Opportunities for Philanthropy in Louisiana’s Justice System

November 2022
Andrea Armstrong & Marcus Kondkar
“There is no one single solution.”

- Mercedes Montagnes, Promise of Justice Initiative
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This report provides targeted recommendations for foundations and philanthropy as a supplement to research and findings presented in our 2022 report, “Louisiana Justice: Pre-trial, Incarceration, & Reentry.” That report provides a high-level overview of the criminal legal system in Louisiana based on original statistical research and focus group interviews.

One overarching theme from the interviews with movement leaders and organizations across Louisiana is that foundations should be responsive to on-the-ground measures of success. While some funders focus on data metrics for success, such as the number of people enrolled, leaders emphasized that data can overlook important cultural changes that are a precondition to successful and sustainable improvements in the criminal legal system.

Moreover, many of the interviewees defined success differently, which is not surprising since interviewees collectively provide a range of work, from direct services, policy research and litigation to storytelling and public education. Some of the proposed metrics for success included:

- **Does the work fill an existing gap within the movement?**
  Gaps could include groups who previously did not have a voice or an issue that has received little attention.

- **Does the work build out capacity within the movement?**
  Most interviewees mentioned that holding systems accountable and changing agency behavior and culture are long-term projects and therefore require long-term capacity to engage.

- **Does the work translate into a perceived benefit by clients and their families?**
  Sometimes, interviewees noted, a campaign may not lead to a legislative change, but clients and families feel the benefit of the work nonetheless through their own empowerment. Alternatively, a legislative “win,” such as passing a bill to reform an agency, may not translate into improvements for the directly impacted.
• Does the work advance the ball?
  Sometimes an initiative may fail, but nevertheless lays a foundation for future advocacy efforts or may narrow the range of obstacles to long-lasting change.

• Does the work change hearts and minds?
  Several organizations measure their effectiveness by looking at changes in dialogue from agency leaders, increased transparency by decision-makers, and well informed public discussions on the issue.

The recommendations and priorities in this supplemental report are an outgrowth of interviews with movement leaders on the ground. Although they each have a different perspective on reform efforts in Louisiana, interviewees were united in hoping that future philanthropic funding decisions would reflect their daily and lived experiences.

Andrea Armstrong
Law Visiting Committee
Distinguished Professor, College of Law, Loyola University New Orleans

Marcus Kondkar
Associate Professor and Chair, Department of Sociology, Loyola University New Orleans
The authors conducted qualitative and quantitative analysis to assess the state of the criminal legal system in Louisiana. Professor Andrea Armstrong, College of Law, Loyola University New Orleans, led the qualitative analysis, which included a review of legislative enactments, litigation, and reports by governmental and nongovernmental organizations. She also conducted interviews with organizations and individuals engaged in reform efforts in the state, including directly impacted individuals, in addition to holding four regional focus groups in New Orleans, Baton Rouge, Lafayette, and Shreveport. Professor Marcus Kondkar, Chair of the Sociology Department at Loyola University New Orleans, conducted the quantitative analysis based on existing and newly requested data sets from the Louisiana Department of Corrections as well as data provided by organizational interviewees. Public Welfare Foundation, which commissioned this report, also participated in the selection of topics for inclusion and structuring of this report.

The authors are grateful for the assistance of: Meredith Booker and Lale Brown, law students at Loyola University New Orleans, College of Law for their research assistance; Carrie Ann Welsh for her research and contributions to this report; and the Public Welfare Foundation for their financial support of this project.
Narrative Change & Strategic Communications

According to focus group participants, narrative change means transforming the collective stories we tell in support of broader policy change. Voice of the Experienced (VOTE) noted that narrative change is a critical element for moving beyond temporary, band-aid approaches to ending punitive practices entirely. Several participants in focus groups also mentioned that the statewide and bipartisan success of eliminating non-unanimous juries was made possible through highlighting how split juries were a legacy of Jim Crow laws. The Promise of Justice Initiative understands that reorienting public attitudes from punishment towards reconciliation requires healing as a long-term, essential strategy and must include survivors of crime, including incarcerated people.

