

NACDL CONFERENCE REPORT

# SHATTERING THE SHACKLES OF COLLATERAL CONSEQUENCES:

Exploring Moral Principles  
and Economic Innovations to  
Restore Rights and Opportunity

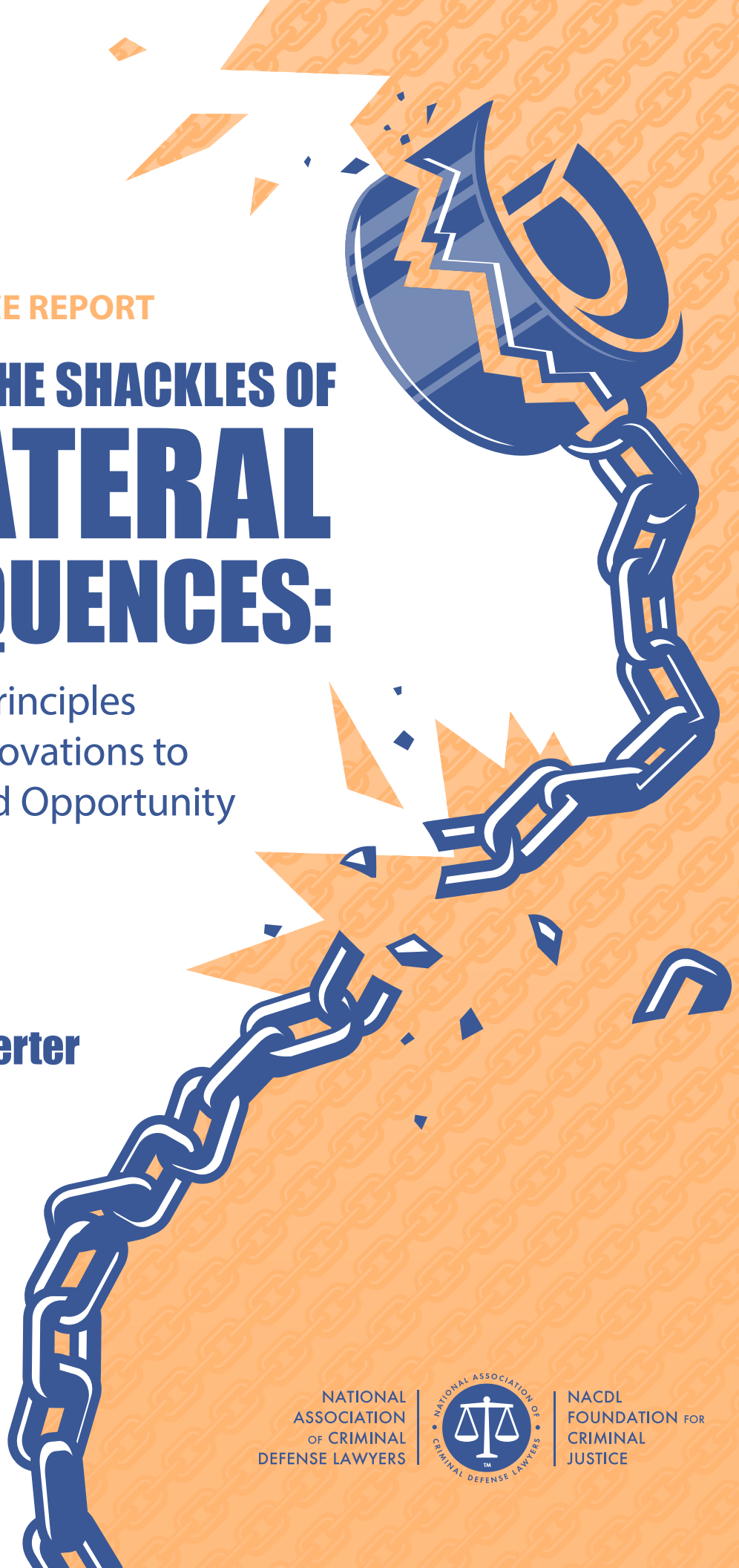
**Brennan M. Wingerter**

Reporter

NATIONAL  
ASSOCIATION  
of CRIMINAL  
DEFENSE LAWYERS



NACDL  
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CRIMINAL  
JUSTICE



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# About NACDL and the NACDL FCJ

The National Association of Criminal Defense Lawyers (NACDL) is the preeminent organization in the United States advancing the mission of the nation's criminal defense bar to ensure justice and due process for persons accused of crime or other misconduct. NACDL envisions a society where all individuals receive fair, rational, and humane treatment within the criminal justice system. NACDL's mission is to serve as a leader, alongside diverse coalitions, in identifying and reforming flaws and inequities in the criminal justice system, and redressing systemic racism, and ensuring that its members and others in the criminal defense bar are fully equipped to serve all accused persons at the highest level.

Founded in 1958 as the professional bar association of the nation's criminal defense attorneys, NACDL's direct membership now includes thousands of direct members in 28 countries, along with 90 state, provincial, and local affiliate organizations totaling approximately 40,000 attorneys, including private criminal defense lawyers, public defenders, active U.S. military defense counsel, law professors, judges and others whose work evinces a commitment to preserve fairness within America's criminal justice system.

The NACDL Foundation for Criminal Justice (NFCJ) is a 501(c)(3) non-profit entity that supports NACDL's charitable efforts to promote reform and to preserve core constitutional principles by providing resources, training, and advocacy tools for the public, the criminal defense bar, and all those who seek to promote a fair, rational, and humane criminal justice system.

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# Foreword

The United States not only imprisons people at far higher rates than any other democracy, but it also leads the world in imposing a vast network of life-altering consequences on the millions of individuals who pass through the nation's criminal justice system each year. The nation's criminal defense bar is determined to reverse these policies. Accordingly, in August of 2018, as I started my term as President of the National Association of Criminal Defense Lawyers (NACDL), NACDL, with support from the NACDL Foundation for Criminal Justice, convened a three-day conference — *Shattering the Shackles of Collateral Consequences: Exploring Moral Principles and Economic Innovations to Restore Rights and Opportunity*.

This gathering was a combination of NACDL's 17<sup>th</sup> Annual State Criminal Justice Conference and its 2<sup>nd</sup> Presidential Summit and Seminar. Each year for nearly two decades, NACDL has brought together criminal justice advocates from across the nation, many of whom are not lawyers, to prepare for the next year of criminal justice reform advocacy on the state level. This is a key programmatic event sponsored by NACDL for the benefit of its State Criminal Justice Network (SCJN). Separately, Immediate Past President Rick Jones launched the first-ever NACDL Presidential Summit to focus on a key agenda item that he set for his tenure as NACDL President. That inaugural Presidential Summit — *Race Matters: The Impact of Race on Criminal Justice* — was held in Detroit in 2017.

A key reform item at the top of my agenda for my term as NACDL President has been the issue of the often life-long debilitating impact of the collateral consequences of arrest and conviction on millions of people in the United States. The purpose of this joint SCJN Conference and Presidential Summit was to look closely at the systemic injustice that affects the millions of people who have paid their debt to society and elicit reform recommendations from stakeholders from across the system and across the ideological spectrum. To do that, the conference brought together numerous formerly incarcerated people, prosecutors, judges, defense lawyers, criminal justice advocates, social workers, probation officers, and more.

This conference and summit was also a continuation of critical NACDL efforts concerning the collateral consequences of arrest and conviction. That work extends from the establishment of NACDL's Task Force on Restoration of Rights and Status After Conviction in 2012 and the 2014 release of NACDL's groundbreaking report — *Collateral Damage: America's Failure to Forgive or Forget in the War on Crime — A Roadmap to Restore Rights and Status After Arrest or Conviction*, to the publication by NACDL Press of the treatise *Collateral Consequences of Criminal Convictions: Law, Policy and Practice*, by Margaret Colgate Love, Jenny Roberts & Wayne Logan, and NACDL's ongoing involvement in the Restoration of Rights Project. NACDL's reform efforts in this area will continue so long as this terrible problem persists.

NACDL was extremely fortunate to have Brennan M. Wingerter as the official reporter for this conference. Brennan is the Founder and Managing Attorney at East Tennessee Appellate Litigation, PLLC (ET AL), based in Knoxville, Tennessee. She served as a judicial clerk to the Honorable Gary R. Wade on the Tennessee Supreme Court for three years and has taught legal writing at LMU Duncan School of Law in Knoxville, where she continues as an adjunct professor. It was Brennan's selfless, pro bono efforts that made this excellent conference report a reality. NACDL is tremendously grateful for her outstanding work.

I recommend this conference report to you and encourage you to visit [www.NACDL.org/ShatteringtheShackles](http://www.NACDL.org/ShatteringtheShackles), where you can watch and listen to the panels and presentations from the August 2018 conference. And one more thing, join NACDL, the NACDL Foundation for Criminal Justice, and our allies in working to shatter the shackles of collateral consequences. Justice and liberty demand it.



Drew Findling, NACDL President

# Acknowledgements

NACDL would like to thank the NACDL Foundation for Criminal Justice for their support of the Summit and Brennan M. Wingerter for drafting this report. Additional support for the Summit was provided by the following generous sponsors: Alamo Records, the State Bar of Georgia, Aric Cramer, Drew Findling, Pete Law, Jo Ann Palchak, and Michael S. Reeves. The following partners also contributed significantly to the success of the Summit: The Association of Prosecuting Attorneys, the Anti-Recidivism Coalition, Ebenezer Baptist Church, and Georgia-Pacific.

Special recognition goes to Drew Findling, President, National Association of Criminal Defense Lawyers, for his vision, support and contributions to the Summit; Norman L. Reimer, Executive Director, for indispensable planning assistance; and Angelyn Frazer-Giles, Special Projects Consultant, for her expert input and skillful execution of the Summit.

This report would not have been possible without the insightful contributions of our esteemed Summit panelists, identified throughout the report and in Appendix B. We would also like to thank the following NACDL staff for their careful editing and helpful suggestions: Norman L. Reimer, Executive Director; Kyle O'Dowd, Associate Executive Director for Policy; and Ivan J. Dominguez, Senior Director of Public Affairs & Communications; and Cathy Zlomek, NACDL Art Director, and Julian Giles, Junior Graphic Designer, for the design of the report.

Sincerest gratitude goes to the following individuals, who worked behind the scenes to make the Summit possible: Monica Reid, Director of Advocacy; Shuli Carroll, National Affairs Assistant; Lisa Schrade, former National Affairs Associate; Gerald Lippert, Associate Executive Director for Legal Education and Professional Development; and Koichi Take, Manager, Multimedia Production and Sales. Additional on-site support was provided by Bonnie Hoffman, Director of Public Defense Reform and Training; Renee Spence, former Training and Reform Counsel; Jumana Musa, Director, Fourth Amendment Center; Jessica DaSilva, Resource Counsel; and Ian Nawalinski, Public Affairs and Communications Assistant.

# Executive Summary

On August 23–25, 2018, NACDL hosted its 17th Annual State Criminal Justice Network Conference and Presidential Summit in Atlanta, Georgia.<sup>1</sup> The Conference — *Shattering the Shackles of Collateral Consequences: Exploring Moral Principles and Economic Innovations to Restore Rights and Opportunity* — examined the destructive effect that a vast network of penalties, debarments, and disabilities following a criminal conviction has on the millions of people who have come in contact with the criminal justice system. The Conference also explored the disparate impact that these collateral consequences have on communities of color. At the same time, the Conference highlighted the groundbreaking work that is helping people break free from the shackles while providing a roadmap for national reform.<sup>2</sup>

NACDL’s Executive Director, Norman L. Reimer, described the path to reform as following the emerging consensus that we must restore humanity to our criminal justice system. In pursuit of that goal, the Conference included more than just criminal defense lawyers; it brought together a community of prosecutors, judges, formerly incarcerated people, probation officers, social workers, and activists.<sup>3</sup> The 60th President of NACDL, Drew Findling, welcomed this diverse group of Conference participants and attendees to “an incredible congregation of people [who] all care about one thing: justice.” These common grounds of justice and humanity formed the basis and set the tone for the entire Conference.

To facilitate the human narrative of justice through shared stories and lived experiences, every panel at the Conference included at least one person who was previously incarcerated in America. Most panels included more than one formerly incarcerated person, and a few panels consisted entirely of formerly incarcerated people. While there was some disagreement about the best terminology, resources, and methods to use in the fight against collateral consequences, the Conference represented an inclusive, humanistic approach to discussing the difficult topics of racism, morality, and social responsibility within the criminal justice system and the public at large. Some of the broad recommendations for reducing the impact of collateral consequences included:

- Building up resources in communities of color
- Funding better education systems
- Protecting and asserting the right to vote
- Increasing awareness of mental health issues
- Reforming law enforcement education to foster improved community relations
- Building coalitions at the local, state, and national levels
- Rehabilitating and educating people while they are incarcerated
- Making prisons and prosecutions more transparent
- Banning the box on employment applications that asks about prior criminal records
- Providing more employment opportunities for people getting out of prison
- Sharing success stories and changing the narrative about people who have been incarcerated

This report is intended to facilitate more discussion and to inspire further action on these issues so that anyone — not just the Conference attendees and participants — can work to shatter the shackles of collateral consequences.



# Introduction

Language is a constant exchange of “input” and “output” — people absorb information from their surroundings (input) and then express that information to others (output). Sometimes the output is an exact replica of the input; an example might be using a direct quote of one sentence from a book. But more often, the output differs from the input; the narrator adds or subtracts details, consciously or subconsciously alters facts, shifts the perspective, or misstates or misquotes the source. If two artists were asked to recreate the same vase of flowers, the abstract painter would produce something very different than what is produced by the marble sculptor. And yet, the artists started with the same subject — the same input.

The same dichotomy between input and output exists in terms of analyzing the collateral consequences of criminal convictions. Every person creates their own “output”: their preferred narrative of how collateral consequences impact society. And these narratives describe a wide variety of emotions and beliefs — ranging from abstract denial and outright indifference to righteous indignation and palpable racism — even though they are all addressing the same criminal justice system: the same “input.” This is because their perspectives come from many different sources: people who were formerly incarcerated, people who are currently incarcerated, people who write or enforce laws, people who have never been incarcerated, people who advocate for criminal justice reform, people who advocate against criminal justice reform, people who vote Republican, and people who vote Democrat. Despite the differences in each person’s input and output, though, there can still be a collaborative discussion. That is because these people — these storytellers, like the panelists at the Conference — all have one thing in common: their humanity.

As demonstrated time and again by panelists and attendees during the Conference, human stories of lived and shared experiences can be the most powerful connection between individuals. Meaningful communication does not require that people agree with each other; it just requires that people listen to each other. To facilitate the discussion of collateral consequences, there are two things that must be understood at the outset. First, the definition of “collateral consequences” includes more than the thousands of specific legal restrictions that local, state, and federal governments place on people after they have completed a sentence for a criminal conviction. While collateral consequences, by their nature, are very technical, legal restrictions, they have a profound, real-life, human impact. The magnitude and nature of collateral consequences extend to people’s families and the generalized discrimination and social stigma that they endure long after they are released from incarceration. Second, the terms that are used when talking about collateral consequences are extremely important. For example, people who have served time in prison or jail should not be referred to as ex-offenders, ex-cons, or former inmates. They are simply people. Yes, they are people who were formerly incarcerated, but they have always been, and will always be, people.

