END MASS INCARCERATION

POWERING THE MOVEMENT

The Formerly Incarcerated, Convicted People and Families Movement

November 2019
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The Formerly Incarcerated, Convicted People and Families Movement (FICPFM) is a national alliance of over 50 human and civil rights organizations led by people directly impacted by mass incarceration. We are a movement with a broad membership base of people with conviction histories and our families, speaking in our own voices about why and how to end America’s modern day racial and economic caste system. We work to create alternatives to incarceration and to guarantee the full rights of those who have been targeted for punishment.

This report documents our journey, what we do and how we do it; and it chronicles our history and many—though not all—of our accomplishments. It describes how our policy reform victories are the result of sophisticated strategies, reinforced by our commitment to train others and to expand and replicate members’ wins at the community, state and national levels. Through sustained organizing of directly impacted people, we create a multiplier effect—building electoral and social power that has reduced harms otherwise unaddressed. We are inexorably bound to the idea that a society without prisons and mass criminalization not only can—but must—exist.

We are tenacious and unwavering in our mission to ensure the rights of those we represent by transforming the institutions that undo the quality of our lives. FICPFM’s commitment is to elevate the input and expertise of those most affected by the criminal legal system.

We are driving a national movement with the potency to end America’s oppressive investment in structures of punishment at the expense of our communities. Organizations led by formerly incarcerated people are uniquely positioned to scale our work and build a mass base of community leaders across the nation.

This report highlights the ways in which FICPFM’s members, led by formerly incarcerated and directly impacted people, are playing pivotal roles in dozens of organizing victories across the country. Often operating on shoestring budgets, we are utilizing policy and legislative advocacy, litigation and creating a seismic new wave of civic engagement with measurable results.
We share this report with humility—and as a point of departure. We know its next iteration will benefit from the feedback of those in whose names we undertake this work. We invite you to offer your additions and thoughts by contacting us through our website: www.FICPFM.org.

After being told that our lives did not matter, this report means to say in no uncertain terms that our lives and right to self-determination do and always have mattered. That effort will only reach its apogee with you standing with us—vocal and willing, and in unshakeable commitment to the realization of full-throated truth and a realized justice.
Approximately 77 million people, or 1 in 3 of us living in the United States carries a criminal record.²

The United States comprises 4.25%³ of the world’s people.

Yet we incarcerate 20% of the global prison population.⁴

Which means 1 out of 5 prisoners in the world is incarcerated within the United States.
Nearly half of all adults in the U.S. has an immediate family member who has spent at least one night in prison or jail.\textsuperscript{5}

**FOR 1 IN 38**

people in the U.S., an immediate family member is currently behind bars.

**1 IN 14**

children has experienced the incarceration of a parent and 1.7 million children has a parent behind bars right now—a number that doesn’t even account for children whose parents are held from them in immigrant detention.\textsuperscript{6}
Women, the fastest growing segment of the U.S. prison population, represent 33% or 1 in 3 of the total number of women imprisoned in the world. 7

More Black men live in prison or under some form of correctional control today than were enslaved in 1850. 8
These glaring statistics cannot begin to account for the suffering and trauma that we—people who are now or have been imprisoned, who have criminal convictions and our loved ones—live through. In addition to deep first-hand knowledge of the systems we are working to transform, we have the most skin in the game.

But in recent years, largely as a result of our movement,

THE MORAL ARC OF AMERICAN HISTORY HAS BENT DECIDEDLY TOWARD JUSTICE.
In November 2018, for example, Floridians restored voting rights to 1.5 million people with felony convictions—a full 25 percent of the 6 million people in the United States who’ve lost the right to vote based on that status.9

At the same time, Louisiana voters reclaimed the unanimous jury standard, which had been undermined by the state’s 1898 constitution, which was explicitly written to “establish the supremacy of the white race.”10
Ban the Box started as a local campaign, but has now rolled back discrimination on the basis of a criminal conviction in 34 states and 150 cities\textsuperscript{11}, benefiting 77 million Americans with criminal records\textsuperscript{12}.

Last year also marked the 15th anniversary of Ban the Box, a campaign conceived of and launched in 2003 by All of Us or None (AOUON)—whose credo is:

“Building a movement, not just another non-profit.”

All of Us or None (AOUON)
In October 2019, FICPFM convened #JusticeVotes, a town hall for presidential candidates inside the nation’s oldest prison. This was the first and only forum for presidential candidates ever organized by formerly incarcerated people and focused entirely on the damage wrought by mass incarceration. 13

#JusticeVotes2020 was live streamed and reached over 136 million people nationwide through social and mainstream media. 14
There is a singular force behind these wins, others described in this report and more that merit documentation: **Organizations led by people directly impacted by mass criminalization and incarceration.** Despite funding far below what is needed to adequately support our organizations and membership, our movement has demonstrated an extraordinary capability to create change—whether in a period of social sensitivity to our issue, or not.

For nearly two decades, our leadership has been sidelined and our expertise rebuffed by the mainstream and more established criminal justice reform sector. It’s one thing to live through being caged and unseen behind bars. Being stigmatized and denied opportunities on the outside is a slap in the face. But another insult and indignity is being held to a higher level of scrutiny and devalued by those who would seem to be your allies.

“**There would be an uproar if 98 percent of the funding for marriage equality went to organizations led by straight people. But in the criminal justice reform space, those who have the most to win or lose have been discounted and subjugated. We founded FICPFM knowing that, out of this exclusion, we had to come together and unite as a national movement, with or without funding. We decided to create a space by us, for us**” explains Vivian Nixon.¹⁵

Nixon is referring to data showing that, in the past two years alone, philanthropy has invested some $327 million in criminal justice reform.¹⁶ But less than 2 percent of these dollars have gone to organizations led by people directly impacted by mass incarceration, and organizing to end it.

“**Philanthropy must ask itself,” Lateefah Simon, President of the Akonadi Foundation, says: “Who do we see as entitled to advocate for those who bear the brunt of this crisis and why?”**

Michelle Alexander, author of *The New Jim Crow*, also speaks to this paradox:
With a fraction of the resources available to organizations that do not represent—much less led by—directly impacted people, our members are winning change that others said would take decades.

