

## Annual Report 2020: Reckoning with Justice



## From the President



Dear Friends,

2020 will sit heavy in the history books. As the year closes, we mourn more than 1.3 million victims of the COVID-19 pandemic, a global health crisis that fell heaviest on the least fortunate. We grieve the loss of George Floyd,

Breonna Taylor, and many others whose brutal deaths at the hands of police ignited the most profound societal reckoning with racism that we have seen in our lifetimes. We look with cautious optimism at an election that tested our democracy and resulted in a President-elect who has promised to address structural racism. Opportunity lies in this difficult moment.

Vera pivoted in unexpected directions to address the events of 2020. As the pandemic spread, millions of people were confined in prisons, jails, and immigration detention facilities where it was impossible to practice social distancing. Jails quickly became the top COVID-19 hotspots in the country, proving what Vera has long preached: mass incarceration has no place in a healthy society.

Freeing people unjustly confined in jails, prisons, and immigration detention facilities became not just a matter of conscience, but a matter of life and death. Vera used its knowledge of the criminal legal system to provide guidance for how system actors should keep people safe, primarily through decarceration and preventing new arrests. Our emergency response work provides inspiration for future efforts toward ending mass incarceration and immigration detention.

We're seeking bold transformations in a criminal legal system with roots established in slavery; a system that continues to disregard the humanity of Black people at every stage. We're fighting for humane treatment of immigrants, whose rights, already under assault, have been

decimated during the federal government's response to COVID-19.

The tide is turning toward justice. Massive nationwide protests show that Americans have had enough. On Election Day, justice was on the ballot, and Black and brown voters delivered a decisive message, swaying the election and sustaining our optimism for reform. The American Election Eve Poll, in which Vera was a partner, found that more than three-quarters of all voters support removing laws that make it hard to hold police officers accountable when they kill or abuse Black people. Seventynine percent of Latinx voters and more than 80 percent of Black voters say U.S. immigration policy should focus on creating a humane system that is fair to all, rather than focusing on enforcement.

We are poised to take advantage of this momentum. I am grateful to our dedicated staff members, whose commitment to justice and human dignity did not waver under immense stress. I want to thank our partners, some of whom risked their own health and safety entering courtrooms, jails, and detention facilities to gain freedom for their clients during the worst public health crisis in a generation. I want to thank all of our friends and supporters, who stand with us at a pivotal moment. Your generous and committed partnership fuels our fight for justice.

Uncertain times lie ahead, but I take pride in Vera's work during a year of great suffering and seismic change. We approach the coming challenges with optimism and remain persistent in our commitment to securing justice for all.

Thank you,

Nicholas Turner, President

## From the Board Chair



Dear Friends,

The challenges of 2020 make clear just how much Vera's work matters. Drawing on nearly 60 years of experience in working to transform the criminal legal and immigration systems, Vera is making a difference during this time of upheaval and crisis.

When COVID-19 swept the country, leaving people in jails, prisons, and detention centers deeply vulnerable to infection, Vera provided municipal leaders with specific recommendations to prevent the spread of the virus by slowing arrests, curbing unnecessary prosecutions, and reducing jail and prison populations.

When COVID-19 started making people in immigration detention facilities sick, Vera joined a coalition of voices calling on ICE to immediately release all from custody. Vera challenged the government's implausible claims of low COVID-19 infections in detention facilities, with realistic modeling that showed the numbers were likely 15 times higher than official reports.

When the country erupted in righteous anger over police brutality, Vera rapidly produced and shared data, analysis, and context that helped lift up community-based solutions. Knowing the true cost of policing as a percentage of total budgets provided protesters, reformers, and municipal leaders with the tools to fight for a more humane distribution of resources.

Beyond addressing these crises, Vera scored a major victory as the U.S. House of Representatives voted to reverse the federal ban on Pell Grants for incarcerated students, an action that would empower tens of thousands of people to pursue higher education and improve their prospects.

Vera's Reshaping Prosecution initiative is helping district attorneys' offices use their power to address the harms of systemic racism and end mass incarceration, while the Restoring Promise initiative is expanding its efforts to improve the conditions and culture of jails and prisons, transforming them into safe environments that center human dignity. That program expanded into three new states in 2020.

The Safety and Fairness for Everyone Initiative (SAFE) also continues to expand its network of publicly funded legal defense programs, reaching 21 jurisdictions across 11 states. This means that more immigrants who can't afford a lawyer get one, which gives them a fair chance to fight for their rights in immigration court.

As Vera approaches our 60th anniversary, we will lean on our history as we continue the fight. Challenges lie ahead, but we remain steadfastly focused on our goal: a future in which dignity, safety, and justice are available to all.

Thank you,

Damien Dwin, Board Chair

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#### Saving lives in the COVID-19 pandemic

**181,478** COVID-19 cases

among people incarcerated in prisons.

1,376
deaths

due to COVID-19 of **people incarcerated** in prisons.

37,438 COVID-19 cases

among **staff** working in prisons.

74

due to COVID-19 of **staff** working in prisons.

#### Protecting a population at risk

In early 2020, as America became the global epicenter of the COVID-19 pandemic, Vera mobilized to help protect people in jails, prisons, and detention centers facing extreme risk of infection with no ability to protect themselves. We provided government leaders and advocates with specific recommendations to prevent further transmission of the virus by dramatically slowing arrests, stopping immigration raids, ending unnecessary prosecutions, and reducing jail and prison populations. We developed data tools tracking jail populations to monitor the impact of the criminal legal system's response and provide accountability. And we shared our extensive guidance and resources with thousands of local, state, and federal officials through blog posts, special reports, webinars, and videos.