With these simple concepts in mind, everyone — regardless of political ideology, socioeconomic status, or justice involvement — should be able to share their human stories, shatter the shackles of collateral consequences, and pursue the common goal of improving the lives of all.

# Ways to Start the Discussion of Criminal Justice Reform and the Devastating Impact of Mandatory Collateral Consequences

The first panel of the Conference was probably along the lines of what most people expected: an open discussion about the moral, economic, and racial arguments for and against the imposition of collateral consequences. But the identities of the panel members introduced an unusual level of diversity in terms of color, career, and political creed. Rick Jones — NACDL’s immediate Past President and Executive Director of the Neighborhood Defender Service of Harlem — moderated the discussion between Marc Levin, Teresa Hodge, and Mark Holden.

Marc Levin is the Vice President of Criminal Justice Policy at the Texas Public Policy Foundation. Marc is also an attorney and author for Right on Crime, “a national campaign of the Texas Public Policy Foundation, in partnership with the American Conservative Union Foundation and Prison Fellowship, that supports conservative solutions for reducing crime, restoring victims, reforming offenders, and lowering taxpayer costs.”<sup>4</sup>



Photo by Koichi Take

(Left to Right) Mark Holden, Teresa Hodge, Marc Levin, and Rick Jones

Teresa Hodge is the Co-Founder and Director of Strategy and Innovation at Mission: Launch, a Maryland not-for-profit organization that supports individuals and families affected by mass incarceration through financial literacy, inclusive entrepreneurship, and community engagement.<sup>5</sup> Teresa witnessed firsthand the need for criminal justice reform when she was sentenced to serve more than 80 months in federal prison for a white-collar, non-violent, first-time offense.<sup>6</sup>

Mark Holden is General Counsel and Senior Vice President of Koch Industries, the multi-billion-dollar corporation owned by brothers Charles and David Koch, who are known for their active role in funding certain conservative political and libertarian causes. Koch Industries is the parent organization of 11 companies ranging from the fashion industry to the food industry.<sup>7</sup>

Other panelists who contributed to the discussion of the moral, economic, and racial impact of collateral consequences included social scientists and legislative activists like Mary Price, Dr. Divine Pryor, and Ngozi Ndulue; a rap artist by the name of Dominique “Lil Baby” Jones; former U.S. Deputy Attorney General Sally Yates; prosecutors like Stephanie Woodard and David LaBahn; and a Georgia state judge, the Honorable Shawn LaGrua.

So where do these diverse individuals stand on the issue of collateral consequences? The following sections will explore how their surprisingly similar views may provide a path toward long-term criminal justice reform that transcends the political spectrum and shatters the boundaries between people on all sides of the debate.

## Enhancing Public Safety

If there was one thing that everyone at this Conference agreed on, it was the need to maintain public safety. No one advocated the immediate closure of all prisons or the immediate release of all incarcerated people without regard for potential violence and recidivism. Teresa Hodge, who spent more than 5 years in federal prison, acknowledged that people with criminal histories are also in favor of public safety. Protecting the public, however, does not require locking up everyone who is accused of committing a crime.

The United States is home to only about 5% of the world’s population but houses about 25% of the world’s prisoners. Many of the people who occupy America’s prisons were convicted of non-violent crimes, and yet

when they are released they face many of the same crippling collateral consequences as people who were convicted of violent crimes. According to a 2016 report by the Brennan Center for Justice, nearly 40% of people incarcerated in the U.S. are being held behind bars “with no compelling public safety reason.”<sup>8</sup>

For some people, there may be good reason to impose strict collateral consequences as conditions of their release from jail. Two scenarios illustrated by Marc Levin, while playing Devil’s Advocate, were that a person who is a proven child sex offender should not be provided a job in a daycare center and a person who was convicted of insurance fraud should not be given a job selling insurance. “But we’ve gone way too far,” Marc said. Housing restrictions in Florida, for example, are so strict that hundreds of people carrying convictions for sex crimes are forced to live in makeshift tent camps, under bridges, and in open fields — which may be even more dangerous for both the public and the formerly incarcerated people.<sup>9</sup>

The question thus becomes: How can society secure public safety without irrationally burdening an entire segment of the population? Any solution must, of course, strike a balance. Panel members agreed that mandatory, across-the-board collateral consequences “don’t make sense,” so they made a few proposals for compromise:

- Impose only temporary post-incarceration restrictions; no lifetime collateral consequences
- Provide formerly incarcerated people with community resources and peer assistance programs
- Implement a process for waiving and appealing the imposition of collateral consequences
- Utilize the least restrictive means necessary to reduce a person’s chances of re-offending

These proposals can be collectively described as implementing “discretionary collateral consequences.” The common goal is to create a system that allows for individualized sentences and certain carefully circumscribed post-incarceration restrictions while enhancing public safety and maximizing the number of people who can contribute to the economy.

## Building Coalitions

If the creation of discretionary collateral consequences or any other type of criminal justice reform is going to be a success, the discussion simply cannot be one-sided. Criminal defense lawyers and liberal community activists

must be careful not to alienate supportive conservative groups whose constituents and leaders often control the mechanisms of the justice system. Both sides should develop strategic alliances and work in coalitions to reach different audiences so that compromises on issues and tactics can lead to real solutions. Building these coalitions is certainly a challenge, but it is not impossible.

## Legislators

For example, it was a “right and left meeting of the minds” that culminated in Maryland’s elimination of mandatory minimums for drug offenses. Mary Price, who is General Counsel of FAMM — a group that works “to create a more fair and effective justice system” through “public education and targeted advocacy” — explained how the Maryland initiative used “gateway legislation” to bring liberals and conservatives to the same table for a discussion on meaningful sentencing reform. Mary spoke as a panel member for “The Road to Re-Entry: Navigating Systems Players and Building Coalitions,” where she was joined by Ngozi Ndulue from the National Association for the Advancement of Colored People (NAACP) and Dr. Divine Pryor from the Center for NuLeadership on Urban Solutions. Here is the approach that Mary outlined for other states to follow:

1. FAMM began reaching out to Republican legislators and conservatives four or five years before the Justice Reinvestment Act was passed in 2016.
2. In 2013, FAMM worked with the American Legislative Exchange Council (ALEC) to develop model legislation for changing mandatory minimums. ALEC is “America’s largest nonpartisan, voluntary membership organization of state legislators dedicated to the principles of limited government, free markets and federalism” — in other words, ALEC is a politically conservative group.<sup>10</sup>
3. By putting the focus on public safety and fiscal conservatism, ALEC works in partnership with its allies to create “carefully crafted” legislation designed to “maximize taxpayer dollars . . . while preventing overcriminalization and unnecessary prison stays.”<sup>11</sup>
4. Before tackling the elimination of mandatory minimums altogether, FAMM developed a key compromise in the proposed legislation with ALEC: create a safety valve for judges to waive mandatory minimums when certain conditions have been met.

5. The safety valve was the first part of the legislation to pass.
6. When the rest of the legislation passed, the Justice Reinvestment Act eliminated mandatory minimums altogether for future convictions, and the safety valve was made retroactive for everyone who had already received a mandatory minimum sentence.
7. This success would not have been possible if FARM had not been willing to compromise some of its issues, acknowledge the powerful role of fiscal conservatism, and build the discussion upon a common ground: public safety.



Photo by Ivan Dominguez

(Left to Right) Dr. Divine Pryor, Ngozi Ndulue, Mary Price, and Roberta "Toni" Meyers

Ngozi Ndulue echoed Mary's emphasis on the need to reach the ears of conservative groups by focusing on public safety and the economic impact of lengthy sentences and collateral consequences. Ngozi is the Senior Director of Criminal Justice Programs at the NAACP, and she attributes meaningful reform to the grassroots movements that strengthen people on the state and local levels. When legislation like the Justice Reinvestment Act is on the table, individual voters need to hold their elected officials accountable through the polls and town hall meetings. Arguments about race and the criminal justice system are inevitable, Ngozi said, but she encouraged activists to start the discussion with something that their "traditional friends" and "traditional enemies" could agree on: the fact that "it makes so little economic sense to continue down th[e] mass incarceration path."

In this way, traditional friends and traditional enemies can become unexpected allies. And the conversation does not have to stop with the legislators and their constituents. Just as Republicans and Democrats can work together to develop better laws, so too can defense attorneys work with police officers, prosecutors, and judges to improve the system that applies those laws.

## Prosecutors & Judges

To help facilitate this coalition, NACDL invited a panel of prosecutors and judges to speak on the topic of "Justice for All." Dr. Divine Pryor — a social scientist who was previously incarcerated — moderated the panel. Dr. Pryor is currently the Executive Director of the Center for NuLeadership on Urban Solutions, "an independent research, training and advocacy think tank that applies Human Justice to achieve public safety, racial equity, community investment, human development and well-being in society."<sup>12</sup> Dr. Pryor's panel participants included Stephanie Woodard, David LaBahn, and the Honorable Shawn LaGrúa.



Photo by Koichi Take

(Left to Right) Stephanie Woodard, David LaBahn, Hon. Shawn LaGrúa, and Dr. Divine Pryor

Stephanie Woodard is a seasoned prosecutor who has worked in several district attorneys' offices in a variety of Georgia counties. She is currently the Solicitor General of Hall County, Georgia, where she prosecutes misdemeanor offenses. Stephanie is an advocate for alternative sentencing courts and substance abuse rehabilitation programs.

Dave LaBahn is President and CEO of the Association of Prosecuting Attorneys, a national organization that provides training and technical assistance to prosecutors throughout the United States. Dave enjoys collaborating with all criminal justice partners, and he frequently speaks about criminal justice reform.

Judge Shawn LaGrúa was appointed to the Superior Court of the Atlanta Judicial Circuit in December 2009. Since that time, she has been a pioneer in fostering rehabilitation and reintegration as opposed to simply enforcing harsh prison sentences.

These panel members agreed that meaningful criminal justice reform requires changes to the culture within the system itself. Prosecutors and judges — the system players who hold all the power and make all the decisions — can singlehandedly change the course of a person's life, and with this power comes great responsibility.



As the Solicitor General of Hall County, Georgia, Stephanie is an elected official who takes her responsibilities seriously as she makes decisions about prosecuting misdemeanors. For example, Stephanie reported that half of the attorneys who work in her office have prior criminal records, which is a deliberate hiring practice designed to teach new prosecutors how to see the human beings in the system. Expressing her philosophy behind this practice, Stephanie said, “I don’t think that someone should be involved in prosecution if they don’t understand what it feels like to be prosecuted.” She instructs her prosecutors not to look at the snapshot of a person’s life in their worst moment, but to look beneath the surface for the root of the problem so they can address the real issues and help people reintegrate with their communities and support systems.

For Dave LaBahn, who trains lawyers in district attorneys’ offices across the country, his role in changing the system is to make sure that prosecutors learn to “do the right thing for the right reasons to the right person.” One way that Dave accomplishes this goal is to lead by example: although he supports long-term incarceration for people convicted of violent crimes, he has helped secure the early release of several people who were serving life sentences for non-violent drug offenses. Dave also discussed the importance of screening people for their risks and needs so they can be provided with a defense attorney “right away” and be diverted or deflected away from the criminal justice system through educational and treatment programs.

As the final decisionmaker, Judge LaGrua plays her part by overseeing a Re-Entry Court — which uses close supervision, mental health and substance abuse treatment, education, and job-training to help integrate people back into the community after they have served a period of incarceration — and the “My Journey Matters” program, which diverts young people accused of violent crimes away from prison. “My Journey Matters” is an innovative alternative court program that praises young people for obtaining good report cards and clean drug screens while helping them learn how to create budgets and résumés. The program also requires monthly check-ins with the court to make sure that the youth are on track to earn their GED or high school diploma and graduate from the program with a marketable skill. The ultimate goal of Judge LaGrua’s alternative court is to make sure the young people who go through My Journey Matters are “educated, stable, and not coming back.”

### Law Enforcement Officers

While these voices from the bench and bar offered an insider’s perspective, the panel also acknowledged that systemic change must begin even before an individual is accused of a crime and enters a courtroom. Law

enforcement plays a critical role in determining whether the gears start to turn in the first place, and police officers are often the front line in shaping the narrative of a person’s life.

Coalitions with law enforcement should start with on-the-ground training and community involvement. For example, the People’s Police Academy has connected with the New York Police Department through a community-led program in which civilian experts (including formerly incarcerated people and former gang members) train NYPD officers without intervention by the NYPD’s administration.<sup>13</sup>

One of the primary goals of these local-level training sessions is to help officers become more sensitive to the needs of the community so that people can be diverted into mental health and substance abuse treatment programs before they are arrested and prosecuted for non-violent offenses.

### Summary

With these kinds of broad coalitions being developed at every level of the criminal justice system, the “tough on crime” policies of old can start to transform into a more modern approach that is “smart on crime.” This idea has been embraced even by the highest-ranking prosecutor in the United States: former Attorney General Eric Holder. Sally Q. Yates — the former United States Deputy Attorney General who delivered the keynote address at NACDL’s Conference — spoke about Holder’s

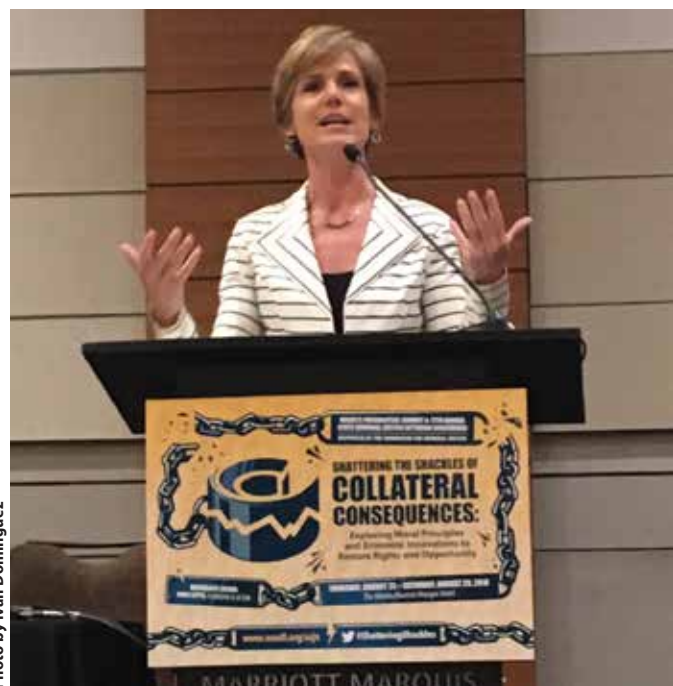


Photo by Ivan Dominguez

Former U.S. Deputy Attorney General Sally Q. Yates (recipient of Champion of Justice Restoration of Rights Award) delivering Keynote Address at Shattering the Shackles summit

commitment to focusing on people rather than punitive policies. During their time in office, Holder and Yates embraced a comprehensive approach to prosecution that placed equal emphasis on the enforcement of laws, prevention of incarceration, and development of meaningful re-entry initiatives. The Department of Justice eliminated the use of private prisons, created literacy and educational programs for people who were incarcerated, and assisted people who were re-entering their communities by providing them with personal identification cards, resource handbooks, and social security cards.