For example, we have reversed—once and for all—a century of Jim Crow era laws in the South. Our members have made it possible for tens of thousands of prospective students to apply to colleges across the nation without being denied consideration based on a criminal record. Today three-fourths of U.S. residents live in a jurisdiction that Bans the Box asking if you have a criminal record when applying for employment, job licenses, loans, public housing, Section 8 and a myriad of other social safety net programs.

Our national network of grassroots organizations engages and embraces community members whose primary interactions with government institutions have been punitive. FICPFM’s members’ wins are substantial on their own terms.

They also reveal immense potential to mobilize—and engage in the possibility of a truly representative democracy—the 70-100 million people in our collective communities harmed by the criminal legal system.

IN 2019

Nationwide, 35 states and over 150 cities and counties have adopted what is widely known as “ban the box” so that employers consider a job candidate’s qualifications first—without the stigma of a conviction or arrest record.

“Philanthropy must ask itself: Who do we see as entitled to advocate for those who bear the brunt of this crisis and why?”

-Lateefah Simon
President of the Akonadi Foundation
by formerly incarcerated people who... fundamentally changed the way I view our criminal injustice system. I think the same is true for many of those who are known as the “experts” on criminal justice reform. Formerly incarcerated people have provided us with a counter-narrative...that the system wasn’t actually working as advertised and that the human cost and the human toll was beyond anything that had been communicated to us.”

Michelle Alexander
Author of The New Jim Crow
Our name is part of the counter-narrative to which Alexander refers. “Formerly Incarcerated, Convicted People and Families Movement” may be cumbersome, but unapologetically so. It intentionally honors and embraces all whose lives are impacted by mass incarceration and criminalization and who have the deepest stake in their undoing.

Daryl Atkinson puts it this way: “Just as we, as a culture, have gotten used to using the term ‘LGBTQ,’ we need to afford the people of our movement the same recognition and right to define ourselves, in and on our own terms.”

FICPFM comprises all those whose lives are directly harmed by the criminal justice system. This report primarily uses the term “formerly incarcerated people.” Many prefer the terms “returning citizens,” “justice-involved” and others. The bottom line is that we assert our right to name and claim our own experience and identity.

The movement led by formerly incarcerated people has transformed the very lexicon used to refer to people who are, or have been, under criminal justice control. For example, in 2016, the U.S. Justice Department announced guidelines to replace terms like “felon” and “convict” with “person who committed a crime” and “individual who was incarcerated” in its official communications. Many state departments of corrections and a wide range of other government agencies have also changed their terminology.

As formerly incarcerated organizers have asserted our right to articulate our experiences and solutions to mass incarceration on our own terms, we have also become increasingly effective at influencing elected and appointed officials. For instance, the Obama Administration created the Federal Interagency Council that hosted a national strategy session with formerly incarcerated people to discuss how it could resolve its unwitting role in causing recidivism.

From the time a person is arrested or stands accused in court, the criminal legal system has someone in place to either silence them or speak on their behalf—be they guards, judges, or parole boards. We assert our right to speak for ourselves on our own terms.
In doing so, FICPFM is changing normative assumptions about us. As our Steering Committee explains:

“New cultural norms can cultivate the freedom for a family to admit they are struggling with some aspect of the criminal justice system and stand together with others to overcome that struggle. If a broad base of the American public was to view their own community members as people impacted by the criminal justice system, reform will become the status quo.”

Bryan Stevenson drives home the imperative of reframing the narrative and changing public discourse if we are to truly decarcerate and make freedom a reality for all in the United States:

“I genuinely believe that, despite all of that victimization, the worst part of slavery was this narrative that we created about black people—this idea that black people aren’t fully human, that they are three-fifths human, that they are not capable, that they are not evolved... and that is why I say slavery didn’t end in 1865. It evolved.”
The qualifying factor among formerly incarcerated organizers who are driving the movement for structural change is not the fact itself of having direct experience with the criminal legal system—and we refuse to be reduced to or tokenized as such.

As Andrea James stated at the #Justice2020 presidential candidate town hall:

“It’s one thing to come out and tell the story of your experience living on a prison bunk. But this isn’t the same as expertise. If you want to step into the policy making space and contribute to liberating our people, you have to learn, read and educate yourself. You have to understand the movement and whose water you are carrying.”

It is our members’ proven skills, analytic prowess and resilience that account for our movement’s strength and efficacy. Many FICPFM founders studied law, political theory and public policy, incubated organizations and tested out advocacy strategies while they were incarcerated. As a result, many formerly incarcerated leaders have been uniquely able to work towards common ground with correction officials and earn their respect in the process of winning policy change.

FICPFM’s members include many whose expertise on the law is rooted in years of training and legal advocacy as jailhouse lawyers who learned the law and about the legislative process while incarcerated, out of necessity. They also served as a strategic resource for those incarcerated alongside them and their families outside.
For instance, Voice of the Experienced (VOTE) began in Angola—a slave plantation turned prison in Louisiana—as the Angola Special Civics Project (ASCP). In 1990, ASCP drafted legislation and went on to organize family members and allies to help pass an unprecedented law granting parole eligibility to hundreds of people serving life sentences.

"Unlike outside advocates who focused their reform efforts on internal conditions, the Angola Special Civics Project centering of prisoners’ experiential knowledge led them to organize for an end to life sentencing through a combination of research, political education, electoral organizing, and coalition building."  

- Lydia Pelot-Hobbs

Organizing for Freedom: The Angola Special Civics Project, 1987-1992

Many formerly incarcerated leaders’ credibility with parole boards, corrections officials, and otherwise strictly law-and-order legislators has carried influence due to their intimate knowledge of how their systems fail and how to fix them. The ability to have public and private discourse with such officials, citing their own rules and regulations as grounds for reform, has positively influenced numerous wins. FICPFM members haven’t only challenged and protested outside the halls of power, we also enter them to make an impact. Formerly incarcerated people are, by definition, now “free” despite a myriad of debilitating discriminations. With increasing effectiveness over the past decade, people with direct experience are leveraging their freedom and intricate knowledge of the system and structures that must change to move us toward a decarcerated nation. Formerly incarcerated people are organizing their friends, families, and their friends’ families through campaigns that address their immediate struggles against injustice and discrimination.
Our movement is a direct continuation of the struggles for abolition and civil rights. The only difference is that today our enemy doesn’t wear white hoods, they wear black robes.”