Narrative change is not just about reframing ideas; it is also important to affirm individual worthiness. For example, one interviewee noted that reforms in the last five years have demonstrated a change in public attitudes towards the purposes of criminal justice, but that Black defendants are nevertheless seen as less worthy or deserving of these more compassionate policies. Daughters Beyond Incarceration has led the way in New Orleans (and statewide) by reframing incarcerated people as parents, and thus deserving of humane treatment for the sake of the person incarcerated and their families on the outside. In Baton Rouge, focus group participants discussed how the lack of understanding about their clients in pre-trial detention has undermined their efforts to challenge bail practices. More broadly, participants agreed that narrative work is essential to combat ignorance of history and the disparate impact of criminal justice policies on racial minorities.

Participants in focus groups in Shreveport and Lafayette suggested one strategy for narrative.
change is focusing on rights withheld or denied. They advocated for broader “know your rights” seminars that go beyond an individual’s rights during police encounters to include rights in traffic stops and/or municipal courts, voting, and housing/social services.

Two areas where narrative change may already be making a difference is in youth justice and parole. Families and Friends of Louisiana’s Incarcerated Children has worked on reframing “juvenile delinquents” as children, sons, and daughters. They have also used communications and outreach strategies to name “secure care” facilities as “youth prisons” and “cages.” Similarly, the Parole Project has focused on the coming home stories of their program’s participants, including sharing the difficulties of reentry after decades of incarceration.

One focus area within narrative change is funding for communications staffing, training, operations, and amplification. The COVID-19 pandemic heightened the need for advocates, particularly those in organizing or movement work, to advance their work through their web presence or social media. Some interviewees noted communications positions were often not funded, since those positions were perceived by foundations as administrative and not programmatic. Interviewees suggested communications training is needed and that Louisiana lacks a social justice communications lab, which could provide spokesperson or message training to a range of advocates. Communications funding could also support digital media costs, such as ad purchases. Finally, interviewees suggested that foundations could make a greater effort to amplify the work of their grantees by re-sharing grantee social media. Not only does this increase viewership, but also lends institutional legitimacy to the work of grantees.

A communications approach should also pay attention to the development of alternative media channels. Marginalized groups, like formerly incarcerated people, find that their issues and values are not reflected in mainstream media reporting. VOTE is focusing on developing alternative media sources that uplift and feature the values of their members. Providing access to non-traditional forms of expertise serves their community better and becomes a resource for mainstream media.

### OPTIONS SUPPORTING NARRATIVE CHANGE

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<tr>
<th>Funding communications positions</th>
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<tbody>
<tr>
<td>Develop a Louisiana communications lab for social justice</td>
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<tr>
<td>Spokesperson trainings, including for impacted people</td>
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<tr>
<td>Digital media support</td>
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<tr>
<td>Foundation amplification of grantee communications</td>
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<td>Alternative media channels that center impacted perspectives</td>
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Extend Funding Resources Beyond New Orleans & Baton Rouge

One of the more important elements that emerged from the focus group discussions is that funding must reach beyond major hubs like New Orleans and Baton Rouge. Parish-level detail is crucial for considering how to expand this funding.

New Orleans and Baton Rouge are currently the centers of movement-building work in Louisiana. This geographic concentration of reform efforts—due in part to access to philanthropic funds—undermines statewide systemic change. Many of the pre-trial, incarceration, and reentry practices identified in our 2022 Louisiana Justice report are statewide. Reformers also must be able to secure support across the state to enact change.

A regional approach can build lasting change. For example, while bail and bond advocacy has focused on New Orleans criminal court, residents of the region are similarly at risk in neighboring jurisdictions of Jefferson and St. Tammany Parishes. Linking teams and resources within the greater New Orleans region could jumpstart efforts in neighboring parishes. One lesson from the non-unanimous jury reform is the need for strong regional hubs for statewide strategies. Voice of the Experienced (VOTE) is pioneering a chapter-based approach, led by the New Orleans office, in Shreveport, Lafayette, and Baton Rouge. The Lake Charles and Lafayette regions are also areas with more resources, both from donors and for government services, to serve as regional hubs.

People working towards reform outside of New Orleans and Baton Rouge are often isolated from broader learning emerging from those cities. Building a cohort of mutually supportive organizations in other areas of the state can lessen this isolation and increase sustainability. For example, several New Orleans-based organizations have supported advocacy in Caddo Parish, home to Shreveport. The Unanimous Jury Coalition, led by VOTE and the Promise of Justice Initiative, according to several interviewees, demonstrated that there are real gains from supporting a cohort of geographically based groups, and those relationships continue to support regional reform efforts.