But Sally Yates informed Conference participants that many of the advancements she made with Eric Holder have been undermined or outright eliminated by the current federal administration. Private prisons are again supported by U.S. Department of Justice, and, according to Yates, most education programs have disappeared. The administration appears to have shifted its focus by prosecuting lower-level drug offenses and immigration offenses while imposing harsher punishments. Yates has also perceived an increased tendency to distance people who are incarcerated from their families and support systems.

There are a number of negative consequences that flow from these dramatic policy changes, and their impact will certainly be felt more by communities of color.

## Seeing & Talking Color

No discussion of America's war on crime is complete without the topics of racial inequality, disparity, and injustice. As one panel moderator, Roberta "Toni" Meyers, explained: "No one working on criminal justice reform can do this work effectively and with integrity without considering how racism drives criminal justice policy and practice." While these issues were raised and debated throughout the Conference, several panelists addressed head-on the continuing problem of racism in the nation's criminal justice system.

Panelist Mary Price and several Conference attendees mentioned the importance of the 2016 documentary "13th" (in reference to the Thirteenth Amendment), which explores the direct connection between slavery and imprisonment as the perpetual criminalization of black people. Moderator and panelist Dr. Divine Pryor also referred to "13th" and noted the role that the Thirteenth Amendment<sup>14</sup> and various legislative measures — like voting laws, vagrancy laws, and literacy laws — have played in reinforcing the enslavement of a particular group of people. Panelist Dominique "Lil Baby" Jones, who served two years in prison before becoming an overnight rap sensation, placed the blame

for internalized, systemic racism on society in general: "It's people, period. Black youth are being profiled, but not just by white people."

The imposition of mandatory collateral consequences ensures that racial oppression will continue long after a person has served his or her time. Disenfranchisement and employment and housing restrictions, in particular, prevent formerly incarcerated people from exercising their voices and reintegrating into their communities as productive, taxpaying citizens. As activists work to shatter the shackles of these collateral consequences, it may help to break some of the barriers to discussion by sharing human stories through films like "13th" and by focusing on common goals like public safety and fiscal responsibility.

# The Far-Reaching Effects of Collateral Consequences

The previous section of this Report laid the groundwork for discussing the moral, economic, and racial issues of criminal justice reform through the common goals of public safety, fiscal conservatism, and inclusive redemption. This section will add the most important voices to the conversation by sharing the human stories and lived experiences of some of the panelists who were formerly incarcerated in America.



**“Previously incarcerated people are not just one story.”** – *Cynthia W. Roseberry*

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Restrictions on housing and employment opportunities were consistently identified by Conference panelists as the most difficult collateral consequences faced by formerly incarcerated people struggling to meld with the general population. And even for those who are able to obtain post-incarceration employment, the lack of transportation often prevents them from keeping the job long enough to maintain a steady income. To make matters worse, the perpetual cloud of disenfranchisement and the general stigma of having a criminal record compound these day-to-day hurdles by depriving an entire segment of the population of access to the polls and to the media. The only way to change this narrative is to listen and restore the voices of the human beings who have served their sentences but remain imprisoned by the far-reaching effects of collateral consequences.



**“I can’t focus on one consequence. I need to know why there are any consequences once I’ve served my time.”** – *Christopher Ervin*

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## Housing

When people are released from prison, they are usually given two things: \$40 or \$50 and a one-way bus ticket out of town. But many of them have nowhere to go. Some types of convictions — usually those of a violent or sexual nature — carry heavier housing restrictions than others, but any type of criminal record is generally a barrier to renting a decent place to live.

In Houston, for example, city ordinances have tightened restrictions and regulations on alternate housing facilities and boarding homes, making it more difficult for formerly incarcerated people to reintegrate with the communities where they want to live and work.<sup>15</sup> Some public housing authorities require the automatic rejection of people who were convicted of sex crimes or certain drug offenses. Other restrictions give public housing authorities the discretion to reject applicants whose backgrounds include convictions for arson, burglary, or another crime against property. The number of available housing options is further reduced for anyone with a history of mental health or addiction issues.

When public housing is not an option, formerly incarcerated people must turn to private landlords for assistance. It should not be a surprise to hear that many landlords will refuse to rent to anyone with a criminal record. But the housing discrimination story told by panelist Marcus Bullock<sup>16</sup> — who became a successful entrepreneur after spending 8 years in prison — was eye opening. Marcus had been out of prison for more than a decade when his application for an apartment was denied by a private leasing office. At first, he was confused. He thought that perhaps the one apartment he was considering had been rented before his application could be processed, but the leasing officer told him that it was not just that one apartment; none of the units would be available. After pressing for answers, Marcus discovered that his application had been denied because of his decades-old felony conviction — something that was so remote it had not even crossed his mind when the leasing office first turned him down.

After hearing too many stories like the one told by Marcus, panelist Susan Burton<sup>17</sup> decided to become a private landlord for women who need a place to live when they are released from prison. Susan is an author and activist who turned to drugs and alcohol after suffering through years of sexual abuse and the tragic death of her five-year-old son. She served six prison sentences

that her business will not be dictated by governmental restrictions and her tenants will not be subjected to governmental intrusion.

Few communities are lucky enough to have a Susan Burton, though, which is part of the reason why the recidivism rates in this country are so high. Studies have consistently shown that people who get out of prison without the ability to secure safe, stable housing are at a much greater risk of reoffending. America's homeless population is inundated with formerly incarcerated people, many of whom also suffer from mental health problems or substance abuse and addiction issues. Housing restrictions that force these people onto the streets and into high-crime neighborhoods without adequate resources create a self-fulfilling prophecy of recidivism and perpetuate the false narrative that the public would be safer if everyone remained locked up for life.

## Employment

Compounding the collateral consequences of housing restrictions is the lack of employment opportunities for people who have served time in prison. And it is undeniable that race and conviction-type play a large



**“The best public safety plan for someone coming home from prison is employment.” – Dr. Divine Pryor**

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for drug-related offenses before she finally found a way to get the treatment and therapy she had so desperately needed long before she was incarcerated. For Susan, that meant leaving her over-policed and under-resourced community of South Los Angeles for a rehabilitation center in the beachfront resort town of Santa Monica.<sup>18</sup>

role in this part of the system. As panelist Desmond Meade<sup>19</sup> noted, for example, cybercriminals like hackers sometimes go on to work for the FBI or the CIA, but an ordinary African-American male who is convicted of a drug-related felony would never be allowed to become a police officer.



**“I had to change my mindset. Mexicans weren't born to sell and use drugs.” – Jason Hernandez**

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Now sober for more than 20 years, Susan owns and operates seven houses for women trying to rebuild their lives after a period of incarceration. She refuses to contract with prisons and departments of correction so

Panelist Jason Hernandez is a Soros Justice Fellow who was just 21 years old when he was sentenced to life without parole for a non-violent drug offense. After enduring his brother's death and witnessing first-hand the injustice



of racially disparate crack cocaine laws,<sup>20</sup> Jason was eventually granted clemency and released. But as soon as he got out of prison, Jason faced a much different number 21: “You have 21 days to start paying on your fine and get a job or else you go back to prison.” Jason was given only 21 days to get a job, and he had a criminal conviction on his record. Most people with college and doctoral degrees would have trouble finding a job within 21 days if they suddenly found themselves looking for employment. But somehow that is what the criminal justice system expects of people who have been imprisoned far away from their families and who have received little to no education or job training while incarcerated.

Because Jason was serving a sentence of life without parole, he was not provided with any re-entry programs while he was incarcerated. Everyone assumed he was never going home. But Jason remained hopeful, so he paid hundreds of dollars to participate in welding, culinary arts, and paralegal training sessions led by other people who were incarcerated with him. When Jason was released from prison, however, he realized that none of these programs had prepared him for the harsh reality of the job search. Most applications had to be completed online, and Jason — like anyone who is incarcerated for more than five or six years — had not been able to keep up with the changes in technology. He did not know how to use a computer. And as someone with a criminal record, Jason had to “check the box” indicating that he had been convicted of a crime, which most employers use as an automatic disqualifier when sorting through applications. Jason’s prior conviction also disqualified him from donating blood or giving plasma, which otherwise might have been a non-traditional way to make the money he needed to pay his fines and comply with the conditions of his release.

The bitter irony of requiring formerly incarcerated people to find employment and pay their fines almost immediately upon release, while simultaneously placing severe restrictions on their ability to do so, is perhaps best illustrated by last summer’s wildfires in California. More than 2,000 of the 14,000 firefighters who battled the Mendocino Complex Fire were people serving time in the California Department of Corrections and Rehabilitation. These brave firefighters who volunteered to face the deadly blaze will probably never be able to get a firefighting job after they are released. That is because most fire departments require their employees to be certified EMTs. EMTs are required to obtain an occupational license, and occupational licenses are typically denied to anyone with a criminal record.<sup>21</sup>

In fact, according to panelist Lee McGrath — the Institute for Justice’s Senior Legislative Counsel — occupational licensing boards are one of the loudest voices advocating against the hiring of formerly incarcerated people.

There are about 15,000 collateral consequences related to occupational licensing, and about 6,000 of them are permanent, automatic bars to the employment of someone with a criminal record. The occupational licensing boards have consistently refused to “ban the box,” which would prevent the boards from including a question about prior criminal convictions on their licensing applications. This simple decision to “ban the box” would allow formerly incarcerated people to be seen as who they are instead of as the crime they committed, the mistake they made, or — for the truly innocent — the false circumstances under which they were convicted.

The desire to be seen as a human being — a concept that most people take for granted — consumes the minds and hearts of people who just want to get a job and begin contributing to society after a period of incarceration. As Serena Nunn McCullers put it during one panel discussion, “I want [potential employers] to see past my crime and see me.”



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**“I want [potential employers] to see past my crime and see me.”**

**– Serena Nunn McCullers**

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## Transportation

Stories similar to those told by Jason Hernandez and Serena Nunn McCullers are not uncommon among formerly incarcerated people trying to get back on their feet after they have served their sentence. Panelist John Koufus is the National Director of Reentry Initiatives for Right on Crime, and he will tell you that no one asks him for money, but everyone asks him for a job. While searching for a solution to this job void, John identified a key obstacle to obtaining employment: the lack of transportation. At an even more basic level, John recognized that many people who were released from prison did not have a driver’s license. John set out to change that. He established a coalition with the Motor Vehicle Commission and pro bono lawyers throughout his home state of New Jersey who work together to clear up outstanding warrants and apply for licenses on behalf of those who were formerly incarcerated.

These kinds of driver's license reinstatement initiatives are necessary steps on the road to redemption, but the obstacles to transportation do not end at the Department of Motor Vehicles. After obtaining a license, anyone who owns a vehicle is required to maintain insurance. For panelist Randy Lanier, who spent nearly three decades in prison for non-violent drug-related offenses, the cost of that insurance was four times the regular rates because it had been so long since he had a driver's license. Perhaps somewhat ironically, Randy is also a former professional racecar driver who won several major events in the 1980s. But because he had a criminal record, Randy's driving qualifications meant nothing to the licensing and insurance agents. As Jason said, they were not treated differently because they had sold drugs and poisoned their communities; they were treated differently simply because they had served time in prison.

4. To get a car, you need a driver's license and insurance.
5. To get a driver's license and insurance, you need money.
6. To get money, you need a job.
7. To get a job, you need reliable transportation.

And just like that, the system repeats its vicious cycle of roadblocks and setbacks that make it nearly impossible for anyone getting out of prison to become a successful contributor to the economy.



**They were not treated differently because they “were selling drugs and . . . committing crimes and . . . poisoning [their] community”; they were treated differently simply because they had served time in prison. – Jason Hernandez**

Another panelist, Jarrett Adams, summarized the dilemma for formerly incarcerated people like this: “It all comes down to money.”



**“It all comes down to money.”  
– Jarrett Adams**

1. When you are released from prison, you need money to pay fines.
2. To get money, you need a job.
3. To get a job, you need reliable transportation.

## Voting Rights

Another collateral consequence that prevents people who were formerly incarcerated from becoming productive members of society is the automatic elimination of their voting rights. Only two states in America — Maine and Vermont — allow people to retain their voting rights while they are incarcerated. For everyone else, their voting rights are stripped away as soon as they are convicted. When they are released, these same people face a much more difficult process to get their rights restored, and for some, it is literally impossible. A few states impose lifetime or long-term bans on voting for people who have been convicted of certain crimes. Automatic disenfranchisement for people who were convicted of voter fraud might make sense, but usually this collateral consequence extends to all felony offenses, most of which have nothing to do with the ability to vote.



**“Nothing speaks more to citizenship than being able to vote. If you're worthy of being released back into the community, then you're worthy of exercising your rights.” – Desmond Meade**

In most states, a person is not eligible for voting restoration until completing their sentence and all conditions of release, including probation, parole, and payment of fines, fees, and court costs. Yet again, as Jarrett Adams said, “[i]t all comes down to money.” Formerly incarcerated people who are unable to afford housing or a car that will get them to and from a job where they can earn money are often unable to pay their financial obligations after release. As a result, these people will never be eligible to apply to have their rights restored. And that word “apply” is intentional — instead of automatically restoring a person’s voting rights after a period of incarceration, many states require people to submit an individual application to their Board of Probation and Parole or to the Governor. The process may take years, and there is no guarantee that an application will be granted. In Florida, for example, the state even lacks a basic process for reviewing these applications. A federal judge recently struck down the Florida Executive Clemency Board’s process for restoring voting rights as unconstitutional, and a constitutional amendment on the November 2018 ballot was passed with 65 percent of the vote, promising to make it easier for most formerly incarcerated people to have their voting rights restored, though implementation is facing certain legislative challenges.<sup>22</sup>

Without significant changes to the system and the process, most formerly incarcerated people will never be able to restore their voting rights, whether that is because of a lack of financial resources or a lack of eligibility based on their type of conviction. The inability to vote alienates these people from the rest of society long after they have served their prison sentences, undermines a core tenet of what it means to be a self-governing democracy, and creates feelings of exclusion and unworthiness instead of redemption and forgiveness.

## Stigma

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**“No one prepared me for the invisible life sentence that is associated with having a criminal history.”**

**– Teresa Hodge**

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Unfortunately, the feelings of isolation and anxiety that are harbored by most formerly incarcerated people are not limited to the voting restoration process. A person with a criminal record carries a scarlet letter for the rest of his or her life, and sometimes even after death. One of the panels at the Conference was devoted just to this topic. “Forgiving: The Campaign Against the Scarlet Letter,” featured moderator Cynthia W. Roseberry and panelists Jason Hernandez, Margaret “Margy” Love, and John Koufos.