Norris Henderson
Founder, Executive Director of VOTE
OUR ROOTS
Making a Way Out of No Way

In light of the 13th Amendment’s authorization of slavery “as a punishment for crime”—combined with the ironclad persistence of Jim Crow state laws that make it legal to withhold the right to vote, make a living and access public services based on a criminal conviction—the movement against racialized incarceration has been centuries in the making.

Deanna Hoskins explains another application of the 13th Amendment’s allowance of slavery as punishment for crime—even if you have not been duly convicted of one—the contemporary cash bail system: “Slave masters took you from your family and sold you on the auction block. Bail bondsmen put you on the auction block and sell you back to your family.”

For the purposes of this report, we begin FICPFM’s origin story two decades back with nascent opposition to the “prison industrial complex.”

In 1998, over 3,500 people gathered at U.C. Berkeley for Critical Resistance, spearheaded by formerly incarcerated activist and scholar Angela Y. Davis.

This was a huge turnout given how tiny the criminal justice reform field was and how repressive the political climate was at the time. While a bipartisan consensus for reform has recently emerged, back then, Democrats and Republicans were competing over who was tougher on crime.

Prisons do not disappear social problems, they disappear human beings. Homelessness, unemployment, drug addiction, mental illness, and illiteracy are only a few of the problems that disappear from public view when the human beings contending with them are relegated to cages.”

— Angela Davis

DeAnna Hoskins, President & CEO at JustLeadershipUSA (JLUSA) since 2018.
The Clinton Administration’s 1994 Crime Bill allocated $12.5 Billion to states to build new prisons—when the prison population had already quadrupled between 1970 and 1994.28

The legislation also authorized $200 million to put 100,000 more police officers in communities.29

“Law and order” policies metastasized at the federal, state and local levels—three-strikes, mandatory minimums, denial of parole and curfews targeting the bogus myth of youth “super-predators.” Also in 1994, Congress stripped Pell Grant eligibility from incarcerated students.30

The 1996 Anti-Terrorism and Effective Death Penalty Act stripped away people’s Constitutional right to challenge their detention.31

The New Yorker described this law as “surely one of the worst statutes ever passed by Congress and signed into law by a President. The heart of the law is a provision saying that, even when a state court misapplies the Constitution, a defendant cannot necessarily have his day in federal court.”32

In 24 states, there are now more people serving life sentences than were in the entire prison population in 1970.27

- Sentencingproject.org
February 20, 2020
Thus began a virtual permanent state of punishment for low-income and Black and Brown communities increasingly ensnared by police and prisons. By 1996, the welfare state had mutated into the penal state. Congress and the Clinton Administration instituted lifetime bans on people with felony convictions from public housing, Section 8 vouchers and most components of the social safety net.33
It was in this political climate that Critical Resistance foregrounded the voices, wisdom and experience of currently and formerly incarcerated people.

The 1998 conference galvanized students, activists, teachers and writers to challenge basic assumptions about the punishment system and forge a new conversation about the contradiction between mass incarceration and democracy. The conference prioritized the leadership of formerly incarcerated people at all levels, from the composition of its leadership team, to its panelists, facilitators and to whom travel grants were awarded. Conference presenters included leading experts who called in from behind the walls of prisons across the country.

“We felt the power of what it was for formerly incarcerated people to come together,” George Galvez recalls about Critical Resistance. “We realized that all these people with law degrees and Ph.Ds. had been talking about us but not with us. From there we realized the power of what could happen when we started talking to each other. It was a tipping point. There had never been a time in history that so many of us who had been through this system had been together in the same place, at the same time. It galvanized folks like me, Black and Brown and formerly incarcerated, and played a pivotal role in bringing us together.”

In the early 2000s, many of FICPFM’s founders began connecting organically and working together in regional coalitions. In the same period, others were being released from prison and founding organizations of their own.

Between 1998 and 2003, four of FICPFM’s anchor organizations were founded, including A New Way of Life, All of Us or None, The Ordinary People’s Society and Voice of the Experienced.
A TABLE OF OUR OWN

Dorsey Nunn speaks to a defining characteristic among these organizations and what would become the larger movement’s values:

“From the beginning, with all of the decisions we were making, even when we didn’t realize it, the goal was building a movement. We were denied a seat at the table but that didn’t mean we didn’t know what we had to bring to the table.”

“WE WERE USED TO OPERATING FROM A PLACE OF SCARCITY WITH NO OUTSIDE SUPPORT. SO WE STARTED FORMING A NATIONAL TABLE OF OUR OWN, ON OUR OWN.”
When formerly incarcerated and convicted people asked for a seat at this table on behalf of their communities, the answer was an unequivocal “no.”

The imperative to unify across lines of organizational identity, issue and geography was heightened in 2003 with the emergence—in the wake of Gore v. Bush—of a multi-million-dollar national campaign against felon disenfranchisement.

These funds were disbursed to eight large civil rights organizations, none of which represented—or spent much time considering the concerns of—people who were denied the right to vote because of a felony conviction.

When formerly incarcerated and convicted people asked for a seat at this table on behalf of their communities, the answer was an unequivocal “no.”

The only rationale provided was the circular argument that our organizations—massively under-funded compared to the established national entities—lacked “capacity.”

“Formerly incarcerated people have provided us with a counter-narrative to what we had been taught through the media, through our school system, through our training as lawyers.”
IN MARCH 2003

Formerly incarcerated organizers in California held a statewide meeting and committed to launch the “Ban the Box” campaign and to unite under the name “All of us or None.”

Ban the Box was the first effort to bring the concept of the “collateral consequences” of incarceration and criminal conviction out of discussions within academia and think tanks and on to the policy agendas of decision makers in local, state and federal government.

BY 2015

The White House made a commitment to Ban the Box across multiple federal agencies and encouraged private companies to do the same.