Our response work has played a critical role in freeing people:

- In New Orleans and Los Angeles, our staff coordinated with advocates and system stakeholders to get people out of jail, contributing to a decline of almost 20 percent in the jail population in both places during the height of the outbreak.
- In Houston, we drafted—and judges approved—a new standing bail order mandating release for many offenses. In the weeks immediately following its implementation, the jail population declined by 17 percent.
- In Kentucky, which entered the COVID-19 pandemic with the second highest rate of jail admissions in the nation, Vera called for expanding the Kentucky Supreme

- Court's mandatory release bail policy in the wake of COVID-19. This policy change reduced the statewide jail population by more than 25 percent during the summer of 2020.
- In New York, an early epicenter of the pandemic, Vera released guidance briefs on the urgent need to release people from the state's prisons and Rikers Island jail. We developed an online data tool—Jail Viz 2.0—that allows users to see in real time who is incarcerated in New York City's jails and why. Advocates, city officials, and even the City's Board of Correction have told us that they used the tool to track progress on reducing the number of people at Rikers Island. Vera is currently developing a similar tool to track the daily state prison population.

#### Demanding release of immigrants in detention



Our COVID-19 work focused as well on America's massive immigrant detention system, which in 2019 held as many as half a million people in prison-like conditions that create a high risk for rapid spread of this dangerous virus.

As the pandemic spread in the early months of 2020, Vera joined with local leaders in calling on immigration officials to immediately release everyone from U.S. Immigration and Customs Enforcement (ICE) custody, prioritizing those with vulnerabilities—including people who are

55 years and older, are pregnant, have serious chronic medical conditions, or are housed in units that restrict their access to medical care. Our guidance also called for specific prevention measures to contain the spread of the virus.

In response to a lack of transparency about COVID-19 in federal immigration detention facilities, Vera used available ICE data to model how ICE operations may be contributing to COVID-19's spread among people in immigration detention. As of September 1, ICE had reported 5,379 cases of COVID-19 in 93 of its more than 200 detention facilities, meaning at least 19 percent of people in detention tested for the virus had positive results. Our model estimated that the actual number of COVID-19 cases in detention was likely 15 times higher than the official numbers ICE reported earlier in May.

Our efforts reflect our ongoing commitment to ending the criminalization of and harms to communities of color and immigrant communities—whether caused by COVID-19,

punitive arrest and enforcement, or mass incarceration—and our nation's legacy of slavery and systemic racism, which underlie these harms. Vera continues to press for people's freedom during the COVID-19 crisis, while working with partners to improve social distancing and other conditions behind bars so that living in jails, prisons, and detention centers is not a death sentence.

## Unlocking potential: Ending the Pell Grant ban for incarcerated students

Fact: Nearly

17,000 students

have participated in Second Chance Pell since 2016,

and those students have earned

4,500+

bachelor's degrees, associate degrees, postsecondary diplomas, and certificates. For nearly a decade, Vera's work to expand access to quality postsecondary education in prison has been a cornerstone of our commitment to affirming human dignity behind bars. Education results in fewer people returning to prison, more people employed, and more resources to support families. But access to college-level education behind bars is still too rare, and classes are too expensive for most incarcerated students, especially since Congress banned federal Pell Grants for people in prison in 1994.

Now, for the first time in decades, there is growing bipartisan support and political will for expanding access to college for people in prison. Building on this unique opportunity, Vera, in

partnership with many other organizations, is leading a national campaign to reverse the federal ban on Pell Grants for incarcerated students—an action that would empower tens of thousands of incarcerated students to receive quality postsecondary educations. In July, thanks in part to Vera's advocacy, the U.S. House of Representatives voted to lift the Pell ban. This historic milestone came just weeks after Vera hosted its third annual (and first virtual) "Hill Day" to educate members of Congress about college-in-prison programs in their states. We are now working with our advocacy partners to bring repeal of the Pell ban across the finish line.

Vera is also working to expand access to college in prison by providing technical assistance to colleges and corrections departments participating in the U.S. Department of Education's Second Chance Pell Experimental Sites initiative—a limited, temporary restoration of Pell Grants for incarcerated students. This April, the initiative doubled in size, and Vera now provides support to 130 colleges across 42 states and the District of

## Transformed by access to college in prison by Allen Burnett

Twenty-eight years ago, I was sentenced to life without parole and began serving time at California State Prison, Los Angeles County in Lancaster, California. Around that same time, after the 1994 Crime Bill was enacted—ending Pell Grant eligibility for incarcerated students—I saw cuts to all kinds of programs, including educational ones. Going to school and getting a college degree seemed out of the question, especially since I still carried emotional baggage related to having a learning disability growing up and constantly being told I was "slow."

I found a group of men who, despite also being sentenced to life without parole, were taking classes with Coastline Community College. Eventually, up to 700 people were enrolled in college courses at Lancaster, and there have been more than 200 graduates from Coastline. When a California State University, Los Angeles (Cal State LA) professor visited and saw what these men were accomplishing pretty much on their own, he brought in other professors from different schools. I began my college journey in late 2015, and I plan to graduate from Cal State LA by 2021 with a degree in communication studies and a minor in English.

Last year, the governor of California decided to commute my sentence and let me return home, I think in large part because he was impressed with my educational aspirations and all the achievements I'd made while incarcerated.

I'm currently working as a consultant for an organization called Parole Justice Works, where I get to help incarcerated people prepare for the transition to outside life and parole. Many people with incarceration histories struggle to join or rejoin the labor market, and I know all of this has been made feasible for me because I took the opportunities offered while behind bars to work toward something positive and continue my education.

I believe that everyone, no matter their current sentence, should have the same opportunities I did to educate themselves and learn more about the world beyond the few blocks they grew up on. Learning different styles of thinking and communication philosophies has completely changed my outlook on life, and I know it will for others too.

Columbia. This year, as COVID-19 restrictions threatened these programs, Vera facilitated a series of webinars for participating sites and worked with the U.S. Department of Education, corrections officials, and colleges to implement technology-supported distance learning. All but eight colleges in three states were able to complete their academic terms and award their students credit.

## Securing universal representation for immigrants facing deportation

Angela is just one of many people lost in a system that sets immigrants up to fail. Denied the right to government-funded counsel, people like Angela are forced to go it alone against trained government attorneys and the full force of the federal arrest-to-deportation machine. The consequences are all too often severe—including permanent separation from their loved ones, their livelihoods, and their communities.

In our work, we have seen the dramatic difference that legal representation makes. Our research shows that immigrants who have legal counsel are more than 10 times more likely to establish a right to remain in the United States than those who do not. As mass arrests and attacks on immigrant communities continue, deportation defense is urgently needed.