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**“The unfortunate technological advancements of the last 30 years allow us to look up people’s criminal histories without ever leaving our desks.”**

**– Margaret Love**

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The panel members discussed how, thanks in large part to technology and the media, society will never allow the stigma of a criminal conviction to simply fade away. John — whose decades-long battle with addiction led to a conviction for driving under the influence and seriously injuring another person — described wearing his scarlet letter quite literally. Even though John now visits the White House every two to three weeks as a lobbyist for Right on Crime, it is ironic that he is still required to wear an “escort required” badge while he is on the premises.

This panel also garnered some of the most eye-opening audience discussion. One attendee shared a story of stigma that followed her family member beyond the grave. Before her mother could be buried at Arlington Cemetery alongside her honored veteran father, the attendee had to swear that her mother had never been convicted of a

felony. Even in death, a person convicted of a crime can be stigmatized, humiliated, and alienated from family members. In a country that was founded on personal liberation, it is incredible that so many citizens are still forced to be burdened by the tangible and intangible collateral consequences that will never allow society to forgive or forget the single worst day of their lives.

## Moving Forward While Looking Back

Amazingly, despite being crippled by the shackles of all these collateral consequences, many people have been able to rebuild their lives and achieve successful careers. But none of the people who shared their stories at the Conference simply picked themselves up and moved on. Every single person who was formerly incarcerated spoke about the importance of reaching back into the system and helping another person break the cycle of recidivism by providing mentorship, training, and sometimes even a job.

Kevin spoke on the panel titled “Plenary — I Am My Brother’s Keeper: Guiding Principles of Re-Entry” with Dominique “Lil Baby” Jones, who has achieved national fame as a rap artist since his period of incarceration. Lil Baby uses his platform to speak out against the culture of drugs and guns in the young black community. And panelist Omar Howard, an author and activist who served eighteen years for a murder he did not commit, now serves as Chaplain of a transition center for people who are released. He also regularly speaks at schools and mentors youth in his community.

Omar shared his story on the panel of Criminal Justice Leaders and Authors, which was moderated by Nkechi Taifa — the Advocacy Director for Criminal Justice at the Open Society Foundations — and included panelist Anthony Graves, who spent more than 15 years on death row before he was finally exonerated from charges of a mass murder that he did not commit. After he was released and exonerated, Anthony “turned around



**“I had to outthink and outsmart racism. And I’m gonna outwork you. That’s how I am where I am today.”**  
– Kevin Skidmore



Photo by Ivan Dominguez  
(Left to Right) Omar Howard, Anthony Graves, Susan Burton, and Nkechi Taifa

Kevin Skidmore, for example, routinely hires formerly incarcerated people like himself to work for his trucking company, FourFourtyTrucking, LLC. He attributes his success to hard work and personal responsibility.

and helped exonerate the next guy on the list.” The Anthony Graves Foundation has also created the Exoneree Speakers Bureau, which is a program that trains exonerees on how to tell their stories to the public, legislators, and the media.



**“Helping other people, using the law, changed my life.”** – Shon Hopwood

Other panelists have taken a longer but nonetheless purposeful route in using their careers to assist the people they left behind in prison. Amy Solomon — Vice President of Criminal Justice Policy for the Laura and John Arnold Foundation — moderated a panel of



**I want to “be a servant to my young brothers and sisters.”** – Omar Howard



three formerly incarcerated individuals who overcame unbelievable odds to earn juris doctor degrees and obtain licenses to practice law: Jarrett Adams, Serena Nunn McCullers, and Shon Hopwood.



Photo by Ivan Dominguez

(Left to Right) Shon Hopwood, Amy Solomon, Jarrett Adams, Angelyn Frazer-Giles, and Serena Nunn McCullers

whose own prison sentence was commuted by President Bill Clinton and later pardoned by President Barack Obama. For Serena, who provides client-centered legal representation that brings humanity into the courtroom, “banning the box” is crucial because checking a box on an employment application will never provide the whole picture of a person.

While Serena regularly speaks to teenage girls and at-risk youth, her story also resonates with people who have already been convicted. Panelist Shon Hopwood is now a law professor at Georgetown University, but he was inspired by Serena while serving a federal prison sentence for a series of armed bank robberies. Before he was released and long before he went to law school, Shon had filed several successful petitions in the United States Supreme Court — something most lawyers will not do once in their careers. After Shon earned the chance to sit for the Washington State Bar Exam, he successfully petitioned the Washington Supreme Court on behalf of another formerly incarcerated person whose character and fitness application had been denied.



**“Families are incarcerated too, just minus the bars.”**

**– Jarrett Adams**

Jarrett Adams, who is now a criminal defense and civil rights lawyer, represents clients like himself who were wrongfully convicted. As an attorney and activist, Jarrett makes a point to talk to his clients’ families and help them develop better resources in their communities. Serena Nunn McCullers is a public defender in Atlanta

## Summary

People like Shon, Serena, Jarrett, Anthony, Kevin, Lil Baby, Jason, Susan, John, Randy, and Marcus are not just speakers at the NACDL Conference who happened to have served time in prison. They are activists, lawyers, and entrepreneurs. They are mothers and fathers, husbands and wives, sisters and brothers. And they are not alone. Millions of Americans — people who are parents, children, neighbors, and cousins — are unfairly stigmatized every day because of prior criminal convictions for which they have already paid the price and served the time. They are ready to move on, and it is this country’s moral and fiscal responsibility to help them do so.



**“The commutation process is about my freedom; the pardon is about my future.” – Serena Nunn McCullers**



**“People change, character is not static, and the law needs to recognize that.” – Shon Hopwood**

# Legislative & Judicial Reforms



“Law and policies change when the issues are humanized.” – *Nkechi Taifa*

As activists, lawyers, and other groups continue to work for change in the system, they must be willing to cross the aisles of partisan politics and reach strategic solutions to the problems caused by post-incarceration restrictions on housing, employment, transportation, and voting. Perhaps somewhat surprisingly, many of the states that have successfully implemented meaningful criminal justice reform on these issues are in the South and Midwest. The primary panel on these topics — “Forgetting: Alleviating Collateral Consequences Through the Legislative & Referendum Process” — consisted of moderator Monica Reid, who is the Director of Advocacy for NACDL, and panelists Marissa Dodson (Georgia), Desmond Meade (Florida), and Lee McGrath (Minnesota). Based largely on their input, this section of the Report will highlight recent legislative and judicial improvements in Georgia, Florida, Pennsylvania, New Hampshire, and Indiana. The models set by these states can and should be repeated throughout the country to address the collateral consequences faced by those who were formerly incarcerated.

Photo by Ivan Dominguez



*Fmr. Georgia Governor Nathan Deal (recipient of Champion of Justice Restoration of Rights Award) delivering remarks at Shattering the Shackles summit*

## **Ban the Box**

Former Governor Deal, who hired formerly incarcerated people to work at the Governor’s Mansion, led by example: the state of Georgia as an employer has banned the box. The Governor hopes that the example set by the public sector will encourage employers in the private sector to also ban the box. Marissa Dodson — Public Policy Director at the Southern Center for Human Rights in Atlanta — echoed Governor Deal’s call for cooperation among fiscal conservatives, public officials, and private employers. Marissa emphasized the importance in helping employers understand that banning the box is a way to turn tax burdens into tax payers: if formerly incarcerated people have more opportunities to get jobs, then they will not have to depend on state welfare programs.

## **Expansion of Accountability Courts<sup>24</sup>**

Georgia has demonstrated its continued commitment to incarcerating only those individuals who represent a threat to public safety while diverting many non-violent individuals into alternative programs such as



Photo by Koichi Take

*(Left to Right) Lee McGrath, Desmond Meade, Marissa Dodson, and Monica Reid*

## **Georgia**

The then-Governor of Georgia, Republican Nathan Deal,<sup>23</sup> delivered an emotional address to Conference participants and attendees. Governor Deal has been a leader in bipartisan efforts to shatter the shackles of collateral consequences in his state.

accountability courts. These courts include Felony Drug Courts, DUI Courts, Veterans' Courts, Family Treatment Courts, Mental Health Courts, and specialized Juvenile Courts. The Council of Accountability Court Judges of Georgia currently oversees more than 140 accountability courts throughout the state, with at least one accountability court operating in every judicial district. To further incentivize these alternative programs, the state of Georgia pays monetary stipends to judges who operate an accountability court in their district.

### ***Juvenile Justice Reform***<sup>25</sup>

In addition to its specialized Juvenile Courts, Georgia has created community-based alternative programs to divert juveniles away from detention facilities. Juvenile court judges have greater discretion in keeping juveniles out of detention facilities while increasing their access to mental health treatment, substance abuse counseling, and family therapy. The Georgia General Assembly has authorized a grant program that supports counties where juvenile incarceration rates have been reduced.

### ***Education and Treatment for Incarcerated People***

In recent years, Georgia has worked to convert facilities into treatment and transition centers rather than build new prisons. The state is also creating a network of prison-based charter schools to provide incarcerated people with the opportunity to learn technical skills and earn real high school diplomas instead of GEDs. These efforts have led to a marked decrease in recidivism rates while increasing the state's general population and thus increasing its revenue.

As former Governor Deal acknowledged, none of these positive reforms in Georgia would have been possible without wide bipartisan support achieved through open discussion, negotiation, and compromise.

## **Florida**

If anyone understands the difficulty in passing statewide criminal justice reform, it is Desmond Meade. Desmond describes himself as “a formerly homeless returning citizen who overcame many obstacles to eventually become the current State Director for Florida Live Free Campaign, President of the Florida Rights Restoration Coalition (FRRC), Chair of Floridians for a Fair Democracy, Chair of the Florida Coalition on Black Civic Participation's Black Men's Roundtable, and a graduate of Florida International University College of Law.”<sup>26</sup> At the Conference, Desmond addressed two of the most controversial collateral consequences in Florida: disenfranchisement and stigma.

### ***Restoration of Voting Rights***

Until recently, Florida was one of fewer than five states that would not restore a person's right to vote if they were convicted of certain crimes, but in November 2018, Floridians overwhelmingly voted to change that statistic. Amendment 4, the Voting Restoration Amendment, was on the ballot to provide second chances for over one million people who have been prohibited from voting because of their prior criminal convictions. As Desmond explained, the amendment creates a fast-track for certain people to have their voting rights restored without the intensive, individual application process that is currently in place. Eligible individuals include formerly incarcerated people who have completed the terms of their sentence, including probation and parole. Notably, however, the law does not allow voting restoration for people who have been convicted of murder or a sex offense. While this was a point of great concern among those who opposed the amendment, its proponents emphasized the need for compromise and contended that some reform is better than no reform.<sup>27</sup>

### ***Expungement Reform***

In Florida, there is a very short list of criminal offenses that qualify for expungement, and even the ones that do are not always fully sealed or expunged. For example, a person might be able to conceal an arrest but not a conviction, and the arrest records are still made available to schools and state agencies. These limitations make expungement in Florida a practically meaningless illusion. Faced with an unsympathetic electorate and legislature, Desmond recommended changing the narrative about the stigma associated with a criminal conviction. He suggested that formerly incarcerated people like himself wear their prior convictions as a badge of honor rather than a scarlet letter badge of shame. This idea may be controversial to some, but it has been embraced by others. For most formerly incarcerated people in Florida, the lack of a meaningful legal path to expungement makes Desmond's human-story approach a necessity.

## **Pennsylvania**<sup>28</sup>

In contrast to Florida, the state of Pennsylvania recently amended its expungement legislation, which Democratic Governor Tom Wolf described as making it “easier for those who have interacted with the justice system to reduce the stigma they face when looking for employment and housing.” On June 28, 2018, Governor Wolf signed the Clean Slate Bill with overwhelming bipartisan support. Although the new law does not allow for the expungement of more serious offenses, it does provide automatic record-sealing for low-level misdemeanors



and arrests that do not result in convictions. People who have been convicted of more serious misdemeanors and felonies can petition for their records to be sealed after certain conditions have been met.

## New Hampshire

Notably, legislative criminal justice reforms are not just being passed by Democrats. On July 2, 2018, the Republican Governor of New Hampshire signed into law Senate Bill 589, making New Hampshire the eleventh state to substantially limit the ability of occupational licensing boards to use a person's prior criminal conviction as a basis for denying an employment certification.<sup>29</sup> The New Hampshire law, which is similar to laws passed in Arizona, Illinois, Indiana, Kansas, Maryland, Massachusetts, Nebraska, Tennessee, Wisconsin, and Wyoming, is modeled after legislation that was carefully crafted by the Institute for Justice.

Panelist Lee McGrath, speaking at the Conference on behalf of the Institute for Justice, described the model legislation as “flipping the burden” so that the occupational licensing boards — not the formerly incarcerated individuals — are required to demonstrate why a license should or should not be issued to a particular applicant. Although the laws of each state vary to some degree, the unifying goal is to provide a process for formerly incarcerated people to obtain occupational or professional licenses without being automatically barred by their criminal records. Most significantly, if an occupational licensing board wants to deny a license based on a person's criminal history, the board must demonstrate that its decision is justified because the person's prior conviction is directly, substantially, and adversely related to public safety.

The New Hampshire law, which recognizes that “[t]he right of an individual to pursue an occupation is a fundamental right,” prohibits a licensing board from disqualifying an individual based on criminal history unless the board determines that “the state has an important interest in protecting public safety that is superior to the individual's right” to pursue an occupational license. New Hampshire also restricts the licensing board's consideration to felonies and violent misdemeanors — no other prior convictions can factor into the board's decision to deny an occupational or professional license.<sup>30</sup>

## Indiana

The state of Indiana has pushed legislative reforms even farther than most other states by expanding its new occupational licensing laws into county and municipal agencies.<sup>31</sup> Indiana prohibits its licensing boards from

imposing vague and ambiguous application criteria like “good character,” and it requires its licensing boards to demonstrate that a disqualifying conviction is “specifically and directly” related to a particular occupation or profession.

In addition to these legislative reforms in the occupational licensing arena, Indiana was recently in the judicial spotlight through the case of *Timbs v. Indiana*.<sup>32</sup> On June 18, 2018, the United States Supreme Court granted review on the issue of whether the Eighth Amendment's excessive fines clause is incorporated against the states under the Fourteenth Amendment. The Court heard arguments about whether federal law prohibits a state from confiscating someone's personal property (in Mr. Timbs' case, his \$42,000 Land Rover) that is worth significantly more than the maximum monetary fine permitted for a criminal conviction (drug trafficking, in Mr. Timbs' case). The Court ruled for Mr. Timbs on February 20, 2019, holding that the Eighth Amendment's excessive fines clause is an incorporated protection applicable to the states under the 14<sup>th</sup> Amendment's due process clause, marking an important step in the direction of reform of other fines, fees, and financial penalties imposed as collateral consequences of criminal convictions.<sup>33</sup>

## Summary

These various legislative and judicial reforms illustrate Margy Love's advice that states must learn from advocates in other jurisdictions because there is not just one particular approach to reducing stigma and restoring citizenship rights to people who were formerly incarcerated. Like many of the Conference panelists, Margy encouraged creativity and progressive thinking among a “new breed of prosecutors,” judges, and legislators who are willing to build coalitions and reach compromises that will lead to real changes in the criminal justice system.