BY 2016, OVER 40 FOUNDATIONS HAD “BANNED THE BOX” AND ADOPTED FAIR CHANCE HIRING POLICIES FOR PEOPLE WITH CONVICTION HISTORIES. 34
IN 2003
Kenny Glasgow began

**REGISTERING PEOPLE TO VOTE IN ALABAMA JAILS.**

IN 2008
After the state blocked him from registering people in jail,

**GLASGOW WON A LAWSUIT RECOGNIZING HIS RIGHT TO DO SO.**\(^{35}\)

Glasgow and his organization, The Ordinary People Society (TOPS), were also at the forefront of passing a 2017 state law establishing which crimes do and do not disqualify people from voting based on crimes of “moral turpitude,” as defined by the state’s 1901 Constitution, crafted according to the U.S. Supreme Court, with racist intent.\(^{36}\)

IN 2017
The 2017 law also established clear guidelines for voting rights restoration in Alabama.\(^{37}\) As a result,

**OVER 60,000 PEOPLE BECAME IMMEDIATELY ELIGIBLE TO VOTE**

in Alabama.\(^{38}\)
Also in 2003, the Open Society Institute awarded its first Soros Justice Fellowship since the program began in 1997 to a formerly incarcerated leader for the purpose of “organizing a network of inmates, former prisoners, and their families to participate in a national movement to advocate for prisoner’s right and criminal justice policy reform.”39 Since then, FICPFM Steering Committee members including Susan Burton, Norris Henderson and Vivian Nixon have also received the prestigious fellowship.

In 2003, organizers convened “Critical Resistance South” in New Orleans, serving to solidify a bloc of formerly incarcerated leaders. This was the largest gathering of formerly incarcerated people in one place at one time at that point. Norris Henderson recalls:

> Through this, we started realizing there was a common denominator among formerly incarcerated people who were doing this work but not being funded for it and, in fact, explicitly excluded them from. When our demands for inclusion were flat-out denied, we started organizing among ourselves.

In 2006, Eddie Ellis, a formerly incarcerated leader and founder of the influential think tank at New York’s Green Haven prison, wrote a widely disseminated “Open Letter to Our Friends on the Question of Language” calling on allies to use the term “formerly incarcerated” and other alternatives to stigmatizing language. Two years after his death, a New York Times Editorial, “Labels Like ‘Felon’ Are an Unfair Life Sentence,” cited Ellis’ letter:40

> When others complained that expressions like “people who have committed crimes” did not roll easily off the tongue, Mr. Ellis made clear that those extra words acknowledged the humanity of people who, having paid their debts, should not have to feel shut out forever.

Over the next five years, formerly incarcerated organizers continued down the path toward intentionally building a national movement led by those directly impacted by incarceration. Many of us were managing our own over-extended and under-resourced organizations. Others were working at the bottom rungs of existing non-profits before founding our own organizations. Some were earning advanced degrees and—with or without a law degree—many went on to train hundreds of lawyers and interns who went on to become stalwart allies to our movement. All the while we began convening regular conference calls, email threads and hashing out a process to work together and to remain accountable to directly impacted people in our communities.
CONSOLIDATING THE MOVEMENT

In Selma in 2011, at the annual commemoration of Bloody Sunday, the entity now called FICPFM held its inaugural gathering, drawing over fifty formerly incarcerated people. Then and there, we agreed upon our name and to form a national umbrella entity to advance and grow the leadership of formerly incarcerated people in a unified movement. We declared our vision to fight for the full restoration of our rights and issued “The Clarion Call” that:

“Speaks to us in our own voice; clear, loud and urgent. A voice that speaks to our identity and emanates from the soul, ringing true both in the head and the heart. Our objective is a collective one...Fifty formerly incarcerated and convicted organizers came [to Selma, hosted by TOPS] with a dedication stating that this is our time. We were not deterred by our inability to raise the entire budget to fly, feed and house people in Alabama for three days...We readily subsidized our own fight for the restoration of our own civil and human rights... The concept and construction of a movement requires a vessel large enough to hold us all, and steering a vessel of this scale requires a crew of many navigators and leaders...”

“As a collective, we all committed to something bigger than each of our own organizations or individual work.”
In Selma, twenty people volunteered to join FICPFM’s Steering Committee, with diversity across geography, racial and religious identity and gender. We decided upon a process of holding regular conference calls to move forward with our agenda. We immediately began organizing and coordinating FICPFM’s next planning meeting.

Later in 2011, FICPFM brought together 300 formerly incarcerated people in Watts, Los Angeles, hosted by A New Way of Life and All of Us or None. There, we ratified FICPFM’s National Platform which begins:

It’s important to point out something that others may take for granted: Many of FICPFM’s founders and members are still under some form of state supervision, with various forms of travel restrictions as well as fines and fees limiting their freedom and movement. Many have below poverty-level incomes. So, for many FICPFM members, organizing remains not only financially expensive and logistically burdensome, but also politically dangerous for the many still under state supervision and control.

The Formerly Incarcerated, Convicted People and Families Movement is committed to the full restoration of our civil and human rights... Society’s reliance on prisons and punishment does not make our communities safer. The warehousing of human beings, mostly people of color, is an unacceptable substitute for social programs. Prisons are not a substitute for mental health care, and jails are not housing for the homeless. We work to develop political power and healthy communities.
FICPFM’s National Platform set forth 14 demands:

01. An End to Mass Incarceration
02. Equality for All People
03. The Right to Vote
04. Respect and Dignity for Our Children
05. Community Development, Not Prison Profit
06. An End to Immigration Detention and Deportation
07. An End to Racial Profiling Inside Prison and In Our Communities
08. An End to Extortion and Slavery in Prisons
09. An End to Sexual Harassment of People in Prison
10. Human Contact as a Human Right
11. An End to Cruel and Unusual Punishment
12. Proper Medical Treatment
13. An End to the Incarceration of Children
14. Freedom for Our Political Prisoners

Over the next two years the Steering Committee would convene in New Orleans, Pittsburgh, and Stonybrook, New York, evolving and expanding over those years. Anchor organizations and individuals provided resources for the meetings, deepening relationships, shaping strategies and honing our internal process and practices along the way.
These leaders, committed to building a self-determined movement, recognized the importance of **intersectionality**—of working together across lines of issue, ego, gender, geography, race, religion, age, ethnicity, sexual orientation and identity.

The imperative of intersectionality brought with it growing pains. Vivian Nixon describes the struggles:

"Women had to put forth to have their voices heard: I remember putting my watch on the table and timing the men who would go on speaking for 20 minutes. We had to say to the men in the room: ‘What I need you to recognize is that sometimes women are not going to be comfortable interrupting you. So we need you to take a breath and stop talking to give space for our voices.’ We had to speak up and make men uncomfortable at first so they would become comfortable centering women’s leadership at every level.”