A core strategy in Vera's fight against this fundamental injustice is the SAFE (Safety & Fairness for Everyone) Initiative—a unique collaboration among governments, immigration legal service providers, and advocates working together to build a national movement for universal representation. We are committed to ensuring that every person facing deportation receives legal representation regardless of income, race, national origin, or history with the criminal legal system.

With a network of publicly funded legal defense programs in 21 jurisdictions across 11 states, SAFE is a cornerstone of Vera's efforts to disrupt the criminalization, arrest, and detention of immigrants and their families. Universal representation means that immigrants who can't afford a lawyer get one, as well as a fair chance to fight for their rights in immigration court—especially in this time of crisis.

Through SAFE, Angela was able to secure a lawyer and did not have to face the judge alone. Her lawyers negotiated a \$2,500 bond, and she has rejoined her family. "To go to court with no one's support is to get deported," Angela says. "I am now accustomed to

#### Angela's story

My granddaughter suffered very much when I was detained. We lived in the same house, and she was used to seeing me every morning. I was cleaning an office building when ICE arrived. I was not the person they were looking for, but they detained me anyway. For a whole week, no one told my family where I was, so they became sick with worry. My granddaughter hardly ate. She got sick and had a fever. You think that children are not affected, but they are.

I was in detention for a month and four days. I was so desperate there. We all were. There was a woman who cried so much, the officers took her away. My daughter was frantic when I did not have a lawyer. We thought that there was no way out for me except deportation.

#### Fact:

According to a national poll conducted by Vera and the survey firm Lucid,

**67**%

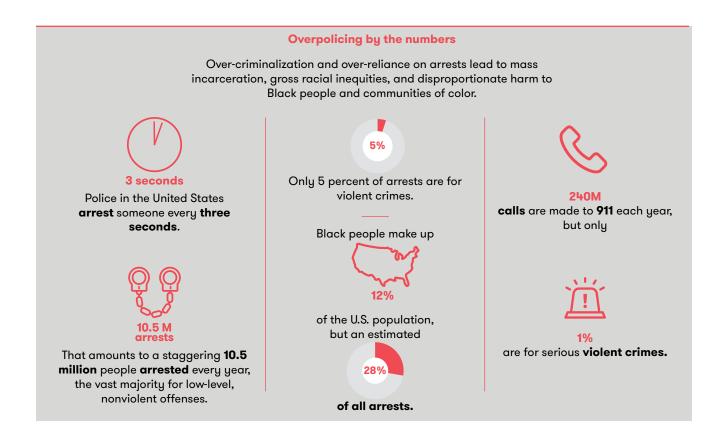
of people support government-funded attorneys for people in immigration court. fear, but I ask that God will not let other families go through what we have been through. These things, you don't want to happen to anybody."

Over the next three years, Vera will work urgently with our local partners to expand SAFE to 30 jurisdictions and launch campaigns for statewide immigrant defense programs, such as those already underway in Colorado and New York. We are also ramping up our use of polling, media, and social media to lift up the work of our partners and generate broad public support for universal representation. Our goal is to lay

the foundational blocks that would establish and guarantee federally funded, zealous universal representation for all people facing deportation.



ow more than ever, people around the country and across the political spectrum recognize that gross inequities and failed policies are deeply ingrained features of American criminal legal and immigration systems, and they are demanding real solutions that remedy those problems. The time for incremental reforms is over. We need a bold approach that ends mass incarceration; dismantles systems that have been shaped by a legacy of systemic, anti-Black racism and white supremacy; centers the voices of justice-involved people; and is rooted in human dignity.



#### Confronting the crisis in policing

George Floyd, Breonna Taylor, Elijah McClain, and so many others should be alive today. Since 2015, more than 1,200 Black people have been shot and killed by the police. With every police encounter lies the threat of escalation, injury, and death. National protests against police violence and anti-Black racism demand more than minor changes in policy and practice. They require a systemic dismantling of a culture of policing that tolerates violence and abuse, accepts extreme racial disparities, and promotes a profound lack of transparency and accountability.

At Vera, we seek the truth in numbers. Since 2015, Black people have been fatally shot by police at a rate almost three times higher than white people, and Black people who were unarmed were four times more likely to be shot and killed by law enforcement. These and too many other numbers reveal a larger truth—that Black people's lives are still deemed to be worth very little in America.

In the wake of 2020's historic protests calling for racial justice and systemic change,

advocates and community leaders looked to Vera for help in holding their local leaders accountable. We provided data about police budgets and evidence of overreach in enforcement, especially against Black people and in communities of color.

Police departments are among the most powerful local government agencies—and much of that power lies in their size and funding. To highlight what policing truly costs, Vera compiled and analyzed the recently adopted budgets of 72 of the biggest cities across the United States. Nearly 60 volunteers from Goldman Sachs—including analysts, lawyers, and managing directors—contributed their time and expertise to assist with data collection and analysis. With their help, we created an interactive online tool—*What Policing Costs*—that allows users to examine how police departments spend their dollars and to explore how changes to each spending category could reduce the total. Where available, we included data on historic policing expenditures, racial disparities in arrests, and other drivers of police violence and misconduct.

This work reflects our belief that budgets are moral documents. These tools are helping community leaders, advocates, and our partners in the field reframe conversations around policing and public safety to focus on making investments that truly keep people safe—including investments in social services, housing, health, and treatment.

