement leaders may not all be the K Street lobbyists in bespoke suits that some funders are accustomed to. We also heard that there is stark scarcity of c4 funding to Black-, Indigenous-, and other people of color-led organizations. As Phyllis Hill, national organizing director at Faith in Action shares, “We don’t get c4 dollars as Black women. We are the chief strategists in the South and can’t get this money. Lobbying and policy money goes to lawyers and white organizers.”

When it comes to c4 dollars, high-net-worth individuals may have a unique role to play given the ability to often move faster and with some discretion and anonymity, as compared to institutional philanthropy. A leading philanthropic advisor to an ultra-high-net-worth family that supports criminal justice reform efforts offered that these kinds of donors “can supercharge movement

building,” explaining the role of such giving is to “provide complementary resources by being willing and able to have flexible, agile, ideally more risk tolerant, and c4 resources that can then punctuate the generational movement

infrastructure that institutional philanthropy is supporting.”

As the advisor summed up: “We can do things that others can’t do.”

Rethink progress and possibilities

“The history of this country tells us that change is jagged, it is not a straight line.”

MEGAN MING FRANCIS, ASSOCIATE PROFESSOR, UNIVERSITY OF WASHINGTON

The criminal legal system is massive and complex, so funders have to recognize that transformative change will not be immediate, especially in more politically conservative geographies with high levels of incarceration like the South.

In fact, movements operate on decade(s)-long time horizons with cycles with many ups and downs. “Wins” will not always fit within the timeline of one-to-five-year grant periods or reporting deadlines.

“The history of this country tells us that change is jagged, it is not a straight line,” says University of Washington Associate Professor Megan Ming Francis, whose research explores the relationship of philanthropy and movements with a particular interest in what she refers to as the criminal punishment system. “The widespread support in public opinion that we witnessed last summer was never going to hold. This pushback and opposition was always going to happen. That is what history has taught us. Now the issue is, it doesn’t have to continue to decline. But you have to understand the time horizon in which it takes to sustain change.”

As funders interested in or already supporting criminal justice reform movements, acknowledging this reality is critical. Sometimes that may take giving grantees more flexibility by moving away from the need for specific metric driven annual reports and instead **emphasizing progress over wins**.

When it comes to funding criminal justice reform movements, Cockburn of Just Impact Advisors

points out: “You’re just going to have to step into action and accept that things will not make total sense to you; it may be messy and maybe you won’t know exactly everything your dollars accomplished.”

One Approach to Measurement

The Ayni Institute, in its [Funding Social Movements Guide](#), distinguishes between three types of impact measurements: **Active support** measures changes in participation, such as protests (frequency and size), digital engagement, fundraising, and organizational; **Passive support** measures changes in social or political conditions, such as polls, media coverage, narrative adoption, and voting trend; **Policy, legal, electoral gains** measures the translation of new conditions into concrete victories.

There is no single way to define metrics. However, meaningful metrics should be long term and adaptable to changing external context. **Asking grantees themselves how they measure their own progress** in this long-term work can reveal more relevant milestones. “The ability for an organization to set goals is a metric. Are you able to decide what success looks like with a long-term vision?” says Nancy Fishman, senior director of criminal justice grantmaking at Schusterman Family Philanthropies. If grantees cannot easily come up with benchmarks, allowing them the time and space to **connect smaller goals to the organization’s strategy and ultimate vision** is

critical. These milestones can also be informed by the community, and that process can take time.

McHarris of Blackbird shared that the most successful donor relationships are from people who are “willing to walk with us in measuring.” Deep relationships with funders and trust are needed to understand the work and, she continues, therefore to “intimately understand [the] planning and analysis” that informs the metrics that matter to movement leaders and their constituencies.

In July 2020, Meyer Memorial Trust launched Justice Oregon for Black Lives with a commitment to give \$25 million over five years to Black-led and Black-centered organizations working toward justice and systemic change. The initiative is being co-created with Black communities. For each of the initiative’s focus areas an advisory committee of 25 to 30 Black social change leaders from across the state help name the [goals and intended outcomes](#) with an understanding that such benchmarks may grow and adapt over time.