Our movement’s resonance continued to expand. In 2012, the Employment and Opportunity Council issued guidelines regarding criminal background checks in employment, after much advocacy by FICPFM leaders, organizations, and a growing cohort of allies.44

**WHAT IS INTERSECTIONALITY?**

“It’s basically a lens, a prism, for seeing the way in which various forms of inequality often operate together and exacerbate each other. We tend to talk about race inequality as separate from inequality based on gender, class, sexuality or immigrant status. What’s often missing is how some people are subject to all of these, and the experience is not just the sum of its parts.”43

*Kimberlé Crenshaw*
Law Professor at Columbia and UCLA
IN 2013

FICPFM issued its first report, “Communities, Evictions, and Criminal Convictions,” addressing blanket bans in public housing. The report, informed by community organizing and litigation strategies, undergirded a three-year campaign in New Orleans that led to

PASSAGE OF THE MOST PROGRESSIVE PUBLIC HOUSING ADMISSIONS POLICY FOR PEOPLE WITH FELONY RECORDS IN THE NATION.

Two years later, VOTE paid this win forward, providing technical assistance and training to Direct Action for Rights and Equality (DARE), which successfully advocated for passing a similar housing law in Providence, Rhode Island. With All of Us or None’s mentorship and support, DARE won a statewide Ban the Box law in Rhode Island. These are among dozens of examples of FIP-led organizations passing skills and strategies on to one another to replicate wins, while building up a leadership pipeline.

DID YOU KNOW?

In 2018, our analysis shows that formerly incarcerated people are unemployed at a rate of OVER 27% higher than the total U.S. unemployment rate during any historical period, including the Great Depression.45
IN 2014
Daryl Atkinson was named by the Department of Justice as the INAUGURAL SECOND CHANCE FELLOW
a position at the intersection of the federal agencies that enforce, or model, many discrimination policies across America.

IN 2016
Dorsey Nunn received the White House “CHAMPION OF CHANGE AWARD” that “recognizes Americans who have made an impact in their communities and helped our country rise to meet the many challenges of the 21st century.”
OUR MARCH TOWARD FREEDOM

In 2016, FICPFM held its first national convening in Oakland, California. Over 700 people attended from 25 states across the country, assisted by travel funds raised by the Steering Committee and underwritten by All of Us or None and Legal Services for Prisoners with Children, which also handled the massive logistics for the conference.

Formerly incarcerated experts and activists led panels and workshops around various issues such as employment, youth incarceration, housing and political prisoners. We convened panel discussions that promoted unity. John Legend’s new organization, #FREEAMERICA, attended and was one of multiple creatives capturing content from the convening.

In 2017, the FICPFM Steering Committee, which was growing and adding representatives from several organizations new to the field, held a strategy retreat in Arizona to refine our national network structure and internal decision making process. Later that year, at a strategic retreat in New York City, FICPFM honed in on its policy priorities and the collaborative strategies that FICPFM members would leverage moving forward.

In September 2018, FICPFM held its second national convening in Orlando, Florida—attended by 1,000 people, representing a vast majority of U.S. states. Planning and fundraising for this convening had begun nearly a year before, with the aim of providing 200 travel subsidies for directly impacted people around the country. Ultimately, FICPFM was able to cover travel and accommodation expenses for 500 people.

The Steering Committee timed and located the event to lend support to the Florida Rights Restoration Coalition (FFRC) and its campaign to pass Amendment 4. A full day of the weekend conference was dedicated to providing boots on the ground.

In the course of an afternoon, FICPFM participants were able to reach 82,000 voters via canvassing, phone banking and texting, supporting the infrastructure and base that FRRC already had in place.

In May 2019, the organizational members of FICPFM’s national network, including two dozen Q4D organizations, each sent three leaders to New Orleans for a three-day training boot camp on civic engagement skills and strategies to scale-up members’ capacity and effectiveness around conducting year-round Integrated Voter Engagement. Participants were trained in the latest, vital tools and techniques on innovative GOTV approaches and how to use the Integrated Voter Engagement database created by and tailored to communities impacted by incarceration. Not only is FICPFM disentangling the halls of power for the masses, they are entering them and making an impact. 
IN 2018

50% of attendees were financially covered by FICPFM to attend the second national convening when only 20% was the goal.

Also in 2019, the New Press announced it would publish, in conjunction with FICPFM and the Center for American Progress, What We Know: Solutions from Our Experiences in the Justice System.48

Early praise for the book includes Publishers Weekly, which describes the book as: “Cogently argued, these essays cast a harsh light on the prison system and the obstacles millions of Americans face in getting their lives back on track. Policy makers, lawyers, and activists should take note.”

Neil Barsky, founder and chair of the Pulitzer Prize winning Marshall Project describes:

“What We Know gives voice to the extraordinary insights and ideas of formerly incarcerated Americans. In doing so, it reminds us of the tragic loss of human potential locked behind our prison walls.”

“This is what we know, and we know it better than anyone else.”

- Vivian Nixon and Daryl V. Atkinson from the introduction of What We Know

(“FIP VAN”). The training’s mandate and goal was to build a base of power rooted in directly impacted people’s communities, with a shared belief in dismantling mass incarceration.

This was the first time in history that formerly incarcerated leaders and others who have experienced firsthand the dysfunctional criminal justice system hosted—and comprised the entire audience of—a public, live-broadcast discussion with presidential candidates. The Justice Votes 2020 Town Hall took place at Eastern State Penitentiary. News Inside Director Lawrence Bartley captured the forum:

“This historic town hall marks an important step toward centering the voices of those directly impacted by mass incarceration, and in recognizing us as citizens with an equal stake in our political system. The program will give unprecedented voice to people whose lives have been disrupted by targeted policing, disproportionate sentencing schemes, racial profiling and other injustices.

Senator Kamala Harris describes her experience of the forum:

“This is a room of leaders who understand what is actually happening in the system and who know that if we’re going to be true to our values and if we want healthy communities, if we want to be true to the values of redemption, we have to agree that the incarceration system of America is one of the greatest failures of public policy in our country.”

The total media reach of the forum was to 135 million people across national and local broadcast, radio, print and online platforms including ABC, MSNBC and MTV News. The event was also live streamed by 272,000 people, including at 211 watch parties across the country. The hashtag #JusticeVotes2020 made 1.1 million social media impressions in October 2019 alone.