- In June, we began working with the community-led Denver Task Force to Reimagine Policing and Public Safety—a unique collaboration of more than 40 community partners and representatives from the Denver Department of Safety. We're providing the task force with expertise and support to help its members use data to develop policies, budgets, and programs that rely less on police responses and more on community-based services.
- In July, we partnered with The Justice Collaborative and Local Progress to host a webinar for almost 100 elected officials from across the country that provided indepth guidance on analyzing police budgets, understanding policing allocations, and identifying opportunities to reinvest in communities. We partnered with Local Progress to host a similar webinar in September, which also explored how some localities have begun reallocating policing budgets to reinvest in programs that keep communities safe and thriving.
- > In Minneapolis, where the police killing of George Floyd ignited national and international outcry, Vera's research showed that Black people were arrested for nonviolent incidents at a rate nearly nine times higher than white people and that the city spends 35 percent of its budget—\$444 per resident—annually on

- policing. We are currently working with local leaders and advocates to help them more closely examine the city's budget and to develop recommendations for systemic change that they can incorporate into the city's budget cycle before the end of 2020.
- > In New York City, we worked closely with both elected officials and advocates to analyze the most recently adopted budget for the New York City Police Department (NYPD), by far the biggest and most expensive police department in the country. Vera's analysis revealed that the overall annual cost of the NYPD is not the frequently reported \$6 billion, but instead more than \$11 billion annually, when \$5.4 billion in fringe expenses, pensions, and payouts from other parts of the city's budget are included.



Most NYPD enforcement targets majority Black neighborhoods for low-level "quality of life" offenses, with **85 percent** of the



#### 128,265 summonses

police issued last year in New York City given to **Black and Latinx people.**  The NYPD spends close to



policing schools, subways, shelters for people experiencing homelessness, and other **low-risk environments** that might be better handled by other agencies.



New York has one police officer for every 162 residents, among the highest ratios in the nation.

We are expanding our data analysis and research highlighting police over-enforcement and detailing police budgets, advancing solutions that focus on new approaches to public safety that rely less on police response, and working with partners in Congress and statehouses nationwide to pass laws requiring police to limit the use of force, respond immediately to officer misconduct, and open officer disciplinary records to the public.

## A conversation with Jamila Hodge, director of Vera's Reshaping Prosecution program, and Satana Deberry, district attorney for Durham County, North Carolina

Deberry was one of 150 participants who joined a two-day racial equity training hosted by Vera's Reshaping Prosecution Program for Durham's criminal legal system stakeholders.



Jamila Hodge, program director, Reshaping Prosecution



Satana Deberry, district attorney, Durham County, North Carolina

**Jamila Hodge:** You were elected as Durham County's district attorney in 2018 on a platform of reforming the justice system's outsized impact on the Black community. What does justice look like in Durham today?

**Satana Deberry:** Justice in Durham today still has an outsized impact on the Black community. At least now, we are confronting that impact head on. Instead of focusing on how many convictions our office gets, we focus on who we charge, what we charge, and why we charge. We try to understand what issues can be better addressed outside the criminal legal system—and why we are using the criminal legal system as the front door to substance abuse or mental health treatment or case management for people experiencing homelessness. My office is also working to focus on accountability for the most serious crimes, of which members of the Black community are invariably the biggest victims.

**Hodge:** In September, you engaged with Vera's Motion for Justice program to educate 140 police officers, prosecutors, and other system actors in Durham about why we see racial disparities in the system. Can you share some takeaways from that session?

**Deberry:** I think the biggest takeaway was a common language and knowledge base of the origins of the system and less emphasis on the knowledge and understandings of individual people. We learned that the system is operating almost perfectly the way it was designed to operate. Vera helped break down some of the narratives about who the "good" people are and who the "bad" people are and allowed us to focus on the insidiousness of the racial disparities irrespective of the seat in the system you occupy.

**Hodge:** This year, we've seen catalyzing moments in the fight for racial justice. How has that movement affected you, both personally and professionally?

**Deberry:** Professionally, this moment has really shown me how far we still have to go—even those of us who call ourselves progressive—to address systemic bias. At the end of the day, no matter how many reforms we make in my office, no matter how much policy we change, we are still disproportionately focused on Black people. Personally, I have watched my family and friends suffer through this moment in history. They're questioning why they have to fight every day for something so profoundly simple as life. My youngest child, at 14 years old, was tear-gassed at a protest in broad daylight. So many of my people are exhausted and defeated. I feel that exhaustion and defeat for them, but I refuse to take it on. I do not get tired of the struggle for justice.

**Hodge:** What advice do you have for other prosecutors seeking to transform their offices?

**Deberry:** Screw your courage to the sticking point. There are no easy decisions in this job. And you are not always going to make the right choices. I already have made decisions that I wish I could take back or make over. Every decision you make has life-altering consequences for someone.

## Equipping prosecutors to advance racial equity

Deberry is just one of a growing number of lead prosecutors elected by voters demanding a new approach to prosecution and criminal justice. To support this movement, Vera's Reshaping Prosecution program is equipping reform-minded prosecutors like Deberry to use the power of their offices to address the harms of systemic racism, end mass incarceration, and promote transparency and accountability to communities.

Reshaping Prosecution is currently providing in-depth data analysis and training to seven offices to help them transform their policies, practices, and culture. These include Contra Costa County, California; Ramsey County, Minnesota; Suffolk County, Massachusetts; Wyandotte County, Kansas; and three offices that were recently added

At a two-day racial equity convening in September 2020 for those working in the criminal legal system in Durham, North Carolina—including police, prosecutors, public defenders, and the district attorney—

**77%** 

of participants surveyed agreed that "centering racial equity is integral to a more just system"

and

86%

agreed that they planned to

"be more intentional" in taking action
to "mitigate bias" they may bring into
their roles.

in 2020 through a competitive process: Boulder County, Colorado (District Attorney Michael Dougherty); DeKalb County, Georgia (District Attorney Sherry Boston); and Ingham County, Michigan (County Prosecutor Carol Siemon).

In addition, our Reshaping Prosecution team launched Motion for Justice, a first-of-its-kind initiative that provides concrete action steps that prosecutors and others can take to proactively center racial equity and transform their role in the criminal legal system. Motion for Justice provides an online learning platform that outlines the role that prosecutors have historically played in racial injustice as well as practical strategies for how prosecutors can advance racial equity in the criminal legal system.

Vera is also working with three partner offices (Ingham County, Michigan; Ramsey County, Minnesota; and Suffolk County, Massachusetts) to pilot and implement the recommendations presented by Motion for Justice. And we are launching a campaign to help communities engage with their local prosecutors with the goal of persuading five to 10 prosecutors' offices to commit to the goal of achieving a 20 percent reduction in racial disparities in case outcomes.