“As we think about public safety, many times Black communities have talked about what it takes to keep our community safe and really taken ownership of that ourselves,” says Meyer’s portfolio director for Justice Oregon, D’Artagnan Caliman, himself a Black man. “[Black people] have already shared those recommendations outright through a variety of different ways. This is an opportunity to hold philanthropy accountable to what the community is already asking for.”

Metrics might vary depending on the type of action, which again should be informed by grantees themselves. For example, a community organizing action might try to demonstrate momentum that can happen one person at a time, and thus have more qualitative measures of success. Some organizers also talk about the value of organizing in itself for building a community’s power; organizing may not be tied to a specific campaign, but it will pay off in the future when the community seeks a more concrete outcome.

“Philanthropy has the misconception that things that are good are ones that are big and scalable ... Working with just one person and getting to the point where you can see significant changes to get them to be a healthy community member—that is what is huge.”

MIKE MILTON, FOUNDER AND EXECUTIVE DIRECTOR, FREEDOM COMMUNITY CENTER



“Philanthropy has this misconception that things that are good are ones that are big and scalable. But at the same time the people in the ‘hood are like, ‘My life is big, and this trauma is big, this harm is big,’” says Milton of FCC. “Working with just one person like that and getting to the point where you can see significant changes to get them to be a healthy community member—that is what is huge.”

Sometimes the **freedom to “fail” without risk of losing funding** can be the most valuable kind of support, movement leaders say, and can foster innovation that will propel future wins. In fact, the history of movements supports the need for failure. “Failure is a natural part. In the longer frame, one of the lessons from history is the importance of failure to movements succeeding in the future, because there are always lessons learned for later,” says Ming Francis, who has done historical research on the relationship of philanthropy and movements.

However, many of the Black nonprofit leaders we spoke to shared that they feel they are not given a chance to fail without risking their funding. Rooks, CEO of [Reform Alliance](#) and previously CEO of ASJ, which he co-founded, offers a story on how in the same year ASJ helped propel the Amendment 4 ballot initiative win in Florida, it lost a ballot initiative in Ohio. “It’s much harder to raise money for ballot initiatives there now even though Ohio passed new legislation to

decarcerate people shortly after the failure in passing the ballot initiative.”

As a collective donor community, funders must be willing to invest in a variety of organizations and initiatives with the expectation that some

might not work out at all, some approaches will take multiple attempts to yield results, and some tactics will need to change over time to maximize impact.

Promote the ecosystem

“When we put our institutional egos aside, and behave like co-conspirators rather than competitors, our ecosystem will have more opportunities to scale resources and have deeper impact.”

NICOLE BOUCHER, CHIEF STRATEGY AND OPERATIONS OFFICER, THE JUST TRUST

No one is expecting a single funder to support an entire ecosystem, especially one that is both national and local. However, if funders take a holistic view of connectivity within the ecosystem, they can ensure that its entirety is well resourced.

That is not happening very much now. Movement leaders and funders in the criminal justice space admit that the field can at times feel tense given the sense of limited funding. Despite this tension, collaboration has always been a valuable tool for Black and other marginalized communities. The **collaborative instinct is an asset that could be tapped into more if properly resourced**. As Brittany White, decarceration director for [LIVE FREE](#) and an organizing fellow at the Institute to End Mass Incarceration, shares: “Organizing is being a practitioner of relationships. It would be a disservice to not talk about others’ involvement in the same work as me. I am always thinking, ‘how do I work on this in collaboration with others?’ ... The real limitation [to more collaboration] is that resources sometimes cause tensions and put us at war with each other.”

What could it look like for philanthropy to take an abundance mindset to their giving that helps create an ecosystem where actors don’t have to fight over limited resources? What would it mean to say “yes, and” instead of “either, or”?

One way is to **ensure that both national and local organizations are well resourced**. Reform

“There are national lessons that can be learned and applied locally, and there are local dynamics that can get a boost from folks nationally, and then national groups can’t win and implement without local partners. All that is essential to the work.”

ROBERT ROOKS, CEO,
REFORM ALLIANCE



Alliance’s Rooks explains: “The truth of the matter is that it takes both. There are national lessons that can be learned and applied locally, and there are local dynamics that can get a boost from folks nationally, and then national groups can’t win and implement without local partners. All that is essential to the work.”