Ari Melber, Emmy-winning MSNBC news anchor, journalist and attorney, was a guest moderator at #JusticeVotes2020. He stated that day:

Mass incarceration has been a method where we have seen people disappeared. Not only those who have been pulled out of their communities, but even after serving their time and doing their work...are told: ‘They don’t have a civic voice, they can’t vote...they can’t participate, they are [still] disappeared.’
"We have this huge bloc of dormant voters because they don’t see any possibility of their vote making a difference for their kid who got arrested and sentenced for riding a bicycle while Black. Organizers must offer people tangible, concrete hope. Only then can people be convinced that they should vote or go get their family and community to vote."

- Desmond Meade
Executive Director of the Florida Rights Restoration Coalition
THE QUEST FOR DEMOCRACY

FICPFM works at the intersection of criminal justice reform and civic engagement. Like our ancestors before us, we are mobilizing a powerful critical mass of people to win back our Constitutional and democratic rights, including the right to vote based on felony enfranchisement.

We aim to restore the de jure right to vote while working in the community to show people a de facto rationale—a motivation to re-engage in civic life that connects to their daily lives. As Norris Henderson puts it: “We are waking up a sleeping giant.”

Formerly incarcerated people are energizing those otherwise discounted as “low propensity” voters. But more fundamentally, FICPFM’s members are helping restore our people’s belief in our own claims to governance.

Author and activist Asha Bandele suggests: “We must consider what it has meant for a mass group of people to live in a country where their only experience with government has been control and surveillance. Then we can realize how profound the possibilities are when this mass group of people is provided the experience of actually transforming government from a structure of silence and repression into a system that they can assure makes possible the futures they want for their daughters and sons.”

FICPFM also supports directly impacted people running for public offices, especially those that hold the power to dismantle the criminal punishment system as we know it. For example, in recent years approximately two dozen candidates in medium to high profile jurisdictions have ran—on criminal justice reform platforms—and won District Attorney races across the country.

“According to Fordham University law professor John Pfaff Prosecutors are the single most important factor in the increase of prison populations, because they tend to file charges even when the evidence suggests that someone should go free, and generally pursue the harshest sentence they can get. Pfaff found that between 1994 and 2008, even as crime and arrest rates fell, the number of felony charges filed by prosecutors increased. From this data, he concluded that prosecutors were driving the phenomenon of mass incarceration through punitive charges and penalties.”

― Daryl Atkinson
Co-Director at Forward Justice
DRIVING DEMOCRACY FORWARD IN OUR COMMUNITIES

To build our leadership and expand our base, FICPFM applies and scales up the “each one, teach one” theory of change. To this end, our national network has expanded over the past two years to include Quest for Democracy (Q4D) grantees.

These are over 30 base-building organizations from across the United States led by directly impacted people. FICPFM provides training in civic engagement strategies and technology to Q4D groups and other members of our national network, so that their organizations can pull at all of the levers of power necessary to achieve far-reaching criminal justice reform.

We are developing local leaders and engaging community members in shaping the policy decisions and government institutions that affect their daily lives. Q4D reflects our commitment to exercise democracy in the most fundamental sense, beyond a single issue or election cycle.

Q4D is a partnership between FICPFM and the Circle for Justice Innovations (CJI), which describes:

CJI believes that the leadership of incarcerated and formerly incarcerated people counters the injustice of perpetual punishment and allows for deeper analysis of the problems and solutions that will best serve impacted communities, and all communities. We are excited to support the vision of these powerful organizations as they drive our movement toward honest narratives and electoral, legislative, and policy change grounded in the wisdom of lived experiences.

To expand the national movement to mobilize and give voice to organizations that have constituencies directly impacted by mass incarceration, FICPFM launched Quest for Democracy (Q4D).

This is a participatory grantmaking initiative completely self-determined by formerly incarcerated people and designed to support non-profit organizations founded and led by formerly incarcerated people.

By seeding the movement with resources, organizers, and technical support, FICPFM is expanding its base, developing leaders, scaling up campaigns at the local and state levels and replicating wins—both on policy and as measured through the development of constituencies nationwide who exercise their right to vote. Whereas the traditional civil rights advocacy organizations have been primarily rooted in NYC, D.C., and the Bay Area, FICPFM is committed to continuing its work in the South and helping the Midwest reach its full potential.
Aligned with its strategic plan, FICPFM set clear criteria for determining which organizations receive funding through Quest for Democracy. The grantmaking criteria reflect five core priorities and tenets of FICPFM’s theory of change:

**CRITERIA ONE**
Organizational leadership must come from those who have directly experienced and been harmed by the U.S. criminal legal system.

**CRITERIA TWO**
Organization demonstrates accountability to its community and is growing a membership base.

**CRITERIA THREE**
Organization has a clear leadership development model.

**CRITERIA FOUR**
Organization approaches power-building in collaboration with other organizations and sees its local and/or statewide work as part of the larger national movement.

**CRITERIA FIVE**
Organization engages in civic engagement, re-enfranchisement and/or GOTV activities.

**CRITERIA SIX**
Organization has a clear and identifiable policy campaign aligned with one of FICPFM’s four priorities:
- Bail Reform and Systems Supervision Reform Organizing
- Law Enforcement Accountability: Police, Prosecutors and Judges
- Restoration of Rights for Incarcerated, Detained, Formerly Incarcerated and Formerly Detained People
- Felon Re-enfranchisement, Voting Rights Restoration and Civic Engagement

“We support the movement, not issues. Having to make this case repeatedly for funding for the movement, as opposed to a particular issue, is challenging and taxing. Movement-building transcends any one issue. It’s about three things: Changing laws, policies and practices to build power for movement partners; Shifting culture, values and narrative; and base building and mobilization.”

— Daryl Atkinson
Co-Director at Forward Justice
DID YOU KNOW?

Homelessness is only one piece of the problem when it comes to housing insecurity.54

Housing insecurity includes homelessness and “marginal” housing arrangements. To measure both, prisonpolicy.org looked at answers to one question... Where do you currently live most of the time?