#### Ending money injustice

Across the United States, almost 500,000 people are in jail—despite not having been convicted of a crime—simply because they cannot afford to pay bail. Money injustice—through bail, fines, and fees—keeps too many people in jail for far too long, criminalizes poverty, and disproportionately harms Black people and communities of color. Those who cannot afford to pay bail are often forced to plead guilty, accept punishment, and end up with a criminal record—all without ever having a chance to establish their innocence in court. While in jail, they are at risk of losing their jobs, their homes, and their ability to support their families.

Vera is working with advocacy groups and community partners across the country to end money injustice. In 2020, we stepped up our efforts to provide data, research, and support to organizers and advocates working to eliminate the use of money bail on the county or state level, end racial disparities, and reduce the number of people behind bars.

"The city of New Orleans does not wish to continue extracting this money out of the community and wishes families to keep every dollar possible, particularly in light of a potentially declining economy in the wake of COVID-19."
New Orleans City Council resolution to end the city's harmful user-funded criminal legal system

In New Orleans, for example, Vera worked closely with local reform organizations to secure an important victory against money injustice in a city where—as Vera's research has found—Black families pay 88 percent of the dollars extracted through money bail. Vera and our partners helped shape a city council resolution pledging to fund the city's courts without relying on user-paid fees and bail bond fees and to levy sanctions on judges who continue to impose conviction fees or set money bail. The resolution, which was adopted by the council in August 2020, is a remarkable win for New Orleans that will help keep \$3.5 million annually in the pockets of system-impacted people.

In New York, in 2019, Vera helped craft and pass groundbreaking bail reform legislation that led to a 41 percent reduction in the statewide jail population in 2020. This year, we defended those historic bail reforms against a fierce and coordinated campaign of fearmongering and misinformation by opponents. We produced a series of six briefs outlining the cost savings of bail reform, highlighting the impact on local jails, and more. We provided evidence that showed that New York State achieved its statewide reductions in jail populations without a meaningful rise in crime. And we worked closely with government and community leaders to maintain political and public support for reform, despite intense pressure to reverse course. Although some rollbacks to the new bail law went into effect, we and our partners were able to protect key provisions of the reforms and the core principle that undergirds them: it is unjust when the amount of money someone possesses determines whether they are free or stuck in jail.

More recently, Vera has responded to requests from local leaders in places as diverse as California, Illinois, Kentucky, Pennsylvania, and Texas for our expertise and assistance in reducing or eliminating money bail. Ultimately, our goal is to build political will and public support for bail reform across the country so that ending money bail becomes synonymous with progress, equal justice for all, and public safety.

#### Zeroing out girls' incarceration

Each year, there are 42,000 detentions of girls aged 10 and older, often for low-level offenses that pose no threat to public safety. More than 80 percent of girls entering the juvenile legal system are survivors of sexual violence, and more than 90 percent have experienced family violence and abuse. Incarcerating girls and gender-expansive youth is a harmful response that exacerbates trauma instead of addressing it. Girls who have been detained by the juvenile system are five times more likely to die before they reach young adulthood, including from intimate partner violence, suicide, or other trauma.

Vera's Initiative to End Girls' Incarceration is committed to reaching zero incarceration for girls and gender-expansive youth in the juvenile legal systems within the next 10 years. Since 2017, we have been working to ensure that girls and gender-expansive youth are no longer criminalized and are instead supported in their efforts to advance their own lives and freedom. We've proven it can be done: Since launching our work in New

Fact: More than

80% entering the juve

of girls entering the juvenile legal system are survivors of sexual violence,

and more than

90%
have experienced family violence and abuse.

York City, admissions to girls' detention centers in the city have dropped 31 percent (from 430 to 298), and incarceration of girls in long-term facilities has dropped 75 percent (52 admissions down to 13).

We are currently partnering with five jurisdictions across the country—New York City, Santa Clara County (California), and the state governments of Hawaii, Maine, and North Dakota—to scale up this success. In each jurisdiction, we are providing in-depth technical assistance and support to bring government systems, advocates, and young people together to dismantle racist and sexist legal systems and create safe and community-based services for girls and gender-expansive youth.

In California, for example, Vera has partnered with the Young Women's Freedom Center (YWFC) to support a locally led effort in Santa Clara County focused on reducing girls' contact

with the juvenile legal system. Since we started working in Santa Clara, the county has made a public commitment to keep girls out of the juvenile legal system. Building on our work in Santa Clara County, Vera will partner with YWFC to produce a statewide report that will, for the first time, document the numbers of system-involved women and girls in California, detailing how women and girls enter the criminal legal system and the devastating consequences of system involvement.

## Centering human dignity in the culture and conditions of prisons

The design and nature of mass incarceration in America, and the culture that sustains it, are among the most profound, unyielding, and unaddressed problems in today's American criminal legal system. We warehouse 2.3 million people in cramped, unhealthy spaces that are devoid of natural light, fresh air, healthy food, and connection to community and family. Young adults—and in particular, young men of color—bear the brunt of this unjust system. One in five men in a jail or prison is between the ages of 18 and 24; 73 percent of the young adult men in prison are young men of color.

In this age of mass incarceration and the surging momentum to end it, Vera is committed to disrupting the American prison system. With our Restoring Promise initiative, which serves incarcerated young adults, Vera is changing the conditions and culture of jails and prisons, transforming them into safe environments that center human dignity.

Our groundbreaking model prioritizes family engagement, self-expression, peer support, personal growth, education, and career readiness for young incarcerated people. In addition to providing ongoing technical assistance and support to our inaugural units in Connecticut, Massachusetts, and South Carolina, Restoring Promise began its expansion into three new states: Colorado, Idaho, and North Dakota. As the COVID-19 pandemic interrupted our plans to fully launch in these places, we quickly shifted gears to focus on securing release from prison for as many vulnerable people as possible.



## Driving justice and change: A conversation with three Vera leaders

Vera's offices in California, Louisiana, and New York are where some of our most effective advocacy takes place through deep partnership with local leaders and organizers. The leaders of those three offices connected for a virtual conversation about their work.