Funders who don’t have relationships with local movement leaders and grassroots organizations can give to [movement accountable intermediaries](#) that have this expertise or to place-based funders. Funders can also fund the local organizations that the national organizations they are familiar with partner with in different regions. Local organizations need

not be expected to scale through replication; supporting local efforts that are intended to stay local is also important. In addition, funders can give leaders the time and space to build and strengthen relationships, so they can collaborate with local and national actors.

For example, Mindy Tarlow, the managing director of the Justice and Mobility Fund at Blue Meridian Partners, has intentionally created a national and place-based strategy, working through national organizations with re-granting capabilities and place-based funders in Michigan and Oklahoma. At the same time, she sees value in continuing to explore ways to effectively support grassroots organizations. “Nationwide organizations that we are investing in are doing their own version of regranting and building up smaller, more grassroots organizations,” she says. “All of that is great but that is a step one, not a step 10, because the goal ultimately is for smaller, grassroots organizations to be independent and have their own voice, structure, funding, and not feel like they are housed under something larger.”

Funders who have never actively participated in movement building, or in movements themselves, may find the full scope of capabilities required to effect lasting transformative change overwhelming. In our conversations, **“learn more” was cited nearly 60 percent of the time as a critical action for philanthropists to take** to become better partners in movements grounded in issues related to the criminal legal system. By “learn more,” movement leaders are referring to an understanding of systemic racism and the prison industrial complex (the network of actors with vested interests in mass incarceration),³¹ as well as the concrete needs of the ecosystem itself.

Giving does not have to go on pause while learning; just the opposite, funders can [give while learning](#). This can include giving to people of color-led regrantors who have deep relationships in criminal justice reform movement efforts and learn by asking what they need to be successful. Grantees’ perspectives on

peer organizations or ideas for other leaders can also be illuminating. Making this a practice can reduce competition and foster collaboration and community, which are critical to a movement’s success.

Lastly, funders can consider **collaborating with other funders**. Just as the work of a successful movement is based on collaboration among a variety of stakeholders, we encourage criminal justice funders to mirror that spirit of collaboration for greater impact. “It is not just about funding all the buckets,” says Nicole Boucher, chief strategy and operations officer for The Just Trust. “We need that. But, in order to increase the pool of resources needed to make change, we also need donors and philanthropic institutions to work together

“The real limitation [to more collaboration] is that resources sometimes cause tensions and put us at war with each other.”

BRITTANY WHITE, DECARCERATION DIRECTOR, LIVE FREE



with transparency, collaboration, and partnership—when we put our institutional egos aside, and behave like co-conspirators rather than competitors, our ecosystem will have more opportunities to scale resources and have deeper impact.”

For instance, funders can discuss their funding strategies with fellow funders to help inform choices about their roles in the funding ecosystem. Chi-Ante Singletary, chief reparations officer and co-founder of Cypress Fund, a social justice fund created by organizers and donors in the Carolinas, says, “Something we think about is would the [grant] applicants get funding from traditional philanthropy? How could funds from Cypress help strengthen the ecosystem?”

31 Tufts University Prison Divestment, [“What Is the Prison Industrial Complex?”](#)

Thinking Beyond Criminal Justice

Photo: Courtesy of Richard Wallace/Equity and Transformation



What does safety
mean to you?!?
Safety _____!

There are those moments when the words are simple and straightforward but the meaning can still have tremendous impact. That was the case when we heard a statement uttered by Patrick Sullivan, operations manager at FCC, during our talk with FCC’s founder, Mike Milton. Sullivan was there in a supporting role so was quiet most of the time but then at the very end of the conversation he said this: “The scale of hurt that is caused by incarceration is hard to overestimate.”

After months and months of research and discussions, it was a moment that snapped us back into focus because that hurt is, after all, the point. We write in this report about those who are “justice impacted”—referring to people who have been formerly incarcerated. It can be difficult to grasp how many people that truly is. Nearly five million Americans have spent time in prison, more than 77 million Americans have some sort of criminal record.³² And there are approximately 600,000 people released from prison each year.³³

Philanthropy is constantly in search of big problems. Well, those numbers are enormous, and that is just the tip. If you think about all those actually impacted then the numbers become exponentially much larger. There are the children, the partners, the families, the communities, and even the nation, given that our labor and housing markets are built to exclude people with criminal records. There is a reason why those working across the ecosystem believe that criminal justice issues touch all issues. Likewise, we see a need for philanthropy to **invest more resources in transformative change as it is urgent.**

Indeed, while we focus on the US criminal justice landscape in this report, we could have used examples from the immigrant rights movements, or the land back movements waged by Indigenous communities, the fights against gender-based violence, the work done

to achieve marriage equality, or even the civil rights movement. Criminal justice reform is one window into funding racial, economic, and social justice.