Different areas of Louisiana also need different types of support. Several interviewees noted that New Orleans is often easier for reform efforts, whereas areas like Lafayette, according to organizers in the area, still feel “steeped in 1950’s era racism.” In Baton Rouge and New Orleans, advocacy might focus on persuading Black elected officials, whereas in Shreveport, advocacy may focus on growing and nurturing space for the emergence of new leadership since elections often are not contested there. Baton Rouge participants also described how they are significantly different from New Orleans, in that their region includes rural, suburban, and urban areas.
“Funders need to develop relationships with communities and to balance funding support with community knowledge.”

– Khalid Hudson, Together Baton Rouge
Shreveport participants noted that the work is different in “Bloody Caddo.” Racial tension, a legacy of racial lynching, and reverence for the Confederacy is higher there than in southern Louisiana. There are fewer organizations working in this region, which can be isolating, and there are also gaps in the services provided. For example, Shreveport doesn’t have an organization like First 72+, which focuses on the first 72 hours following a person’s release in New Orleans. Neighboring parishes also lack services despite rapid population growth, like East Carroll Parish, which holds a significant portion of people serving convictions in their local jail.

According to the National Committee for Responsive Philanthropy, “[b]etween 2011 and 2015, foundations nationwide invested 56 cents per person in the South for every dollar per person they invested nationally. And they provided 30 cents per person for structural change work in the South for every dollar per person nationally.” Interviewees also stressed that rural areas of the state receive less funding than more urban areas. Advocates in Rapides Parish, Lake Charles, and Shreveport, for example, want to adopt court watching programs but lack the funds to ensure that these programs are rigorous, comprehensive, and robust.
Fund Organizational Capacity Building

Several organizations mentioned the interrelationship of grassroots organizing, systemic reform, and policy work as critical to enact change. Interviewees suggested the following mechanisms to fund change, which reinforce collaboration among differently situated organizations:

Leadership

Several interviewees noted that while their organizations have grown, the capacity to lead these larger and more developed organizations is often ignored. Several of the interviewed organizations started with only one full-time staff member or project, but now employ over 30 individuals across multiple projects. Due to increases in size and project complexity, these organizations are now responsible for managing significantly larger budgets as well as developing clear and fair policies for their larger staffs. These larger organizations would benefit from management and financial training to support the changing demands of leadership as the organizations have grown.

They also recommend that funders reward success and recognize the ability of organizations to be leaders of movements, not just organizations. One approach pioneered by the Promise of Justice Initiative is supporting and incubating externally led projects to support their eventual development as organizations. Incubating these projects provides smaller groups with a firm foundation to expand by participating in the larger organization, including in its financial and administrative policies. Several organizational leaders agreed that they would love to incubate new projects, but currently lack the funding and staff to provide meaningful support.

Photo: Families & Friends of Louisiana’s Incarcerated Children.
Community Education & Engagement

Every focus group and every movement leader mentioned the critical role of organizers in achieving change. Khalid Hudson of *Together Baton Rouge* described organizers as the “slow, methodic” base-building that is essential to creating capacity for “people to fight and win.” Public education is critical for organizing, according to focus group members. For example, Reverend Anderson of the *East Baton Rouge Parish Prison Reform Coalition* (EBRPPRC) noted that community members were shocked to learn that 32 law enforcement agencies operate in their area and book people into custody at the local jail. An organizer in Shreveport suggested that “civic academies” make organizing stick.

Public education work often doesn’t count for foundations as direct services since public education efforts are group-oriented, not individual. Yet these education efforts can lay the foundation for more significant reforms in the future. Court Watch NOLA provides another model of public education, building on its research and policy capacity. Through public trainings on court operations and monitoring, Court Watch NOLA is building a statewide movement to increase transparency in court operations while simultaneously expanding the conversation on criminal system operations beyond the standard agencies and players. These statewide efforts, according to interviewees, could and should be accompanied by regional trainings that reflect the politics and issues specific to their region in Louisiana.

“People have to first know their rights, before they can act on them”

– Consuela Gaines, Voice of the Experienced–Lafayette
Policy & Research Capacity

Though sometimes perceived as oppositional to grassroots fundraising, data can also contribute to narrative change by highlighting the role of root causes of crime (poverty, lack of access to social services, racism and discrimination) in our criminal legal system. This work has the potential for success, as demonstrated by Court Watch NOLA’s advocacy to secure translators in criminal courtrooms in New Orleans. It is also critical for grassroots organizers, like Rev. Anderson of the East Baton Rouge Parish Prison Reform Coalition (EBRPPRC). The Coalition has been building power in Baton Rouge over the last three years, but now that its members are invited to the policy table, Rev. Anderson described needing different tools for her members, including a better understanding of budgetary processes, best practices, and policy work.