Jullian Harris-Calvin, program director, Greater Justice New York



Michelle Parris, program director, California office



Will Snowden, director, New Orleans office

## Tell us about yourselves and your careers. How did you get to Vera?

**Michelle Parris:** As a Black and Latina woman who grew up in New York City, I started my career as a public defender in the Bronx, where my fellow community members of color were deeply impacted by the city's systematic investment in the criminal legal system and disinvestment in services that would help people thrive. I represented so many clients with mental health conditions whose lives would have been very different if our government invested in robust community-based mental health care instead of incarcerating them.

I left that role to expand the reach of my work and address systemic issues, which led me to Vera—first joining the team to help provide legal assistance for detained immigrants with mental health issues, and then supporting efforts in Los Angeles County to end its reliance on incarceration and shift to a "care first" approach. This was the perfect marriage of the work I had been doing for years.

**Will Snowden:** For five years, I witnessed mostly Black women and men shuffle into New Orleans courtrooms wearing orange sandals, orange jumpsuits, and silver chains. If modern-day slavery had a sound, you'd hear it every day as detained people file into

court. Louisiana locks up too many Black people. And that is why I chose to be a public defender in the prison capital of the world. After being a participant-observer in the criminal legal system, an opportunity presented itself to lead Vera's New Orleans office and fight for the same change outside the system.

Jullian Harris-Calvin: My path to Vera began the year I started law school and coincidentally also served on a death penalty jury. I was appalled at the systemic injustices that I saw firsthand as a juror, especially against Black people and communities of color. That experience led to a legal career as a public defender, where I witnessed daily the true impact of our country's addiction to punishment and incarceration and its impact in the lives of mostly Black, brown, and low-income people. After serving for years as a public defender, I wanted an opportunity to effect systemic change. The shift to policy and advocacy gave me the opportunity to broaden my impact beyond one trial at a time. One aspect of Vera's work that I find particularly intriguing is our explicit commitment to racial justice. I see our work—mine and Vera's—as a struggle against the structural racism that continues to plague our democratic republic.

## What sets Vera's place-based work apart from some of Vera's other initiatives?

**Snowden:** We live here. The very community we are part of, along with our family and friends, can either benefit from—or be harmed by—the criminal legal system we pay for as taxpayers. I'm proud of the way Vera has partnered with community organizations, such as the Orleans Parish Prison Reform Coalition, Operation Restoration, and The First 72+ as allies in this work. With these partners, we're opposing any jail expansion in our city; overseeing a community support release program that assists with transportation, notification, and childcare; and helping those recently released from jail to find shelter through a hotel/motel voucher program. The very nature of place-based work engenders long-term relationships that position us to have established influence, familiarity, and credibility.

**Parris:** I completely agree with Will. We are part of the community that will be impacted by our work. Because of that, and our ongoing physical presence, we're able to develop significant relationships with the local actors who create the political will for change, the government officials seeking guidance on how to implement change, and the community members who hold government accountable to its promises. Understanding the local

landscape strengthens our analysis of how to effectuate meaningful reforms that will stick.

Harris-Calvin: Living where we work facilitates Vera's place at the table at each stage of systemic change—from data gathering and assessment; through policy development and execution; all the way to reflection, accountability, and expansion. For example, Vera's role as a local data and policy hub earned us a seat on the Independent Commission on Criminal Justice and Incarceration Reform, which developed New York City's plan to close the infamously inhumane and dangerous Rikers Island jail complex. And we are continuing to develop the data scraping, analysis, and visualization tools to assist movement-building organizations and community partners—whose dedicated advocacy efforts helped to pave the way for change—to keep city leaders accountable to that promise and move implementation forward. Our longstanding interdependence not only informs our work but also the entire ecology of people and organizations fighting mass incarceration in our states. And I'm so glad that Michelle, Will, and I get to lean on each other's place-based expertise as we tackle similar issues in very distinct, dynamic locations.

## What are you most excited about for Vera and your place-based work?

**Parris:** Los Angeles has the largest jail system in the country and deep racial disparities in incarceration rates, with Black people hit the hardest. After powerful advocacy from grassroots groups like the JusticeLA Coalition, the county stopped plans to construct multiple new jails and instead created the Alternatives to Incarceration Work Group. Though there is so much more work to be done to realize the vision, we are starting to see the county implement these recommendations. We are now working with many of the same collaborators on closing the notoriously inhumane Men's Central Jail within a year. Thinking about the momentum for change that we have in Los Angeles, and what's now within reach, excites me.

**Snowden:** I'm excited to explore ways in which our successful work in New Orleans can be replicated in the other 63 parishes throughout the state. On a national level, I'm really excited for Vera to influence movement toward racial justice in our country. We've embraced race equity as an organizational value and, to develop a better understanding of the overrepresentation of Black people in jails and prisons, we must connect the dots to the racist policies that contribute to the racial disparities we work to eliminate.

**Harris-Calvin:** I am very excited about the opportunity for our Greater Justice New York team to build on our recent victories in pretrial reform and decarceration, and to redefine justice in our state. We're conducting in-depth analyses of budgets and jail spending in every county in New York. And we are examining and identifying community-based opportunities for reinvestment: away from increasingly vacant jails and into evidence-based solutions that improve public safety, like mental health, harm reduction, drug treatment, health, and housing.

## Reducing incarceration in smaller cities and rural communities

Vera's In Our Backyards (IOB) initiative supports organizing, research, and advocacy aimed at reducing mass incarceration in the thousands of communities with the highest rates of incarceration: smaller cities and rural counties. This year, our IOB team continued its work to end mass incarceration and stop the quiet jail boom across small town and rural America by working with communities, policymakers, and system actors at the federal, state, and local levels. This included an expansion of the IOB community grant program, supporting a second cohort of community-based and statewide organizations committed to reducing incarceration, resisting jail expansion, and advancing racial and gender justice in small and rural communities. In 2020, we worked on 18 projects undertaken by a network of 27 community-based organizations across 12 states, partnered with statewide coalitions and partners in three states, and drove change at the federal level. Our work with these partners led to concrete achievements that are making a real difference in smaller and rural communities.