# Recommendations: Redemption Is About More Than Re-Entry

The recommendations discussed during the Conference went far beyond the legislative and referendum process and included grassroots movements and entrepreneurial solutions to the myriad problems faced by people who were formerly incarcerated and are seeking to reintegrate with society. Several panels were devoted to this overarching concept of “re-entry” into the community:

1. Plenary — I Am My Brother’s Keeper: Guiding Principles of Re-Entry
2. The Road to Re-entry: Navigating Systems Players and Building Coalitions
3. This Side of the Law: Reentered, Reformed, & Reinvented

But many panelists expressed the inherent inaccuracy of the term “re-entry” to describe the process of formerly incarcerated individuals returning to their pre-incarceration communities. For some people, there was never a stable community to “enter” in the first place. This is often the result of racial and economic disparities that create a systemic culture of criminal activity and a lack of apparent alternatives to the life-altering consequences of becoming involved with the criminal justice system.



**“Drugs descended on our community like locusts on crops. And it devastated us.” – Susan Burton**

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Because there are so many collateral consequences associated with a criminal conviction — and even just an arrest — a primary goal of criminal justice reform must be the prevention of individuals entering the system at all. When people do become justice-involved, a secondary goal of systemic reform must be the development of alternative programs to treat, educate, and empower individuals so they can maintain human connection with their communities and walk the road to redemption before, during, and after their period of incarceration. This section will highlight some of the innovative programs that are designed to shatter the shackles of collateral consequences at all stages of the process.

## Pre-arrest

One of the re-entry panels, “Plenary — I Am My Brother’s Keeper: Guiding Principles of Re-Entry,” featured four formerly incarcerated men who spoke about ways to successfully navigate re-entry while avoiding re-arrest and return to prison. The panelists were Christopher Ervin, Randy Lanier, Dominique “Lil Baby” Jones, and Kevin Skidmore.

Christopher Ervin is the Founder and President of The Lazarus Rite, Inc., a non-profit organization that aims to reduce recidivism rates by assisting its clients with obtaining sustainable employment and other re-entry skills. At the Conference, Chris spoke about ways to start the process of “re-entry” even earlier by improving the family and community environment of children. His primary focus was on the concept of exposure: “Exposure is everything toward aspiration.” Chris advocates exposing children to things they may not otherwise see in their own communities, which gives them a chance to aspire to learn and grow into people who are not destined for a street life of drugs and crime.

Randy Lanier echoed Chris' views about setting higher goals for improving the education, exposure, and environment of young people. Before going to prison for drug-related offenses, Randy was a professional racecar driver; he now works as a Behavioral Health Technician at Recovery First, a substance abuse treatment center. For Randy, the principles of re-entry and avoiding recidivism are all about a personal mindset. He described how he uses the practice of mindfulness and sets his intentions every day so that his consciousness creates his reality. Randy encouraged young people to avoid trouble by finding an interest, pursuing it, and becoming it.

Dominique "Lil Baby" Jones uses his platform as a rap artist to speak out against young black males getting arrested and beginning a lifecycle in and out of prison. When asked if he raps about guns and drugs like many others in the hip-hop community, Dominique responded, "I don't promote violence in my music. . . . In my music I actually let young brothers know that when you do . . . violence or you do criminal acts there's a consequence. . . . I do say stuff about shoot and kill but I also say if you shoot and kill you're going to jail and you won't come home." As for himself, Dominique vowed that he would never go back to prison. Although he acknowledged that avoiding recidivism is "an everyday challenge" because "there's so much you can get into," Dominique said he is committed to "turning the other cheek" and "being the bigger man."

Kevin Skidmore is the owner of FourFourtyTrucking, LLC, where he hires many formerly incarcerated people like himself. Like his fellow panel members, he spoke about changing his environment and changing his activities as a way to avoid re-arrest. He also holds himself responsible by staying engaged in his business "24/7" because it reminds him that other people rely on him every day to pay their bills. The pressure of this responsibility helps Kevin stay focused on his work and stay away from circumstances that could lead to recidivism.

In addition to the advice of these panel members, Conference attendees heard from audience members about concrete ways to improve community programs, mentorship, and education. Troy Williams, for example, talked about a Michigan prison partnership with Calvin College that helps people earn college degrees and occupational skills while they are incarcerated.<sup>34</sup> Troy reported that Calvin College also provides scholarships to the children of people who are incarcerated, which is an educational program designed to break the family's cycle of poverty and prison before the next generation enters the criminal justice system.

## Arrest & Prosecution

If an individual does get arrested or re-arrested, the question then becomes how to best help them navigate the criminal justice system in ways that will minimize or even eliminate the impact of collateral consequences before they are imposed. Some of the Conference recommendations in this regard were to:

- increase opportunities for diversion at earlier stages of the legal process;
- strengthen public defense representation;
- create alternative courts focusing on substance abuse, mental health, and other specific risk factors; and
- eliminate mandatory minimum sentences.

While diversion programs exist in almost every state across the country, they are not all created equal. Variations of diversion programs exist at three major stages of the criminal justice process: the law enforcement stage, the pretrial/prosecution stage, and the specialty/alternative court stage. The sooner diversion occurs, the better chance someone has of avoiding the lasting effects of collateral consequences.

One innovative program discussed at the Conference was Law Enforcement Assisted Diversion (LEAD), which is a pre-arrest diversion pilot program that began in 2011 in the state of Washington. The LEAD model gives front-line law enforcement officers the discretion to work with communities and refer eligible people to designated case workers in lieu of booking them into jail and prosecuting them for low-level offenses.<sup>35</sup>

Not everyone will qualify for pre-arrest diversion, however, and those who are arrested and prosecuted have an immediate need for a criminal defense lawyer. Several Conference panelists spoke about the importance of providing quality legal representation to everyone, regardless of their ability to pay. Panelist Jarrett Adams, who is now a civil rights and criminal defense lawyer, was wrongfully convicted in 2000 after his court-appointed attorney relied on a "no defense" theory. As a young, black male, Jarrett knew that he could not depend on a jury to hold the prosecution to its evidentiary burden of proving the crime beyond a reasonable doubt. Jarrett served more than 7 years of a 28-year sentence before a unanimous panel of the Seventh Circuit Court of Appeals overturned his conviction and ordered his release. He now zealously defends others who were wrongfully convicted, and he urges states to increase the funding and resources provided to their public defense systems at the trial and appellate levels.

Criminal defense lawyers also play a critical role in helping judges understand the magnitude of the collateral consequences that accompany the sentence imposed by the court. Mandatory minimum sentences, for example, remove the human aspect from the sentencing process and prevent judges from individualizing the appropriate length of punishment. Panelist Jason Hernandez, who described himself as a “jailhouse attorney,” explained how long sentences and sentences that prohibit opportunities for parole negatively affect the ability to successfully re-enter the community by restricting access to rehabilitative and work programs during incarceration. Panelist John Koufos said that lawyers “can be the tip of the spear” in piercing these kinds of barriers to re-entry.

Another obstacle to successful re-entry is the limited availability of mental health and substance abuse treatment programs for people who become justice-involved. But this obstacle is not insurmountable. With appropriate funding and resources, alternative courts and supportive programs like “My Journey Matters” in Georgia can be replicated across the country. Studies consistently show that recidivism rates have been reduced in places where risk assessment, treatment, and accountability courts are used instead of or in addition to the traditional law-and-order model.

## During Incarceration

A particularly inspirational aspect of the Conference was the ingenuity of panelists who were previously incarcerated but have achieved economic and personal success despite the families, communities, defense attorneys, prosecutors, and judges who were unable or unwilling to help them along the way. The final panel of the Conference — “Entrepreneurship and Training: Harnessing Your Power for Success” — featured moderator Michael DiLauro and panelists Marcus Bullock, Brandon Chrostowski, and Tracey Syphax.

Marcus Bullock is the Founder and CEO of FlikShop, a mobile app that allows friends and family members to send photos and messages to people who are incarcerated. Brandon Chrostowski is the Founder of EDWINS

Restaurant and Leadership Institute, which provides culinary education and employment opportunities to incarcerated and formerly incarcerated people. Tracey Syphax, who has over 20 years of entrepreneurial experience, owns and manages a construction business and a real estate company. All three panelists emphasized the need to work with people while they are incarcerated to develop the skills and tools they will need to succeed when they are released.

Some of the skills and tools discussed by the panelists as instrumental to their success were obtaining capital, learning management styles, and dealing with changes in technology. Because it is a challenge — and usually too late — to learn all these things at once after release, the panelists spend time going back into prisons and working with wardens, legislators, and incarcerated people to develop what Tracey called “the three Es”: Educational and Entrepreneurial programs inside the prisons that will lead to Employment outside the prisons.



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**“Anyone who is incarcerated for more than three or five years is already behind the times in technology.”**  
– Marcus Bullock

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## Post-incarceration

While much of the groundwork for successful re-entry must be laid while people are incarcerated, there are still many things to be done after they are released. Panelists at the Conference discussed numerous successful initiatives across the country that are conquering collateral consequences like housing restrictions, transportation limitations, a lack of employment opportunities, and stigma.



(Left to Right) Brandon Chrostowski, Marcus Bullock, Tracey Syphax, and Michael DiLauro

Photo by Koichi Take

## **Public Housing**

As former Georgia Governor Nathan Deal said, “Housing is one of the real impediments to successful re-entry.” He has proposed a solution to the White House and to regional administrators of the U.S. Department of Housing and Urban Development: Create “slots in public housing units allocated for returning citizens.” Governor Deal encouraged Conference participants to communicate this idea to their local and regional administrators so that people returning from prison will have a stable place to live, which will reduce their chances of recidivating.

## **Employment Opportunities**

Mark Holden encouraged all employers in the public and private sectors to go beyond banning the box and intentionally hire people who were formerly incarcerated. He suggested hosting job fairs and job-training sessions specifically designed for people who have served time in prison. Koch Industries follows this “win-win-win proposition,” which Mark said has positively impacted their bottom line.

In Georgia, Governor Deal made it easier for employers in the private sector to hire formerly incarcerated people by providing skills and job training in prison programs that result in official certificates for careers like welding and trucking. Georgia prisons also provide people with a driver’s license or personal identification card before they leave, which makes it easier to obtain transportation and employment.

## **Transportation Partnerships**

As several panelists explained throughout the Conference, one of the major obstacles to employment is the lack of transportation getting to and from a workplace. Many people who were incarcerated do not have the tools to obtain driver’s licenses or car insurance, and most of them lack the up-front funds or city infrastructure to rely solely on public transportation. Marc Levin described an innovative partnership with Uber that seeks to address this transportation problem. Uber not only bans the box and hires formerly incarcerated people as drivers,<sup>36</sup> but it has also partnered with local governments and businesses to provide free rides to job interviews or the first day of work for people who were formerly incarcerated.

## **Access to Capital**

Like many re-entry activists, Teresa Hodge has “pushed all of [her] work towards making sure that individuals who come home from prison have access to opportunities.” She now works with individuals who do not have a job to create a job through entrepreneurship and business

management. Part of her model includes talking to commercial, national, and community banks about giving formerly incarcerated people access to capital. Most of her partnerships are with Community Development Financial Institutions, which are “community-based banks that are designed to give money at the ground level.” By helping the banks engage with the local community and humanize the local economy, Teresa said “it was very easy” to garner financial support for people who were formerly incarcerated.

## **Safe Streets & Second Chances**

Safe Streets & Second Chances is an innovative program that uses an evidence-based approach to improve post-incarceration rehabilitation and re-entry initiatives while reducing recidivism rates. One of their most recent prison reform partnerships is with Goodwill of Southwestern Pennsylvania and the Pennsylvania Department of Corrections.<sup>37</sup> Like its other successful reforms in states such as Texas, Kentucky, and South Carolina, Safe Streets & Second Chances plans to help Pennsylvania create a smart-on-crime system backed by data and research that will achieve public safety goals without burdening taxpayers.

## **Reducing Stigma**

Since returning home from prison, Randy Lanier has filmed a pilot reality TV program called “Back on Track” that feature celebrities, athletes, and formerly incarcerated people. Randy described the show as answering the question: “Once we’ve fallen from grace, what are we doing to get our life back on track?” He hopes that media outlets like “Back on Track” will help tell the success stories of formerly incarcerated people and spark greater interest in re-entry programs.

In addition to sharing these kinds of success stories, a tangible way to reduce the stigma of prior criminal convictions is to provide more opportunities for expungements and pardons. Conference panelists spoke about reforms across the country that are aimed at expanding the types of convictions that are eligible for expungement. One of the creative suggestions from Margy Love was to create a judicial certificate that has the same effect as a presidential pardon.

## **Summary**

Implementing any one of these ideas would be an improvement for states that are interested in ways to reduce recidivism rates and boost their economy. The success of these reforms across the country provide ample statistical proof that these programs work for the betterment of the entire community.



# Saturday Events at Ebenezer Baptist Church

The Conference continued into Saturday for a faith-based conversation about progressive criminal justice reform through political, economic, and social justice policies affecting communities and families. The Saturday session was hosted by Ebenezer Baptist Church in Atlanta and included a special screening and panel discussion of “The Sentence,” a 2018 award-winning documentary that provides an intimate look at the human lives impacted by mandatory minimum sentencing laws.

The first half of the Saturday session featured a panel of three female activists: Tiffany Williams Roberts, a social justice community organizer and criminal defense lawyer; Attiyah Ali, the Founder of A Loving Act, a non-profit organization that provides spiritual guidance and entrepreneurial skills to incarcerated people; and Reverend Aundreia Alexander, the Associate General Secretary for the National Council of Churches’ Action and Advocacy for Justice and Peace, whose work blends her passions for accounting, law, and ministry.



*(Left to Right) Attiyah Ali, Tiffany Williams Roberts, Rev. Aundreia Alexander, Esq. — Faith Based Conversation.*

Tiffany Roberts spoke earnestly about ongoing efforts to change the way that the criminal justice system treats people who cannot afford to pay a cash bail if they are arrested. As the Chair of Social Justice Ministry at Ebenezer Baptist Church, Tiffany helped organize the Freedom Day Bailout Campaign in June 2018, which raised money to help bail people out in time for Father’s Day weekend and raised awareness about the money bail system and why it needs to be reformed. The Freedom

Day project leaders have urged prosecutors to stop requesting bail in most cases, while the Ebenezer faith community continues to raise money for ongoing bail assistance.

For people who remain incarcerated, Attiyah Ali provides resources and training to turn passions into profits through entrepreneurial and social change programs. She also spoke about her role in providing spiritual guidance and support to homeless and incarcerated people, which many of them never received from their families. With a focus on strengthening the family environment, one of the community projects organized by A Loving Act is to provide duffel bags to foster children so they do not have to use trash bags for their belongings when they move homes.