Policy work also includes strategy development. Louisiana has seen significant attitudinal changes towards mass incarceration, but several focus group participants noted that moving forward also requires “protecting” and “holding the ground for victories.”

Technology

Several groups noted the importance of technology grants. Particularly during the COVID-19 pandemic, organizers need personal and operational tech to continue outreach and public education. Non-profit organizations are often the last to adopt new and emerging technologies that streamline work because of their cost and perceived value. However, creating a grounded campaign for change is analogous to creating a military campaign: resources are deployed strategically by district or neighborhood. Another example cited by an interviewee is foundation reticence to fund smartphones for staff, despite the obvious advantages: staff are often on the move and need the benefits of video conferencing and calendaring to support their organizing. Technology grants could also support software purchases to store and organize collected data, digital organizing tools, or communications assistance.
Institution Building & Infrastructure

For philanthropic institutions, relying on a “results-oriented” funding model means that organizations may prioritize fundraising for external projects over internal institutional and capacity building. Even organizations that are highly data dependent, such as Court Watch NOLA, can only afford to hire part-time statisticians and data entry staff. Organizations also often lack full-time development staff, who could build fundraising strategies alongside advocacy strategies and campaigns several years into the future.

Part of supporting institution-building is equipping organizations with the tools to fundraise. Several interviewees described applications that were overly burdensome for limited and temporary funding support. Additional barriers to securing funding included not being invited to the table or seemingly being the wrong fit, where an organization is too small or too large for a particular grant. Sometimes funding produces a mismatch to the detriment of implementation. For example, a foundation might fund the development of a toolkit for $1 million, but only allocate $100,000 to implementation. Interviewees also shared their perception that white lawyer-led organizations receive the lion’s share of funding because of perceptions of legitimacy and expertise compared to Black organizer-led groups, who are expected to do the work with less because they are personally impacted. Lastly, interviewees noted that lack of institutional funding limits their ability to pursue diversity, equity, and inclusion training and implementation, strategic planning for the organization, and development of internal data systems to track and document their work.

In addition, growing organizations could benefit from financial and administrative training, as many lack dedicated human resources staff or significant capacity in grant administration. Administrative staff can be critical for organizations to grow beyond their initial geographic base. Several advocates described how they were never trained on administrative tasks like securing insurance, drafting internal policies, and organizational procedures. They worry that their lack of training puts their staff and clients at risk.

Another concern, particularly for smaller organizations, is the need for brick-and-mortar offices. The work may start in a person’s living room, but for the work to be sustainable, organizations must be in a position to buy real estate, particularly those groups that provide direct services to impacted populations.

### TYPES OF INSTITUTIONAL FUNDING

#### ADMINISTRATIVE

- Diversity, Equity & Inclusion training & implementation
- Strategic planning
- Fundraising
- Human resources

#### OPERATIONAL

- Data systems
- Internal tracking & documentation of work
- Training

#### FIXED ASSETS

- Real estate
- Transportation
Direct Services & Client Support

Support for direct services may look different depending on the type of services an organization provides. For Daughters Beyond Incarceration (DBI), which provides mentoring services for young girls across New Orleans, transportation is a critical component of their ability to provide services, but purchasing a van is seen as external to their direct services. Shreveport focus group participants agreed on the need for mediation, trauma counseling and mental health support as an important, but underfunded, direct service for their clients involved in the criminal legal system. For organizations providing litigation services, funding is often not available to directly support their clients while litigating on their behalf. Interviewees in all regions emphasized that any funding for direct services should also include funding for program evaluation to help organizations increase their responsiveness to changes in their clients’ needs and access.

Direct services can play several different roles within a broader reform strategy. Participants, particularly those in reentry work, described the importance of providing direct services (including housing, employment, and legal assistance) for individuals to succeed. Direct services provide on-the-ground and real-time information on the obstacles to success, which then can inform policy discussions and advocacy. Participants also described how direct services are important for organizing and building capacity for clients to advocate for themselves, individually or collectively. Most importantly for interviewees, providing direct services signals that this work can make a difference. Rev. Anderson described meeting people where they are in terms of their needs and showing that change is possible by helping clients change their circumstances.