- In **Douglas, Kansas,** Vera worked with partners at Justice Matters to build unanimous consensus within the county's leadership to reverse a \$29.6 million jail expansion plan that had been previously rejected by voters. Justice Matters organized an 800-person community assembly and trained more than 60 community leaders to host conversations in their homes, and Vera provided research and support to help illuminate some of the policies driving rising jail incarceration. In September, all four winning commissioner candidates—both Democrats and Republicans—ran on explicit commitments to rescind the jail expansion project and partner with Vera to reduce incarceration.
- In **San Marcos**, **Texas**, our partner organization Mano Amiga found that hundreds of people who were booked into the local jail were eligible under Texas law to instead receive a citation. However, citations were issued in only 20 of those cases, and every single Black person who was eligible was instead booked into the jail. Through a public education campaign supported by both technical assistance and funding from Vera, Mano Amiga helped win historic passage of an ordinance making San Marcos the first city in Texas to compel officers to issue citations in a subset of eligible cases. Mano Amiga and Vera are now monitoring implementation of the ordinance and its impact on racial equity. Other Texas cities have followed suit: Houston, the fourth largest city in the nation, recently passed a similar ordinance.

The IOB team worked to advance a federal agenda, including efforts that supported bipartisan introduction of the "The Community First Pretrial Reform and Jail Decarceration Act" in October 2020. The bipartisan legislation, introduced by U.S. Representatives David Trone and Kelly Armstrong, would authorize \$600 million over five years to support local jail population reduction efforts, with priority given to small cities and rural communities that have high or rising incarceration rates. The legislation includes a directive that local governments work with community-based organizations and justice-impacted people and that strategies include a focus on reducing racial disparities in incarceration. Introduction of the proposed bill came eight months after Vera's IOB and federal policy teams—in conjunction with U.S. Representatives Alma Adams, Joe Kennedy III, Terri Sewell, and David Trone—hosted a standing room-only briefing on Capitol Hill titled "Rural America's Hidden Jail Crisis."

#### Growing a SAFE grassroots movement

Vera's SAFE initiative launched an inaugural round of community grants this year to support a network of 13 grassroots partners, community organizers, and advocates committed to mobilizing and centering immigrant communities.

Vera's 2020 SAFE community grantees are:

- > Black Alliance for Just Immigration (National/Oakland, California)
- > Asian Prisoner Support Committee (Oakland, California)
- Long Beach Immigrant Rights Coalition (Long Beach, California)
- > CASA (Baltimore and Prince George's County, Maryland, and Fairfax, Virginia)
- Mauritanian Network for Human Rights in The US (Columbus, Ohio)
- > ReleaseMN8 (St. Paul/Ramsey County, Minnesota)
- Grassroots Leadership (Austin, Travis County, Texas)
- > Colorado Immigrant Rights Coalition (Denver/Colorado)
- Alianza NORCO (Fort Collins/Colorado)
- Casa San Jose, Pennsylvania Immigrant Family Unity Project (PAIFUP)
   Collaborative (Philadelphia and Pittsburgh, Pennsylvania)
- > Juntos, PAIFUP Collaborative (Philadelphia/Pennsylvania)
- MILPA Collective, PAIFUP Collaborative (Philadelphia/Pennsylvania)
- VietLead PAIFUP Collaborative (Philadelphia/Pennsylvania)

In addition to building place-based partnerships across all our program areas, Vera is investing in developing robust institutional capacity for advocacy. In 2020, we established a new Advocacy and Partnerships department that will focus on legislation, policy development, and strategic campaigns to support community-led reform and change—all in close coordination with our community partners, who engage in direct action, organizing, and other strategies.

## Reframing the narrative

ublic misperceptions and corrosive messages about justice in the United States must be challenged and disrupted if we are to succeed in achieving systemic change. Understanding this, narrative change is a core priority in Vera's fight to transform America's racist and inhumane criminal legal and immigration systems. In this work, we are actively integrating communications campaigns that center the voices and experiences of people impacted by the criminal legal and immigration systems, feature groundbreaking research and analysis on the harms caused by centuries of systemic racism and injustice, and advance opportunities to create fairer and more equitable systems of justice.

## ABC News segment



## Progressive prosecutors aim to change the criminal justice system from the inside

Candace Smith, Jake Lefferman, and Allie Yang October 1, 2020

Vera's Jamila Hodge, program director of our Reshaping Prosecution initiative, was interviewed by ABC News as part of a featured segment on *Nightline* focused on the growing movement of progressive prosecutors fighting to change the criminal legal system by ending mass incarceration and healing impacted communities. Suffolk County District Attorney Rachael Rollins and St. Louis Circuit Attorney Kim Gardner were also interviewed in the segment.

#### If Prison Walls Could Talk



Vera created a dynamic collection of photographs, audio recordings, and essays to tell the stories of people involved in the criminal legal system and their loved ones impacted by the COVID-19 pandemic. These stories bring us behind prison walls, where social distancing is impossible and hygienic supplies are short, and provide an intimate look into system-impacted people's personal challenges, fears, and hopes in the midst of a pandemic.

#### USA Today op-ed



Vera's President Nicholas Turner wrote an op-ed for *USA Today* that focused on how systemic changes in policing can make Americans safer and save money, ushering in a new paradigm of public safety that prioritizes investments in social supports. Turner noted that—in an era of persistent racial and economic inequality—our country is spending far more on criminalizing people than on helping them, a trend that can and must be reversed.

#### What Policing Costs



To explore the cost of policing at the local level, Vera compiled data from the fiscal year 2020 adopted budgets of 72 of the biggest cities across the United States. We created an interactive online tool that allows users to examine how police departments spend their dollars and explore how changes to each spending category could reduce the total. Where available, we included data on historic policing expenditures, racial disparities in arrests, and other enforcement practices.

## Spreading the word

We're grateful to all of the media outlets that covered Vera's work in 2020, including those whose logos appear below.





















## The year in photos



Comedian Ilana Glazer speaking with Vera's Insha Rahman as part of Vera's 2020 virtual gala.



Philanthropist Agnes Gund speaking about Aggie, a documentary about her life, to a virtual Vera audience.