Like many of the Conference panelists, Reverend Alexander’s work with the National Council of Churches focuses on reversing the trend of mass incarceration in America. But her advocacy is not limited to this country; Reverend Alexander has addressed human rights and liberty issues with groups like the United Nations and World Council of Churches, including projects in Egypt, South Africa, Turkey, Mexico, and South Korea. At the Conference, Reverend Alexander gave advice on the role of church communities in shaping policy decisions and supporting parishioners through education and honest discussions about race and gender.

All three women emphasized the need for early intervention in the community before people are arrested. They advocated better training for pastors and other faith-based leaders so that communities start calling criminal defense lawyers at the first sign of trouble instead of suggesting that parishioners speak with law enforcement officers and prosecutors on the misconceived notion that “the truth will set you free.” They also encouraged criminal defense lawyers to humanize their clients by asking to hear their stories and helping them engage in the process. Finally, the panel members spoke about the importance of educating community members on the need to vote in local, state, and national elections.

After the faith-based panel discussion, the topic of voting continued with the screening of Gilda Brasch’s “Let My People Vote.” This 2018 verité short film

chronicles the daily work of civil rights activist and lawyer Desmond Meade as he assisted Floridians with the voting process in the 2016 presidential election. Desmond himself is barred from voting (and practicing law in Florida) because of a decade-old drug conviction, even though he served his sentence and earned his juris doctor degree after completing his term of parole. Director Gilda Brasch vowed to continue documenting voter suppression as long as it exists in its various forms.

The feature film screened at Ebenezer Baptist Church was Rudy Valdez's "The Sentence," which was purchased by HBO in 2018. "The Sentence" tells the story of Rudy's sister, Cynthia Shank, who served 8 years of a 15-year sentence for conspiracy to distribute cocaine. Even though Cynthia was a first-time offender, the harsh sentence was a result of mandatory minimums and the broad wording of the conspiracy statute. Cynthia was indicted nearly 6 years after she provided information to the authorities about her ex-boyfriend, who was a major drug dealer. By the time she was arrested, Cynthia had moved on with her life, gotten married, and had three young daughters. "The Sentence" focuses on the hardships suffered by Cynthia's family as they struggled to maintain contact while she was incarcerated and relocated across the country. Cynthia was granted clemency in 2016, thanks in large part to her brother's advocacy and the work of pro bono lawyers and organizations participating in Clemency Project 2014 (CP2014).<sup>38</sup>



**"We have to take to the streets. We have to be activists."**

**– Drew Findling**

The afternoon panelists also discussed the broader need for re-envisioning a criminal justice system that is not based on retribution and punishment but instead addresses reconciliation and healing. Listening to communities and focusing on human stories must be at the heart of this shift in perspective. Roseberry urged activists to "forget the statistics" and humanize the fight for reform:



Photo by Ivan Dominguez

(Left to Right) Cynthia Roseberry, Marjorie Pearce, Rudy Valdez — Panel on clemency and the documentary "The Sentence."



**"Collateral consequences are wider and deeper than the immediate person who serves the time."**

**– Cynthia W. Roseberry**

Following the film, Rudy participated in a panel discussion with Cynthia Roseberry, the Project Director of CP2014, and Marjorie Pearce, one of the hundreds of pro bono lawyers assisting CP2014 to help incarcerated people like Cynthia reach freedom. When asked about ways to implement policy change in the criminal justice system, all three panelists emphasized the importance of mobilizing at the local, grassroots level. Rudy described how he used "political strategy 101: name recognition," by going to D.C. and speaking with anyone who would listen to him about Cynthia's story. Pearce and Roseberry encouraged voter education about local elections, especially with prosecutors and law enforcement officers who are the ones making the decisions whether and how harshly to pursue low-level, first-time offenders like Cynthia.

- Arrest and prosecution, for example, should account for community backgrounds, economic circumstances, and mental health risks;
- sentencing should be based on the individual rather than the quantity of drugs or the amount of money involved; and
- re-entry programs should incorporate group therapy and job training while people are living in halfway houses.

These suggestions echoed the sentiments of the faith-based leaders who gathered on Saturday morning and many of the panelists who spoke throughout the Conference.

# Conclusion



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**“We don’t have to  
be imprisoned by  
our past.”**

**– Dr. Divine Pryor**

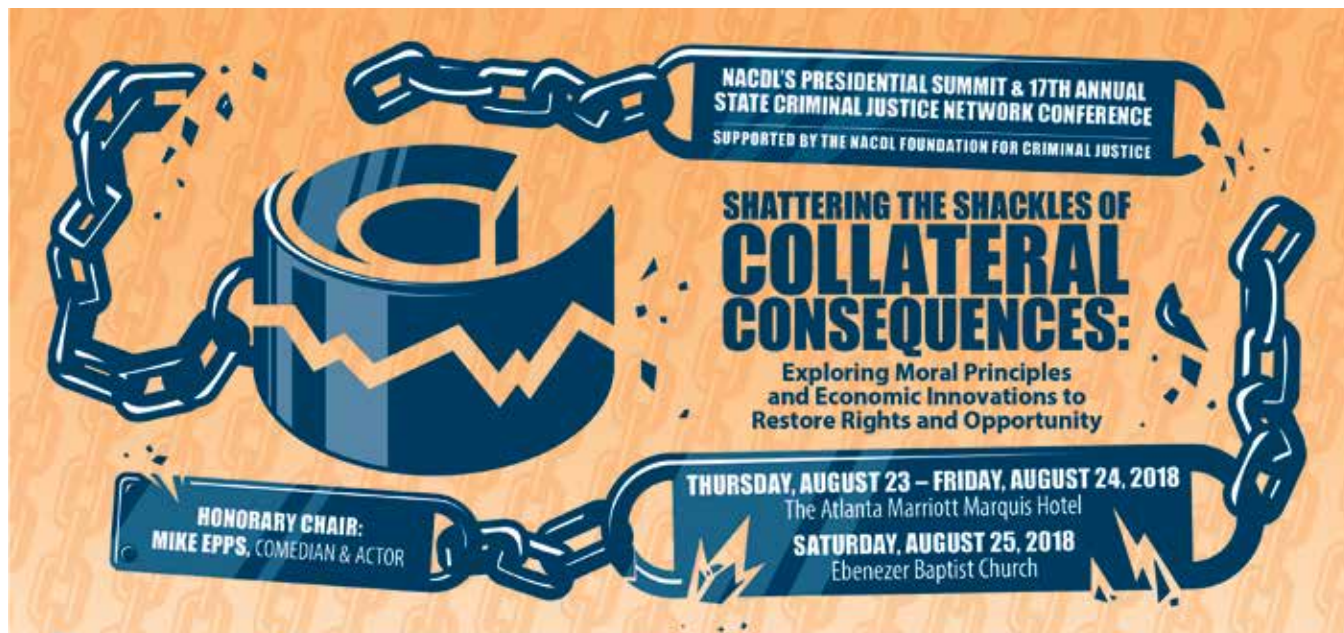
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For meaningful reform to occur, the initiatives discussed at the Conference must start happening at every level of the criminal justice system. While some people believe it is a broken system, other advocates believe it is working just as it was designed and intended: to make millions and billions of dollars on the backs of poor people. This

may be the past, but it does not have to be the future. This country is currently facing real, deep-rooted issues of separatism and racism that continue to drive a wedge between the rich and the poor, the white and the colored, the educated and the uneducated. Each new generation has the power to close these gaps by opening their ears and expanding their minds so that people start to see each other for what they truly are: human beings. Some human beings have been convicted of crimes and served sentences in prison, but they are not their worst mistake. They are mothers, fathers, sons, and daughters. They are pastors, lawyers, activists, and entrepreneurs. This Conference showed the infinite ways — from a fiscal, moral, and social perspective — that everyone benefits from shattering the shackles of collateral consequences and providing all people with the opportunity to become productive members of the community.

# Appendices

## Appendix A — Agenda



### Shattering the Shackles of Collateral Consequences: Exploring Moral Principles and Economic Innovations to Restore Rights and Opportunity

**Thursday, August 23 — Friday, August 24, 2018**

#### Atlanta Marriott Marquis

265 Peachtree Center  
Atlanta, Georgia 30303

**Saturday, August 25, 2018**

#### Ebenezer Baptist Church

America's Freedom Church  
101 Jackson Street, NE  
Atlanta, Georgia 30312

### Thursday, August 23, 2018

- |                       |  |
|-----------------------|--|
| 7:30 a.m. - 7:50 a.m. | <i>Continental Breakfast</i>   |
| 8:15 a.m. - 8:20 a.m. | <i>Welcome: Angelyn C. Frazer-Giles, Senior Advisor for Special Projects, NACDL</i>  |
| 8:25 a.m. - 8:40 a.m. | <i>Presidential Summit Opening Remarks: Drew Findling, President, NACDL</i>  |
| 8:40 a.m. - 8:50 a.m. | <i>Introduction of and Champion of Justice Restoration of Rights Award Presentation to Sally Q. Yates: Norman L. Reimer, Executive Director, NACDL</i> |



- 8:50 a.m. – 9:30 a.m.** *Keynote Address:* **Sally Q. Yates**, Partner, Special Matters and Government Investigations, King & Spalding and Former U.S. Deputy Attorney General
- 9:35 a.m. – 11:00 a.m.** *Setting the Stage: Moral and Economic Obligations to Restoring Rights and Opportunity*  
This panel will explore the moral principles and economic innovations that are essential in alleviating collateral consequences of an arrest or conviction. The panel will also examine racial implications associated with collateral consequences. Key Issues: ban the box, certificates of relief, tax incentives, licensing  
  
Moderator: **Rick Jones**, NACDL Immediate Past President and Executive Director, Neighborhood Defender Service of Harlem  
  
**Marc Levin**, Vice President, Criminal Justice Policy, Texas Public Policy Foundation, Right on Crime; **Teresa Hodge**, Co-Founder & Director of Strategy & Innovation, Mission: Launch; and **Mark Holden**, General Counsel & Senior Vice President, Koch Industries
- 11:00 a.m. – 11:15 a.m.** *Refreshment Break*
- 11:15 a.m. – 12:30 p.m.** *Plenary — I Am My Brother’s Keeper: Guiding Principles of Re-Entry*  
This plenary will feature formerly incarcerated men and women who have successfully re-entered their communities. Panelists will be prompted with themes relative to effectively and efficiently navigate the process of reentry.  
  
Veteran: **Christopher Ervin**, Founder & President Lazarus Rite, Inc.  
  
Novices: **Dominique “Lil Baby” Jones**, Recording Artist and Aspiring Entrepreneur; **Randy Lanier**, Behavioral Health Technician, Recovery First; and **Kevin Skidmore**, Owner, FourFourtyTrucking, LLC
- 12:30 p.m. – 1:35 p.m.** *Lunch*
- 1:35 p.m. – 2:30 p.m.** *The Road to Re-entry: Navigating Systems Players and Building Coalitions*  
This panel will focus on developing relationships with state power players and seeking unlikely and likely allies in building coalitions for lasting and meaningful reforms.  
  
Moderator: **Roberta “Toni” Meyers**, Director, H.I.R.E. Network  
  
**Ngozi Ndulue**, Senior Director of Criminal Justice Programs at NAACP; **Mary Price**, General Counsel, Families Against Mandatory Minimums (FAMM); and **Divine Pryor**, Executive Director, The Center for NuLeadership on Urban Solutions
- 2:30 p.m. – 2:45 p.m.** Introduction of and *Champion of Justice Restoration of Rights Award* Presentation to **Governor Nathan Deal: Drew Findling**, President, NACDL
- 2:45 p.m. – 3:00 p.m.** Remarks: **Nathan Deal**, Governor of Georgia
- 3:15 p.m. – 3:30 p.m.** *Refreshment Break*
- 3:30 p.m. – 5:15 p.m.** *Forgiving: The Campaign Against the Scarlet Letter*  
  
Moderator: **Cynthia Roseberry**, Vice President for Institutional Advancement & Executive Director of The Center for Entrepreneurship & Innovation, Wilberforce University, and Former Project Director, Clemency Project 2014  
  
**Jason Hernandez**, commutation recipient from President Barack Obama; **John Koufos**, National Director of Reentry Initiatives, Right on Crime; and **Margaret Love**, Director, Collateral Consequences Resource Center
- 6:30 p.m. – 8:30 p.m.** *Presidential Reception Featuring Comedian Mike Epps*  
Center for Civil and Human Rights  
100 Ivan Allen Jr. Blvd  
Atlanta, Georgia

## Friday, August 24, 2018

- 7:30 a.m. – 8:00 a.m. *Breakfast*
- 8:05 a.m. – 9:30 a.m. **Criminal Justice Leaders/Authors Panel**  
This panel will feature authors of several autobiographical criminal justice-related books. Authors will read from their books and the discussion will focus on life post incarceration as a leader in the criminal justice field.  
  
Moderator: **Nkechi Taifa**, Advocacy Director for Criminal Justice, Open Society Foundations  
  
**Susan Burton**, *Becoming Ms. Burton*; **Anthony Graves**, *Infinite Hope: How Wrongful Conviction, Solitary Confinement, and 12 Years on Death Row Failed to Kill My Soul*; and **Omar Howard**, *The Omar Howard Story*  
  
*Please support bookseller Charis Books and More located near the registration table*
- 9:35 a.m. – 11:00 a.m. **Forgetting: Alleviating Collateral Consequences Through the Legislative & Referendum Process**  
This panel will focus on several states that have addressed progressive solutions to alleviating collateral consequences through the legislative and referendum process  
  
Moderator: **Monica L. Reid**, Director of Advocacy, NACDL  
  
**Marissa Dodson**, Public Policy Director, Southern Center for Human Rights; **Desmond Meade**, President, Florida Restoration of Rights Coalition; and **Lee McGrath**, Managing Attorney for Minnesota and Senior Legislative Counsel, Institute for Justice
- 11:00 a.m. – 11:15 a.m. *Break*
- 11:15 a.m. – 12:30 p.m. **And Justice For All: Voices from Court**  
  
Moderator: **Divine Pryor**, Executive Director, The Center for NuLeadership on Urban Solutions  
  
**Dave LaBahn**, President and CEO, Association of Prosecuting Attorneys; **Judge Shawn LaGrua**, Superior Court of Fulton County, Georgia; and **Stephanie Woodard**, Solicitor-General, Hall County, Georgia
- 12:30 p.m. – 1:30 p.m. *Lunch*
- 1:35 p.m. – 1:45 p.m. **Presentation of Champion of State Criminal Justice Reform Award to the Second Chance Center in Denver, Colorado**
- 1:45 p.m. – 3:15 p.m. **This Side of the Law: Reentered, Reformed & Reinvented**  
Panel will feature individuals formerly incarcerated whose second chance led them to pursuing a career in law.  
  