Simply, this work is broader than reducing incarceration. It is deeply intertwined with many other issues communities and funders care about including education, access to housing, employment, economic mobility, health and mental illness, and even climate change. Because of this connectivity, those on the ground working on issues that funders might label as criminal justice often do not see themselves siloed in that way. We repeatedly heard from movement leaders that instead they see their work focused on upending a status quo that jeopardizes our collective humanity and therefore as part of the larger efforts to build a society characterized by equity and justice.

“Poverty is crime’s father,” says Milton. Before founding FCC, Milton was an organizer in the Close the Workhouse movement, which was successful in getting the city of St. Louis to agree to shut down the infamous medium security jail. The Workhouse campaign highlighted for the public the economic and racial justice connections of this work as 99 percent of the people incarcerated at the jail

“We need to widen our imaginations in a way that speaks to what many of us know is necessary—people should not have to suffer at this extent. There is another way.”

THENJIWE MCHARRIS, CO-FOUNDER,
BLACKBIRD



32 Kenny Lo et al., “[5 Discussions That Shaped the Justice Reform Movement in 2020](#),” Center for American Progress, March 18, 2020.

33 Office of the Assistant Secretary for Planning and Evaluation (ASPE), “[Incarceration & Reentry](#).”

were there because they could not afford bail while awaiting trial and 82 percent of those jailed were Black men.³⁴

Since poverty can be such a significant determinant of who is incarcerated,³⁵ from whom the police arrest (low-income neighborhoods of color are notoriously over-policed), to the quality of a person's legal defense team, to the presence of cash bail, Milton argues: "Generally we know that what drives people into the criminal legal system is poverty. So how can we look at these things from a more holistic approach versus the current narrowed, broken, racist idea of public safety."

Therefore we see the insights of this report to be helpful not just for criminal justice reform funders but rather for any funder seeking equitable social change.

"A lot of people feel it is very radical to divest from systems that harm and invest in alternatives," says McHarris of Blackbird. "But that discomfort comes from imaginations having been narrowed. We need to widen our imaginations in a way that speaks to what many of us know is necessary—people should not have to suffer at this extent. There is another way."

34 Close the Workhouse Campaign, "[Close the Workhouse Report 2.0](#)," January 2020.

35 Bernadette Rabuy and Daniel Kopf, "[Prisons of Poverty: Uncovering the Pre-Incarceration Incomes of the Imprisoned](#)," Prison Policy Initiative, July 9, 2015.

Acknowledgments

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Allana Jackson is a partner at *The Bridgespan Group*, based in Boston where **Alexandra Williams** is a manager, **Leslie Hicks** is a senior associate consultant, and **Yizhi Hu** is an associate consultant. **Cora Daniels** is editorial director at *Bridgespan*, based in New York.

THE BRIDGESPAN GROUP

BOSTON 2 Copley Place, 7th Floor, Suite 3700B, Boston, MA 02116 USA. Tel: +1 617 572 2833

JOHANNESBURG Bridgespan Africa Initiative, 10 The High St., Melrose Arch, 2076, Johannesburg, South Africa. Tel: +27 11 012 9280

MUMBAI Bridgespan India Private Limited (registered address), 9th Floor, Platina, G Block, Plot C 59, Bandra Kurla Complex, Mumbai, 400051, India. Tel: +91 022 6628 9624

NEW YORK 333 Seventh Avenue, 11th Floor, New York, NY 10001 USA. Tel: +1 646 562 8900

SAN FRANCISCO 88 Kearny St., Ste. 200, San Francisco, CA 94108 USA. Tel: +1 415 627 4500



www.bridgespan.org

contact@bridgespan.org

contactindia@bridgespan.org

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