Award-winning musician Common performing with collaborators as part of Vera's 2020 virtual gala.



Erica Ford, co-founder of Life Camp, speaking at Safety for all New Yorkers: Setting the Record Straight about Crime in 2020.



Jumaane D. Williams, New York City public advocate, speaking at Safety for all New Yorkers: Setting the Record Straight about Crime in 2020.



Vera Vice President of Initiatives Kica Matos discusses anti-Blackness and immigration.







Philadelphia council member Helen Gym talks about immigration and local



Vera Board Chair Damien Dwin speaking to Vera's friends and supporters.

Sara Omojola, associate director of Vera's New Orleans office, speaks about Black Lives Matter and the ongoing fight for justice.



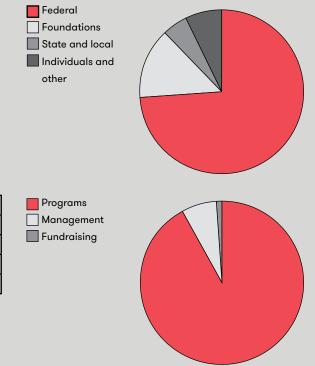
Annie Chen, program director of Vera's SAFE Initiative, discusses COVID-19 and immigration justice.

## Financial information 2020

Sources of grants and contributions	Amount	Percentage
Federal*	\$128,584,039.04	74.00%
Foundations	\$25,501,341.44	14.00%
State and local	\$8,117,440.36	5.00%
Individuals and other	\$12,088,046.21	7.00%
Total	\$174,290,867.05	100.00%

<sup>\*</sup>The portion of Vera's federal support that is passed through to subcontractors is 82.21 percent (\$105,708,365).

How we spent our funds				
Programs	\$156,166,273	92.00%		
Management	\$11,510,942	7.00%		
Fundraising	\$1,462,698	1.00%		
Total	\$169,139,912	100.00%		



# An interview with Nancy Kestenbaum and David Klafter



Nancy Kestenbaum and David Klafter each have decades of legal experience in different arenas, but they share a strong philanthropic commitment to Vera's pursuit of change in the criminal legal system.

Kestenbaum, a former federal prosecutor, is a partner in

Covington & Burling's New York office and co-chair of the firm's white-collar defense practice. "Vera has a mission that people from a wide range of perspectives across the criminal justice landscape can get behind," she says. "In order to effect change, they engage with people all across the criminal justice world."

Klafter, senior counsel with Pershing Square Capital Management, L.P., has a long career as counsel to investment firms. He serves as a member of Vera's Reform Leadership Council, a diverse group of social justice leaders, philanthropists, and experts from civil society who serve as advisers and ambassadors for our work.

"Across the entire political spectrum, people acknowledge how badly this country has done on criminal justice. Vera provides analysis backing up that conclusion and proposes solutions," he said. "It's a national scandal and tragedy that we've gone so far down the wrong path. Vera has the authoritative data and expertise to lead transformation in the field."

Kestenbaum and Klafter make Vera and criminal legal system change a major priority in their philanthropy as a couple, and they both acknowledge a historic crossroads in the national discussion on American justice.

"You see the passions pouring out into the streets today on criminal justice," says Klafter. "It's so important, and it absolutely motivates people to seek change. But to actually get things done on a large scale, you need the facts, the ideas, the credibility."

Kestenbaum said that the quality and commitment of Vera's team stands out. "It's a top-flight group of people devoting time, energy, and resources to the field. We've chosen Vera for a good reason. The team has high ideals, but also practical knowledge and data to get things done. Vera has been a leader in the field for decades; the world is catching up."

Klafter added that the role of Vera's Reform Leadership Council shows how effective, voluntary leadership can help power change. "These are interested, informed people committed to getting even better informed, supporting one another, and forming a community to take on this challenge. It's an honor to work with them."

# An interview with Lisa Opoku



In her role as the chief operating officer for the engineering division of Goldman Sachs, Lisa Opoku relies on rock solid data and large-scale solutions to power much of her work on a daily basis. So it's not surprising that she applies the same rigor to her philanthropy and factors it into her support for Vera.

"Vera always looks for the root cause of what is happening in communities. They use incredibly thorough detail and analysis," says Opoku, who serves on committees on firmwide technology risk, conduct risk, inclusion, and diversity and co-sponsors Goldman's Firmwide Black Network. "Vera does its work in a very balanced, thoughtful, and effective way," Opoku observes. "It works within the system, providing data, and driving consensus to the ultimate conclusion."

Opoku was introduced to Vera's work by her Goldman Sachs colleague and friend, John Madsen, a Vera trustee. "Madsen has a ton of confidence in the organization. Knowing that someone like him serves on the board told me Vera was not just addressing symptoms. He is rigorous and data driven in everything he does."

The approach she describes to data analysis is consistent with the joint effort undertaken by Goldman's engineers and Vera, in which they worked together to analyze incarceration rates in rural American cities.

"The opportunity to collaborate with Vera was truly appreciated by our engineers. They were able to combine their engineering skills and talent with their passion for social justice," said Opoku. "It was such a great project. Our engineers loved working on it."

As more companies turn to the pursuit of social justice and reforming America's justice system, that kind of corporate partnership can lead to real results, says Opoku. "Companies like to partner with high-quality leaders who hold themselves to high standards."

A graduate of Harvard Law School, Opoku once thought about becoming a criminal defense attorney. She feels a personal commitment to justice and equality based on her own experiences of being Black in America. As a first-generation Ghanaian-American, she is keenly aware of racial disparities and wants to bring about systemic change. She was inspired by Vera Trustee Khalil Gibran Muhammad, professor of history, race, and public policy at Harvard's Kennedy School, and invited him to speak at Goldman Sachs.

"He was so informative," she reports. "It was a phenomenal session because it helped all of us to understand the history. The tension between the police and the communities was put into its very important historical context." According to Opoku, supporting Vera is a way to contribute to largescale change. "When I look at any major problems, I always try to develop solutions that are systemic. Vera has a track record of success with that approach."

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#### **Credits**

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An electronic version of this report is posted on Vera's website at www.vera.org/annual-report-2020-reckoning-with-justice.

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