Moderator: **Amy Solomon**, Vice President of Criminal Justice Policy, Laura and John Arnold Foundation  
  
**Jarrett Adams**, Attorney, Law Offices of Jarrett Adams, PLLC; **Shon Hopwood**, Associate Professor of Law, Georgetown Law; and **Serena Nunn McCullers**, Defense Attorney, Atlanta Circuit Public Defenders Office, commuted by President Bill Clinton & pardoned by President Barack Obama
- 3:15 p.m. – 3:30 p.m. *Break*

- 3:30 p.m. – 5:00 p.m.**      ***Entrepreneurship and Training: Harnessing Your Power for Success***  
 This panel will focus on existing efforts and strategies to ensure the best outcomes for those who have been justice involved.
- Moderator: **Michael DiLauro**, Director of Training & Legislative Liaison, the Rhode Island Department of the Public Defender (RIPD)
- Marcus Bullock**, Founder & CEO, Flikshop; **Brandon Chrostowski**, Founder of EDWINS Leadership and Restaurant Institute and CNN Hero; and **Tracey Syphax**, President and COO of Phax Group Construction & Design LLC
- 5:00 p.m.**      ***Evaluation & Closing***

## Saturday, August 25, 2018

### **Ebenezer Baptist Church**

America's Freedom Church  
 101 Jackson Street, NE  
 Atlanta, Georgia 30312

- 8:30 a.m. – 9:45 a.m.**      **Faith-Based Conversation**  
 Exploring how the faith-based community can partner with other communities to achieve progressive criminal justice reforms. In addition, how can the faith-community shape policy in a progressive way via protest action, letter-writing, legislative advocacy, etc. The discussion will also explore the ideas of redemption and forgiveness in the form of political, economic and social justice policies.
- Tiffany Williams Roberts**, Attorney at Law; **Reverend Aundreia Alexander, Esq.**, Associate General Secretary for Action and Advocacy for Justice and Peace, National Council of Churches; **Attiyah Ali**, Founder, A Loving Act
- 10:00 a.m. – 1:00 p.m.**      **Resource Fair**
- 1:00 p.m. – 2:00 p.m.**      **Lunch**
- 2:00 p.m. – 5:00 p.m.**      Screening of the Sundance Audience Award *The Sentence*, featuring Cindy Shank released from prison via Clemency Project 2014. The screening will be followed by a panel discussion.
- The Sentence* tells the story of Cynthia “Cindy” Shank, whose incarceration propels her brother to document via film Cindy’s daughters as they grow up without her. The story further explores the family bond Cindy maintains with her parents, siblings and children through her brother’s relentless advocacy. It culminates with efforts to seek clemency for Cindy via the Clemency Project 2014, an Obama Administration and NACDL initiative. The screening will be followed by a panel discussion.
- Moderator: **Angelyn C. Frazer-Giles**, Special Projects Consultant, NACDL
- Rudy Valdez**, Director, *The Sentence*; **Marjorie Pearce**, Partner, Ballard Spahr, LLP; and **Cynthia Roseberry**, Vice President for Institutional Advancement & Executive Director of The Center for Entrepreneurship & Innovation, Wilberforce University, and Former Project Director, Clemency Project 2014

## Appendix B — Speaker Bios

**Jarrett Adams** recently launched the Law Offices of Jarrett Adams, PLLC, a firm specializing in criminal defense and civil rights matters. Prior to starting his firm, Mr. Adams was a Post-Conviction Litigation Fellow with the Innocence Project, a non-profit legal services firm which focuses on exonerating the wrongfully convicted through DNA testing. Before practicing with the Innocence Project, in 2000, at the age of 17, Mr. Adams was sentenced to a 28-year prison term for sexual assault.

After state post-conviction proceedings were exhausted, the Wisconsin Innocence Project filed a federal habeas petition on Mr. Adams's behalf. The petition was denied by the district court, but that decision was overturned in 2006 by a unanimous Seventh Circuit panel. The state dismissed all charges against him and Mr. Adams was released in February of 2007. Upon release in February of 2007, Mr. Adams obtained his Associates degree (2010), Bachelor's degree (2012), graduated from Loyola Law School in Chicago (2015), clerked for the same Seventh Circuit that overturned his conviction, litigated the reversal of two other convictions, and is now practicing law in several states and residing in New York.

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**Rev. Aundreia Alexander** is the Associate General Secretary for Action and Advocacy for Justice and Peace for the National Council of the Churches of Christ in the USA (NCC). The NCC is a leading force for ecumenical cooperation among Christians in the United States focusing on issues of social justice, interreligious relationships and the bible and Christian life. For over twenty years Rev. Alexander has worked with ecumenical, interfaith, and government entities such as the United Nations, World Council of Churches, Church World Service and others, on a variety of justice issues. She has preached, lectured and facilitated workshops throughout the United States and around the world including Egypt, South Africa, Turkey, Mexico, and South Korea. She is a former lawyer and received both her law and undergraduate degrees from the University of Missouri in Columbia. Rev. Alexander also has a M.Div. from Princeton Theological Seminary. She is a member of the Advisory Board for Community Engagement in the State Courts.

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**Attiyah Ali** visited a local prison to show those incarcerated that there is hope for a better future. She increased her visits to weekly, knowing that an impact was being made. In 2013, the outreach efforts included providing essential personal supplies to the homeless in the Atlanta, GA community. With the aid of fellow local San Francisco 49ers fans, the "Helping Hands" Homeless Supplies Drive has become an annual event with donors from all over the country. Along with friend, who works for the juvenile court system, they determined that providing youth in foster care with duffels so they could transport their belongings from one home to the next. This project became the "Duffels Not Trash" Program, where kids can not only move their treasures with dignity, but receive books and toys to cherish in the future. These three outreach initiatives serve as the foundation for A Loving Act's support to the disenfranchised.

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**Marcus Bullock** was sentenced to 8 years in prison at age 15 in 1996 alongside his co-defendant R. Dwayne Betts. It was February 2004 when he was released from prison and opted to do things a little differently. Marcus realized how much of a hassle it was to write to a friend that was still incarcerated and created the mobile app Flikshop that gives all incarcerated person's the ability to get mail every single day from their loved ones. Through the Flikshop app, you can take a great photo to send to your loved one, add a short message, and click "Send A Flikshop."

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**Susan Burton's** five-year-old son was accidentally hit and killed by a car and she subsequently numbed her grief through alcohol and drugs. As a result, she became enmeshed in the criminal justice system for nearly two decades before finding freedom and sobriety in 1997. Drawing on her personal experiences, she founded A New Way of Life Re-Entry Project (ANWOL) in 1998, dedicating her life to helping others break the cycle of incarceration. ANWOL provides resources such as housing, case management, employment, legal services, leadership development and community organizing on behalf of, and with, people who struggle to rebuild their lives after dwelling in an underworld of incarceration.

Susan is widely recognized as a leader in the national criminal justice reform movement. She is a past Soros Justice Fellow; a CNN Top Ten Hero; and received the prestigious Citizen Activist Award from the Harvard Kennedy School of Government. Susan is a co-founder of All of Us or None (AOUON) and the Formerly Incarcerated and Convicted People's Movement (FICPM). In collaboration with UCLA's Critical Race Studies Program, she launched the Employment Rights Re-Entry Legal Clinic which has grown to be the largest of its kind in Southern California.

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**Brandon E. Chrostowski** is on a mission to change the face of re-entry in the United States. In 2007, he founded EDWINS Leadership & Restaurant Institute, with the belief that every human being regardless of their past has the right to a fair and equal future. Under Chrostowski's leadership, EDWINS has grown to include culinary education and life skills training at its flagship Cleveland, Ohio restaurant and Second Chance Life Skills Center, a program at Grafton Correctional Institute, and curriculum for inmates of all 30 Ohio prisons. He earned dozens of awards including CNN Heroes, Crain's 40 under 40 and The Richard C. Cornuelle Award from the Manhattan Institute for Social Entrepreneurship and is the subject of the Academy nominated documentary, "Knife Skills." Chrostowski holds an Associate's degree in Culinary Arts and a Bachelor's degree in Business and Restaurant Management from The Culinary Institute of America. He is married to Catana and is a proud father of Leo and Lilly.

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## **Governor Nathan Deal**

“Georgia’s unprecedented success in criminal justice reform serves as the standard for other states to emulate,” said Deal. “As a result of our efforts, fewer Georgians were committed to prison last year than any time in the past 15 years, thereby saving millions of taxpayer dollars and keeping families and communities intact.”

A Sandersville native, Governor Deal served in the U.S. Army at Fort Gordon in Augusta after graduating with college and law degrees with honors from Mercer University. He then began a private law practice in Gainesville, the hometown of his wife, Sandra Deal. While his wife taught in Hall County public schools, Governor Deal began a career in public service, working as a prosecutor, judge, state senator and U.S. Congressman for Georgia’s 9th District. Governor Deal was re-elected as governor in 2014.

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**Michael DiLauro** is Director of Training & Legislative Liaison for the Rhode Island Department of the Public Defender (RIPD). Prior to creating this position he was a member of the RIPD’s Trial Division where he tried approximately sixty capital (potential life sentence) cases to verdict. As Director of Training & Legislative Liaison he is responsible for creating programs that meet the professional needs of the department’s forty plus attorneys and advancing the RIPD’s legislative package through the RI General Assembly while responding to other legislation touching upon the practice of criminal law and procedure, respectively. He maintains a select caseload for systemic litigation purposes.

Mr. DiLauro is a member of the RI Bar Association (RIBA) and its Criminal Law Bench Bar Committee; National Association of Criminal Defense Lawyers (NACDL) and its State Criminal Justice Network (SCJN); the National Legal Aid & Defender Association (NLADA) and its National Alliance of Indigent Defense Educators (NAIDE); and is a charter member of the RI Association of Criminal Defense Lawyers (RIACDL). In 2013 Mr. DiLauro received the Commitment Award from his alma mater the University of Toledo College of Law and in 2011 Mr. DiLauro was the first recipient of NACDL’s SCJN *Champion of State Criminal Justice Reform Award* in recognition of, “exceptional efforts that have led toward progressive reform of a state criminal justice system.”



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**Marissa Dodson** is the Public Policy Director at the Southern Center for Human Rights (SCHR). Marissa is responsible for developing and advocating for legislation that furthers SCHR's mission, including reforming harsh sentence laws, enhancing alternatives to incarceration, abolishing the death penalty, strengthening the public defender system, and ending the criminalization of poverty.

In 2008, Marissa was awarded an Equal Justice Works Fellowship to develop the first program in Georgia to address individual and systemic barriers facing people with a criminal history through direct service, education and legislative advocacy at the Georgia Justice Project. Marissa received the Commitment to Justice Award in 2012 from the State Bar of Georgia's Young Lawyer Division for her advocacy of reforms to the state's expungement law. In 2015, Marissa was named by the Fulton County Daily Report as an "On the Rise Georgia lawyer under 40" and was the recipient of the National Association of Criminal Defense Lawyer's SCJN Champion of State Criminal Justice Reform Award.

Marissa received her B.A. in Political Science from Spelman College in 2005 and her J.D. and Bachelors in Civil Law from the Paul M. Hebert Law Center at Louisiana State University in 2008. She is a member of the Georgia bar.

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**Mike Epps** has generated an extraordinary amount of buzz among his peers within the entertainment industry for being one of the funniest comic actors to emerge in the Hollywood scene as of late. When Epps isn't filming, he is touring the country and performing his comedy act, *The Mike Epps on the Edge Tour* to sold-out theaters and arenas across the country.

His film career has spanned several years and includes films *Friday*; *Hancock*; *Something New*; *Guess Who*; *Talk To Me*; *Dr. Doolittle 2*; remake of *The Honeymooners* and numerous others. In March 2018, Mike released his first book *Unsuccessful Thug: One Comedian's Journey from Naptown to Tinseltown*. A native of Indiana, he currently resides in Los Angeles.

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**Christopher Ervin** founded Lazarus Rite, Inc. According to Christopher, "The Lazarus Rite was created to address the very intentional, policy protected intention to legally marginalize and thus relegate predominantly Black people, to servitude. "In other words, as long as punishment for crime, slavery and involuntary servitude is back in play, we at The Lazarus Rite will train people for an economic opportunity to lift them out of a perpetual state of low income servitude. This is how we will bring Baltimore back."

Mr. Ervin studied Social Science at Coppin State and Criminal Law at the University of Maryland College Park. He is well known throughout the State of Maryland for his expertise on the subject matter of criminal justice reform and has worked tirelessly on quality of life issues impacting youth and families, seniors and the developmentally disabled, specifically the restoration of rights to those formerly incarcerated.

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**Drew Findling** is NACDL's President. Drew spent the first three years of his career as a lawyer as a Fulton County, Georgia, assistant public defender assigned to the courtroom of the late Judge William Daniel, known throughout Georgia for having authored three fundamental treatises on Georgia criminal practice. Just a few years after graduating from law school, in 1987, Drew "hung out a shingle" and started The Findling Law Firm. Since then, Drew has represented clients in state and federal courts in many states, including Georgia, Florida, Indiana, Louisiana, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, South Carolina and Texas. He has also handled international matters in the Middle East and Europe.

Drew has enjoyed great success as a trial lawyer representing clients with charges ranging from minor offenses to multi-million dollar federal conspiracy cases. Over the years, his reputation for zealous and skilled representation has resulted in his being retained to represent numerous high-profile clients, including Grammy-nominee Faith Evans, Former Douglas County District Attorney David McDade, Former Fulton County, Georgia, Sheriff Jackie Barrett, current Clayton County Sheriff Victor Hill, Former President of Morris Brown College Dolores Cross, NBA Superstar Shaquille O'Neal, former NBA great Dennis Rodman and NBA first-round draft choices Al-Farouq Aminu and Roshown McLeod and retired baseball slugger Oscar Gamble, and rap superstars Gucci Mane Waka Flocka Flame and Migos' Offset.

Drew has published numerous articles; given speeches in over 35 states; and lectured at various institutions. He has also participated on various panels. He has appeared as an analyst on cable programs hosted by Shepard Smith of Fox News and Brook Baldwin of CNN.

He has been named as one of Georgia's Legal Elite in Georgia Trend Magazine, Georgia "Super Lawyer" by Atlanta Magazine, and the Atlanta Journal Constitution's Top Lawyers in Georgia. He has received the NAACP's Civil and Human Right's Award and most recently was the recipient of the prestigious Robert C. Heeney Memorial Award is given annually to the one criminal defense attorney who best exemplifies the goals and values of the Association and the legal profession.

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**Angelyn C. Frazer-Giles** is currently the Network Manager for the National Network for Justice (NNJ), a newly established organization designed to support and strengthen the work of state-based criminal justice reform groups seeking to safely and permanently reduce prisoner populations through capacity and movement-building, as well as, peer-to-peer support. She was formerly the State Legislative Affairs and Special Projects Director at NACDL and currently serves NACDL in a consultancy capacity.