- **Homeless**
  - In a shelter
  - Homeless or no fixed residence

- **Marginal Housing**
  - In a boarding house, hotel, or motel

- **Housing Insecure**
  - In a shelter
  - Homeless or no fixed residence
  - In a boarding house, hotel, or motel

Number of formerly incarcerated men and women, per 10,000, experiencing homelessness or living in marginal housing (rooming house, hotel, or motel). Sources and data notes: www.prisonpolicy.org/reports/housing.html#methodology

DID YOU KNOW?

The criminal justice system punishes poverty, beginning with the high price of cash bail: The median felony bail bond amount ($10,000) is the equivalent of 8 months’ income for the typical detained defendant.55

ANNUAL INCOME

<table>
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<th>Annual Income</th>
<th>Median Pretrail</th>
<th>Not Incarcerated</th>
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<tr>
<td>$40,000</td>
<td>$39,600</td>
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<tr>
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<td>$22,704</td>
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<td>$11,071</td>
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<tr>
<td>$10,000</td>
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Median annual pre-incarceration incomes (in 2015 dollars for people ages 23–39 in local jails who were unable to post bail bond, compared to incomes of same-age non-incarcerated people, by gender. For detailed data notes, see Detaining the Poor at www.prisonpolicy.org/reports/incomejails.html
We stress that oppression by mass criminalization and incarceration cannot be compartmentalized into issue silos. Q4D does, however, stress five policy areas that immediately and directly affect our members’ constituencies. Further, because FICPFM as a national alliance has seen wins around these areas, they serve as pathways to facilitate training for members—to cross-fertilize tactics and strategies in order to replicate campaign wins.

Our current policy priorities include:

**PRIORITY ONE**
**Bail Reform and Systems Supervision Reform Organizing**
- Remove pre-trial detention, monitoring or supervision
- Bail Out campaigns connected to initiatives to end money bail in jails, prisons and detention centers
- Reduce systems supervision including electronic monitoring and subdermal patches
- Increase participatory defense and reduce the number of poverty-related guilty pleas

**PRIORITY TWO**
**Law Enforcement Accountability: Police, Prosecutors and Judges**
- Independent investigations of police misconduct especially in the use of excessive force, discharged weapons, unlawful stops and searches
- Development of independent commissions with subpoena power to investigate and rectify wrongful prosecutions
- Establishment of consent decrees or other enforceable law enforcement policies and procedure

**PRIORITY THREE**
**Restoration of Rights for Incarcerated, Detained, Formerly Incarcerated and Formerly Detained People**
- Restoring parental, employment, housing, education rights; removing punitive fines
- Improving conditions of confinement for currently incarcerated people such as ending solitary confinement, rape, shackling of pregnant women, denial of adequate health care and sanitary supplies, denial of hormone treatment for trans people in prison or detention, forced labor, exploitative or slave wages, inadequate safety measures for the protection of incarcerated people in weather emergencies or crises
DID YOU KNOW?

One-third of women in state prisons, one-quarter in jail, and one-sixth in federal prisons had been raped before their sentence.

Among women incarcerated in state prisons, 1 in 4 were sexually and/or physically abused before age 18.56

DID YOU KNOW?

Average Prison Sentence in Months57:

1990-1999 AVERAGE: 8 MONTHS

2000-2009 AVERAGE: 20 MONTHS

2010-2013 AVERAGE: 25 MONTHS

2016 AVERAGE: 31.2 MONTHS58
DRIVING DEMOCRACY FORWARD IN OUR COMMUNITIES

FICPFM is currently developing a campaign toolkit with model ballot initiatives, litigation pleadings and step-by-step incarceration-based voter engagement. In the long term, FICPFM aims to create an accurate, predictive model for voter turnout. Further, it will promote civic engagement by promoting voting rights policy change through legislative strategies in all target states.

The hallmarks of FICPFM’s innovative approach to civic engagement training can be described as:

HIGH TOUCH
Face to face, door to door and ongoing, year-round Integrated Voter Engagement by directly impacted community members to inform people of their eligibility to vote; reach folks disregarded by traditional campaigns as “unlikely voters”; help voters understand complex ballot propositions; and push candidates to sign on to criminal justice reform policy platforms.

HIGH TECH
FIP-VAN is building a vast data base of directly impacted people to reach and mobilize households and individuals including those who are disenfranchised so they can inspire others to vote.

GOING DEEP
Our members have pioneered, fought to protect and training members nationwide in jail-based voter registration.

GOING WIDE
FICPFM-affiliated policy campaigns have utilized electronic billboards, bus ads and activating celebrities to directly reach out to our communities.

“From the time a person is arrested or stands accused in court, the criminal legal system has someone in place to either silence them or speak on their behalf – be they guards, judges, parole boards. We assert our right to speak for ourselves on our own terms.”
DID YOU KNOW?
It is nearly impossible for formerly incarcerated job seekers to compete in an economy that increasingly demands highly skilled, credentialed workers.

DID YOU KNOW?
While those in the general public have a 1 in 3 chance of attaining a college degree, a formerly incarcerated person’s chances are less than 1 in 20.59

Percentage of people 25 or older with a high school diploma or GED who also attained a Bachelor’s degree or higher. For the data, see https://www.prisonpolicy.org/reports/education.html#table5 22
MOVING FORWARD

TAKING STEPS TOWARDS CHANGE

DID YOU KNOW?
Louisiana law expands parole eligibility, decreasing minimum time served for parole consideration from 35 to as few as 15 years (2016, vote).

Amendment 2 eliminates Louisiana law by which non-unanimous juries can determine trial decisions, addressing the fact that the state has not only the nation’s highest rate of incarceration but the longest average sentence of imprisonment (2018, vote).

“Nothing about us without us is for us.”60
The movement led by formerly incarcerated people is shifting the political landscape toward criminal justice reform. Among the hallmarks of this movement is its potency to build a new voting bloc with a vested interest in how policy decision makers and public discourse defines public safety and the allocation of resources according to sustainable priorities.

This new constituency is proving its capability—in qualitative and quantitative terms—to bridge the gap between retribution and renewal. FICPFM is explicit in its intention to focus on voting rights and civic engagement as a means to achieve solutions, and is rooting our growing movement in the values of equality, democracy and citizenship. FICPFM is building a base of inspired and inspirational people motivated to reinvigorate our democracy.