“Your issue becomes your triumph”.

– Anza Becnel, Growing Real Alternatives Everywhere
Community Oversight & Review

Oversight is meaningless if systems leaders do not include those directly impacted. VOTE is engaged in the long-term work of not only building community oversight functions into different aspects of the criminal legal system but also training and positioning the directly impacted as a part of any new oversight structures.

In addition, community oversight can serve against retrenchment after policy victories. For example, The Caretaker Act (Act 284) was passed to reduce youth incarceration but has not produced the desired outcomes. Significant reforms in 2003 for youth justice have not been followed through and many of those reforms have reverted to a silo approach to implementation.

Advocates in Baton Rouge, Shreveport, and Lafayette were particularly hopeful about community (or civilian) review boards for police and jail oversight. The boards at both the local and state level would keep community voices present at decision-making tables and could use their subpoena power to address the lack of transparency and accountability for decision-makers. Several participants pointed to Court Watch NOLA as an example of how a non-profit can provide previously unavailable insight on the operations of the municipal and criminal court systems in New Orleans.

Provide General Operating Support Grants

All movement leaders emphasized the importance of general operating support grants. General operating support allows groups the flexibility to pivot and seize opportunities for reform when presented. Several interviewees also characterized general operating support as “wellness” support for an organization’s employees, providing a form of stability that enabled employees to not always be on the precipice of losing their job due to project expirations or decreased project support. General operating support is critical for organizations to provide employee benefits, such as health care and paid time off. This support is also critical for on-the-ground organizations positioned for rapid response to emerging issues.
Intersectional Work

Involvement in the criminal system has negative repercussions for life, including the employment/economic and health/social arenas. Youth justice advocates have pioneered intersectoral work by working through educational systems to impact and lower youth crime. Moreover, as Ashley Shelton, the Executive Director of the Power Coalition, noted, education is key to establishing a continuum of care for children, even when those children are also simultaneously involved in the criminal legal system.

Two of the largest reform organizations in Louisiana: Voice of the Experienced (VOTE) and Promise of Justice Initiative (PJI), have both focused on health as a core component of their work. VOTE has integrated health into their work through supporting the peer-to-peer program, the formerly incarcerated transitions health clinic, geriatric parole, and through advocating for public health oversight of carceral spaces. PJI is piloting a medical-legal partnership program for compassionate release, coordinating medical and legal professionals for their clients. Another interviewee described synergies between reproductive justice and criminal justice, noting that paid maternity leave and childcare both impact entry into the criminal legal system by adults and youth.
Collaborative Funding Model

Smaller, locally focused organizations lack the capacity for grant development and courting individual donors. Funders are not likely to notice them, according to some interviewees, since there is a tension for these groups between “attention-grabbing” and actually putting the work in. PJI has found success in supporting EBRPPRC through fiscal sponsorship and grant development and is interested in expanding that model statewide to build a coalition of advocates for improved local jail conditions. Given the splintered oversight of jails and prisons in Louisiana, they have found that focusing on people directly impacted, rather than focusing on facilities, may be a more sustainable approach.

Another way to think of collaborative funding is to target funding for partnerships between insider and outsider groups. While Court Watch NOLA isn’t a typical “insider” group, it does rely on coordination and cooperation with government agencies in its day-to-day activities. The research and data gathered by Court Watch NOLA, however, have proved invaluable to other “outsider” reform organizations in the areas of bail reform and the treatment of crime survivors. Moreover, advocates across the state emphasized the importance of funding to work with governmental systems to collaboratively develop reforms in areas such as jail intake and court processing.

Interviewees suggested foundations consider more partnered grants to leverage the unique capacities of non-profit organizations. For example, one interviewee suggested funders consider partner grants that encourage collaboration between 501(c)(3) organizations focused on public education and information initiatives and 501(c)(4) organizations, which focus explicitly on lobbying and ballot initiatives. Another variant of a partnered grant would be intentionally funding issue advocacy, pairing with an organization that has capacity to litigate those same issues. Lastly, given the concentration of resources in New Orleans and Baton Rouge, interviewees suggested funders should encourage sub-grants from larger, more established organizations to smaller locations outside these areas, as many of the smaller organizations do not have capacity for development and fundraising.