The national movement for criminal justice reform being led by the formerly incarcerated is making headway toward correcting the ugliest parts of American history. After Reconstruction, southern states succeeded in maintaining white supremacy by undermining freed people’s voting rights as well as means by which African Americans could be “duly convicted” of a crime. November 2018’s election victories in Florida (Amendment 4) and Louisiana (Amendment 2) are flashpoints along a continuum of lesser known victories that also rest on the shoulders of years of hard-fought, sustained efforts by people directly impacted by mass incarceration and criminalization to mobilize and develop leadership within their communities.

They also reflect several hallmarks of this movement. One is the long-term strategic vision of formerly incarcerated organizers—by definition these constitutional amendments passed by ballot initiatives cannot be undone by shifting political winds.

Another is tenacity and seeing wins through to their implementation—when others might celebrate, then move on to the next campaign, organizations led by formerly incarcerated people are particularly attuned to the fact that a “win” is not truly achieved until it becomes real for all of the people in your community.
One example of continuing the fight in the wake of backlash is in Florida where FFRC organizers continue to challenge a legislative push back against Amendment 4’s implementation since election day.

Though Amendment 4 passed by a landslide since its electoral victory in November 2018, the Florida Rights Restoration Coalition (FRRC) has been in a protracted legal battle against lawmakers seeking to reverse Amendment 4 by requiring those whose voting rights had been restored by Amendment 4 to pay fines and fees imposed by the criminal legal system—a modern day poll tax.61

Amendment 4 passed by wide margin and is credited with 20-year high63 in state voter turnout. Its supporters are trans-partisan, including the Christian Coalition of America, KOCH PAC, Catholic bishops and celebrities including NFL and NBA players.

DID YOU KNOW?
In South Africa, all prisoners have the right to vote. Handing down a landmark ruling in April 1999, the constitutional court of South Africa declared:

“The universality of the franchise is important not only for nationhood and democracy. The vote of each and every citizen is a badge of dignity and personhood. Quite literally, it says that everybody counts.”62

- Albie Sachs
Constitutional Court Of South Africa

“ We wanna make changes in this country because the system was broken from the get go. It was never made for us.”

- Nane Alejandro & Selena Alejandro
Executive Director, Barrios Unidos
In California, A New Way of Life picked up where passage of Proposition 47 left off, making sure that this win took hold in the lives of real people. The organization has a “Civic Engagement & Prop 47 Specialist”, a dedicated full-time staff position, and holds bi-weekly clinics to make it possible for those eligible under Proposition 47 to truly reap its intended goals by taking them through the process of changing their records from felony to misdemeanor.

It is in the DNA of organizations led by formerly incarcerated people—this finely attuned responsiveness to the needs of their communities and knowledge about how organizing those who are where they have been can “turn shame and pain into power,” as Desmond Meade puts it. Our member organizations work at all points along the continuum of systems and structures that constitute the criminal legal system from arrest to incarceration to post-conviction and reentry support.

FICPFM recognizes that the criminal legal system is rooted in state power, backed by our tax dollars and influenced by national demagoguery. We know that only a diffused multi-generational leadership, rather than one iconic figure, will shake the entrenched industry of mass incarceration. We believe the time is now to strengthen organizations led by formerly incarcerated people—at the national, state and local levels. We rest our case not only on the principle of equity but the value of efficacy.

Only an organized base will enable us to weather political shifts, continue to build a multi-generational mass movement of, by and for the people.
HELP MAKE CHANGE HAPPEN

JOIN US

FICPFM will continue to build models for replication of policy wins but, transcending any one issue, we are committed to building on national momentum toward greater civic engagement by the millions of Americans directly impacted by the criminal legal system.

We will also mobilize our members to ensure that our people are counted in the 2020 Census by boosting Census participation amongst Hard to Count populations. Specifically, we will conduct outreach among our traditional base—currently and formerly incarcerated people—knowing that we are largely represented among urban communities of low-income Black and Latino people.

In an era of unprecedented mass incarceration, the number of formerly incarcerated individuals in the United States has grown dramatically. **For the past 30 years, over a million people have been incarcerated, and over two million for the past 20 years.**

At least 95% of incarcerated people are released, meaning that tens of millions of people continue to struggle to overcome the trauma of incarceration. These individuals are often an overlooked demographic for civic engagement programs in general and census outreach programs in particular.

JOIN THE MOVEMENT

FICPFM.ORG

"We envision, ultimately, a society in which prisons do not exist."
Our collective work is making the proposition of democracy real. To transform the criminal legal system as we know it—to ensure that prisons are replaced with ending poverty, restoring safety net, ending violence, healing trauma and mental health resources. We work in gratitude, with certain knowledge that when we fight together we win.

Freedom is within our reach.
PHOTO SOURCES

Found photography is listed in order of appearance


2. Geo vanny Velásquez (geovannyveloboz), published August 15, 2018. Captioned *This picture is of my daughter Selah and me. I was doing a self portrait and she approached us to take a picture together, and the picture came out just at the time she gave me a kiss with a lot of love.* https://unsplash.com/photos/z9WmmIRjVEA


13. Jessica Felicio (jeka_fe), published February 26, 2018. Captioned *This Image is one of my favorite pictures! It’s sexy yet quiet, desaturated but yet full of personality. This shows the beauty of black people of different shades.* https://unsplash.com/photos/CT6G8Mz4grs


20. Spencer Davis (spencerdavis), published July 26, 2019. https://unsplash.com/photos/17Ecx1jUWm0


All additional photography has been sourced from iStockphoto.com, shutterstock.com as well as the FICPFM committee.
ENDNOTES

1. “All policy and legislative advocacy efforts cited in this report refer to public education activity which 501(c)(3) non-profit organizations are legally permitted to conduct.”


13. Voice of the Experienced, a 501c4 organization, co-sponsored #JusticeVotes with the Marshall Project.

14. According to media analytics tracked and compiled by the Raben Group.

15. Unless otherwise identified, all individuals quoted are currently members of the FICPFM Steering Committee, whose names and organizational affiliations are included in the report.


30. As a result, in-prison education programs fell from 350 to 12 by 2005.

31. The law gutted the federal writ of habeas corpus and incarcerated people’s right to post conviction review.


39. Through his fellowship Michael Blain, a co-founder of FICPFM, organized directly impacted constituents to convince many staunchly conservative legislators to pass unprecedented drug policy reforms in the South.


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