PARTNERED GRANTS

Encourage sub-grants, since local organizations, particularly in smaller jurisdictions, do not have the capacity to do development

Support partnerships between 501(c)(3) non-profits and 501(c)(4) non-profits

Fund organizations tackling the same issue from different angles, such as advocacy & litigation

Fund organizations collaborating with government agencies to reform policies & practices, such as jail intake or court processing
Leadership of Returning Citizens

Another funding opportunity is to support returning citizens and the leadership of formerly incarcerated in many different areas, particularly those not traditionally seen as related to reforming the criminal legal system. VOTE and Operation Restoration, for example, embody the successes of leadership by formerly incarcerated people. This leadership capacity should be built in other spaces as well, such as economic development, health, and environmental justice. Formerly incarcerated people are also being elected to public office nationally, a movement VOTE wants to pursue here in Louisiana.

LEADERSHIP
of formerly incarcerated beyond criminal justice organizations

including
• Health
• Education
• Employment
• Housing

Photo: Voice of The Experienced.
“Educational equity is a key component within juvenile justice.”

- Gina Womack, Families & Friends of Louisiana’s Incarcerated Children
Follow-Through Funding

For every win, whether legislative, policy changing, or through litigation, there will be a second phase of work to entrench, implement, or guard against revision. Working in Louisiana means understanding that every win is subject to contestation. For example, though VOTE secured the right to vote for probationers and parolees after five years of release, the Secretary of State has created cumbersome processes to access the right. Similarly, PJI continues its work on unanimous juries and advocacy for the 1600 people still incarcerated due to split verdicts, even after success in eliminating split juries for all future criminal trials in Louisiana. Follow-through funding is by definition multi-year funding.

Photo: Families & Friends of Louisiana’s Incarcerated Children.
Specific Fields for Investment

Interviewees identified the following specific areas for priority funding within the Louisiana justice landscape:

**PRE-TRIAL**

- Ending cash bail statewide
- Strategic criminal representation to challenge specific criminal laws
- Appellate public defender services & Sixth Amendment litigation
- Reform or abolish multi-billing
- Rights of crime survivors & development of restorative justice initiatives

**YOUTH**

- Abolition of youth prisons and changing youth sentencing
- Abolition of juvenile life without parole
- Support youth organizing to support amplifying their perspectives on the youth justice system
INCARCERATION

- Addressing the trauma of incarceration while still inside
- Medical & mental health care in local jails
- Jail oversight, both locally & statewide
- Mandatory & enforceable standards for conditions of confinement in prisons and jails

SENTENCING

- Ending life without parole sentences by providing meaningful opportunities for release

POST-CONVICTION/REENTRY

- Supporting businesses of recently released/entrepreneurship
- Creating & distributing reentry survival kits (cell phones, clothes, bus passes, etc.)
- Voting rights for all people immediately after release & increasing voter turnout of marginalized groups
- Ensuring real second chances/ending post-conviction discrimination
- Expansion of misdemeanor warrant clinics statewide, but also expanding warrant clinics to low-level felony cases
Conclusion

This report reflects the collective wisdom of dozens of leaders across the state of Louisiana. While interviewees urged greater investments in reforming Louisiana’s criminal legal system, they also recommend that these investments be targeted, geographically distributed, and collaborative. Drawing on decades of experience, their advice for philanthropy is critical for ensuring responsive and transformative investments.
1. This study, IRB # 000200, “Landscape Scan of Criminal Justice in Louisiana” was approved by the Loyola University New Orleans Human Subjects Committee for Institutional Review Board (IRB #00001194) on 10/17/2020. Interviews were conducted with representatives of the following organizations: the Bail Project, Court Watch Baton Rouge, Court Watch NOLA, Daughters Beyond Incarceration, Decarcerate Louisiana, East Baton Rouge Parish Prison Reform Coalition, Equipping Black Men, Families and Friends of Louisiana’s Incarcerated Children, First 72+, Goodwill Industries, Growing Real Alternatives Everywhere, Louisiana’s Center for Children’s Rights, Louisiana State University, Orleans Parish Prison Reform Coalition, Power Coalition, Promise of Justice, Together Baton Rouge, Voice of the Experienced (including members of regional chapters), and Westside Organizing in November / December 2020 and in May 2021. All interviews and regional focus group discussions (New Orleans, Baton Rouge, Lafayette, and Shreveport) were conducted via Zoom.

Opportunities for Philanthropy in Louisiana’s Justice System