In her previous role, she was responsible for the development, articulation, and strategic vision of NACDL's agenda on the state level. Angelyn received her A.A.S degree from the Fashion Institute of Technology; her B.A. from the Henry M. Jackson School of International Studies at the University of Washington; studied Spanish at the Universidad De Guadalajara in Jalisco, México, and received her Paralegal Certification from The Center for Legal Studies.



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**Anthony Graves** joined the ACLU of Texas in 2017 as their Smart Justice Initiatives Manager. Before that, he was known as U.S. Death Row Exoneree #138. He spent 18 ½ years behind bars, 16 of these years in solitary confinement and 12 years of my sentence on death row. He wrote a book about his experience, *Infinite Hope: How Wrongful Conviction, Solitary Confinement, and 12 Years on Death Row Failed to Kill My Soul*, in addition to starting his own foundation focused on getting innocent people out of prison.

In October 2010, all charges against him were dropped and he was set free. Prosecutors reviewing the case found not only that he was innocent, but that then prosecuting attorney Charles Sebesta had engaged in numerous acts of prosecutorial misconduct. Graves has turned the tragedy of his wrongful conviction into a fight for a smarter criminal justice system. Today Graves works with the ACLU of Texas Smart Justice Campaign in Texas, and travels around the country and the world enlightening politicians, criminal justice reform organizations, law students, and the general public about the injustices of our system and our need for comprehensive criminal justice reform.

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**Jason Hernandez** was sentenced to life without parole at the age of 21 for a nonviolent drug crime. While incarcerated, he became a “jailhouse lawyer,” litigating on behalf of others in prison. In 2011, Hernandez filed his own petition for clemency and in 2013 received a commutation from President Barack Obama, leading to his release in 2015. Since gaining his freedom, he has continued to advocate for people serving life sentences. Jason Hernandez advocates for the clemency process to be reformed and expanded to undo the injustices caused by the war on drugs. A member of the Latino Justice Reform Coalition, Hernandez is a recent recipient of a Media Fellowship from LatinoJustice PRLDEF and was just named a 2018 Soros Fellow. He is also a recipient of the Latino Justice Media Fellowship, which will assist in preparing his memoir.

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**Teresa Hodge**, a passionate advocate for people with criminal convictions, is committed to reducing the lasting harm caused by prison. It was a 70-month federal prison sentence for a white-collar, non-violent, first-time offense that introduced her first-hand to the justice system and mass incarceration in America. Upon coming home, she and her daughter Laurin Leonard (Hodge) co-founded Mission: Launch, Inc. a non-profit focused on introducing technology and entrepreneurship to previously incarcerated individuals as a way of ensuring self-sufficiency. Additionally, the organization manages the Rebuilding Re-Entry Coalition, a citizen-led movement committed to creating a more just and inclusive society for returning citizens (a person who exits prison or jail).

Teresa is a 2016-2017 Open Society Soros Justice Fellow. Teresa’s TEDx talk “We’ve Made Coming Home Too Hard” highlights the impact of personal bias and social stigma on formerly incarcerated people. Additionally, she is a part of JustLeadership USA’s inaugural cohort and New Profit’s Unlocked Futures inaugural cohort.

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**Mark Holden** serves as senior vice president, general counsel, and corporate secretary of Koch Industries, Inc. He is also president and COO of the Legal Division of Koch Companies Public Sector, LLC, which provides legal, government and public affairs services to Koch Industries, Inc. and its affiliates. In addition, he also serves as Chairman of the Board of Freedom Partners Chamber of Commerce, Inc. and serves on the Board of Directors of Americans For Prosperity. Mr. Holden began his career with Koch Industries in 1995 as a litigation attorney and has worked with the various Koch companies on a variety of litigation, regulatory, compliance, and commercial issues. Mr. Holden earned a bachelor's degree in political science from the University of Massachusetts and his law degree from the Columbus School of Law at the Catholic University of America.

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**Shon Hopwood's** unusual legal journey began prior to him attending law school and included the U.S. Supreme Court granting two petitions for certiorari he prepared. Shon's research and teaching interests include criminal law and procedure, civil rights, and the constitutional rights of prisoners. He received a J.D. as a Gates Public Service Law Scholar from the University of Washington School of Law. He served as a law clerk for Judge Janice Rogers Brown of the U.S. Court of Appeals for the District of Columbia Circuit. And his legal scholarship has been published in the Harvard Civil Rights-Civil Liberties, Fordham, and Washington Law Reviews, as well as the American Criminal Law Review and Georgetown Law Journal's Annual Review of Criminal Procedure.

His amazing story about success after prison has been featured in the New York Times, Washington Post, The New Yorker, NPR, and the Seattle Times. Shon co-wrote his memoir entitled *Law Man: My Story of Robbing Banks, Winning Supreme Cases and Finding Redemption*. Shon is currently a tenure-track Professor of Law at Georgetown Law School. He is a founding partner at PrisonProfessors.com and he works to create content that will improve outcomes of our nation's criminal justice system.

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**Omar Howard** is the founder of Freedom is a Choice Inc., He uses his previous incarceration as a tool for counseling and mentoring at risk youth and troubled adults from making bad decisions that will impact the rest of their lives. While in prison, Omar realized he had to make a drastic change in his life. He joined the Christian faith and changed the direction of his life. While serving a 18 year sentence for multiple crimes, he joined the prison ministry choir, self-help groups, and obtained his GED as well as several trades.

While incarcerated and because of his positive institutional conduct, he was asked to join the mentoring program where he mentored juvenile that were incarcerated in Lee Arrendale State Prison also known as "Alto". His successful transition from prison and the readjustment to society serves as a viable positive example to at risk and troubled youth to choose freedom over incarceration. He is the author of his memoir *The Omar Howard Story* that portrays is of a young man who found himself on the other side of the law starting at the age 14 his life went from have dreams of playing basketball and going to college to a life of crime that lead him to serve 15 years in prison.

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**Dominique “Lil Baby” Jones** said to Gulf Times.com, “I always loved music and knew a lot of people on the Atlanta music scene. But I had never considered the possibility of becoming a rapper. “I was born into poverty. My father left when I was two. My mother had to raise me and my two sisters as a single parent. We lived on food stamps and government assistance. I grew up around people who made it in the music business. That’s how I came to be part of the scene without being a rapper or musician. “When you are poor, you do what you can to put food on the table. I dropped out of school in tenth grade to become a full-time drug dealer. This raised my family’s standard of living, but I couldn’t stay ahead of the police forever. I got caught and spent two years in jail.” Baby had no wish to endure more time in prison. Upon his release, he listened to all those friends who kept urging him to try rapping. He was surprised and delighted by the result.

“My friends saw things in me that I definitely didn’t see in myself. I’d never even tried rapping. But I realized I was good. I could do this thing that I’d never even thought about.” His debut mixtape, Perfect Timing, was released in April, 2017. This was followed by three more mixtapes throughout the rest of the year. The last of these, Too Hard, was issued last December.

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**Rick Jones** is the Executive Director and a founding member of the Neighborhood Defender Service of Harlem (NDS). He is a distinguished trial lawyer with more than 25 years’ experience in complex multi-forum litigation. He is a lecturer in law at Columbia Law School and on the faculty of the National Criminal Defense College in Macon, GA.

Rick served as President of the National Association of Criminal Defense Lawyers (NACDL) (2017–2018). At NACDL he has served as co-chair of both the Special Task Force on Problem-Solving Courts and the Task Force on Restoration of Rights and Status After Conviction. Both of these efforts resulted in the publication of groundbreaking reports and continuing reforms.

Internationally, Rick was invited to participate as an expert in a Rule of Law Symposium sponsored by the United Nations in Monrovia, Liberia. He was similarly invited by the International Legal Foundation (ILF) to travel to Kathmandu, Nepal in an effort to help sustain, strengthen and institutionalize the public defense function in their newly created constitutional government. Most recently, Rick was invited to the Second International Conference on Access to Legal Aid in Criminal Justice Systems in Buenos Aires, Argentina as a speaker to address issues pertaining to government contracted public defense models of service and the disparate impact of fees, fines and bail on the poor, the marginalized and people of color.

Rick is a commissioner on the New York State Council on Community Re-Entry and Reintegration. He is an inaugural member of the steering committee of the National Association for Public Defense, sits on the boards of the New York State Defenders Association and the Sirius Foundation and serves on the Editorial Board of the Amsterdam News. He was recently appointed to the Advisory Board of the National Task Force on Fines, Fees, and Bail Practices.

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**John Koufos** is the National Director of Reentry Initiatives at Right on Crime, and the Executive Director of the Safe Streets and Second Chances project. John has been widely recognized for his professional advocacy and was previously certified by the Supreme Court of New Jersey as a criminal trial attorney. He has tried complex jury trials to verdict, and received numerous professional achievement awards and accolades. In 2014, John helped start the New Jersey Reentry Corporation. Under John's leadership NJRC grew from a single-location startup to approximately 60 employees in nine program sites. John designed NJRC's nationally recognized legal program, combining staff lawyers with approximately 70 pro bono lawyers to help the reentry community clear old tickets and warrants and restore driver's licenses that lead to jobs.

John's lived experience on all sides of the criminal justice system makes him a credible spokesperson. He is strongly committed to recovery, reentry, and reintegration. His leadership in the business community was recognized in 2016 when NJBIZ named him one of New Jersey's "Top 40 Under 40." He is a regular speaker on criminal justice, healthcare and reentry issues to local, state and federal governments. John holds both a Bachelor's and Master's degrees from John Jay College of Criminal Justice, as well as a law degree from the Fordham University School of Law.

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**David LaBahn** is President and CEO of the national Association of Prosecuting Attorneys, an organization that gives prosecutors the opportunity to collaborate with all criminal justice partners, and conducts timely and effective training and technical assistance to improve the prosecutorial function. Mr. LaBahn frequently speaks on behalf of the prosecutorial profession and has testified regarding criminal justice reform before legislative bodies at the city, county, state and federal levels. Prior to forming APA, Mr. LaBahn was the Director of the American Prosecutors Research Institute and the Director of Research and Development for the National District Attorneys Association. Prior to his work in DC, David was the Executive Director of the California District Attorneys Association and began his career as a trial prosecutor in Orange and Humboldt Counties in California where he was recognized for his work in the area of child abuse and gang violence investigation and prosecution.

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**Honorable Shawn LaGrua** was appointed to the Superior Court of the Atlanta Judicial Circuit in December 2009, sworn in on June 29, 2010, and reelected in 2012 and 2016. Prior to her appointment to the bench, she served as Inspector General for the Georgia Secretary of State, overseeing investigations in the Elections, Securities, Charities and Licensing Divisions. In 2004, she served as the Solicitor General for DeKalb County where she expanded the Domestic Violence Unit. While serving as DeKalb's Solicitor, she also founded the "Rise Up and Attend" truancy initiative. Judge LaGrua has over 20 years of trial experience, including her work as Chief Senior Assistant District Attorney in DeKalb and Fulton Counties and as Chief Assistant District Attorney in the Tallapoosa Circuit.

Judge LaGrua serves on the Fulton County Superior Court's Executive Committee and Co-chairs its Magistrate Committee. She presides over "My Journey Matters," a pilot probation program designed to divert young offenders from a lifetime of incarceration, as well as the Court's first Re-Entry Court, which works to integrate prior offenders back into the community using close supervision, substance abuse counseling, job-training, and advancing education.

She is also a founding member and past Chair of the Georgia Association of Women Lawyers, Judicial Application Review Committee. She currently serves as the Chair of the Judicial Section of the State Bar of Georgia and is a member at large of the Atlanta Bar's CLE committee and Celebrating Service Committee. She is an alumna member of Leadership Atlanta, Class of 2012, and served as the Vice Chair of the Criminal Justice Day for 2014-2015.

Judge LaGrua received her undergraduate degree from the University of Georgia and received her Juris Doctorate from Georgia State University College of Law, where she later taught Advanced Evidence and Litigation. Judge LaGrua is married to Chris Beanland. She has two step-sons, Daniel and Ben, and two fur-children, Grizzly and Riley.

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**Randy Lanier** is a former professional race car driver and was an overnight sensation in the mid-1980s. He was the 1984 International Motor Sports Association Grand Tourer (IMSA- GT) Champion, and the 1986 Indianapolis 500 Rookie of the Year. After getting involved in selling and trafficking marijuana in the 1970s, he was arrested in 1987 for being the principal administrator of Continual Criminal Enterprise and sentenced to life without parole. After several unsuccessful escape plans and solitary confinement in multiple prisons, he and lawyers filed motions that led to his 2014 release, after 27 years behind bars. He returned to his old haunts, training younger races and racing himself. He now works as a Behavioral Health Technician in a substance abuse treatment center. Randy is a father of two. In his spare time, he paints oil on canvas.

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**Marc Levin** is Vice President of Criminal Justice Policy at the Texas Public Policy Foundation. Based in Austin, Texas, Levin is an attorney and an accomplished author on legal and public policy issues. Levin served as a law clerk to Judge Will Garwood on the U.S. Court of Appeals for the Fifth Circuit and Staff Attorney at the Texas Supreme Court. In 1999, he graduated with honors from the University of Texas with a B.A. in Plan II Honors and Government. In 2002, Levin received his J.D. with honors from the University of Texas School of Law. Levin's articles on law and public policy have been featured in national and international media outlets that regularly turn to him for conservative analysis of states' criminal justice challenges.

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**Margaret Love** practices law in Washington, D.C., specializing in federal executive clemency and restoration of rights, and sentencing and corrections policy. She is Executive Director of the Collateral Consequences Resource Center (CCRC), and maintains the Restoration of Rights Project, a state-by-state survey of restoration of rights mechanisms that is available on the website of the CCRC. She is co-author of *Collateral Consequences of Criminal Conviction: Law, Policy and Practice* (NACDL/West, 3d ed. 2018), and serves as an Adviser to the 2014 Model Penal Code: Sentencing project. Before establishing her private practice in 1998, Ms. Love served in the U.S. Justice Department for twenty years, from 1978 to 1997, including as U.S. Pardon Attorney (1990–1997). She received her law degree from Yale, has an M.A. in Medieval History from the U. of Pennsylvania, and sings in two early music groups in the Washington area.

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**Lee McGrath** is the Managing Attorney of the Institute for Justice's office in Minnesota. He also serves as IJ's Senior Legislative Counsel nationwide. Lee became IJ's legislative counsel in 2011 and has been instrumental in lobbying for greater economic liberty and reforms to forfeiture laws in states across the country. Lee received his law degree from William Mitchell College of Law in Saint Paul. Additionally, Lee holds an MBA in finance from the University of Chicago and a bachelor's degree from Georgetown University. Lee was also a Policy Fellow at the Humphrey Institute, University of Minnesota.

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**Desmond Meade** is a formerly homeless returning citizen who overcame many obstacles to eventually become the current State Director for Florida Live Free Campaign, President of the Florida Rights Restoration Coalition (FRRC), Chair of Floridians for a Fair Democracy, Chair of the Florida Coalition on Black Civic Participation's Black Men's Roundtable, and a graduate of Florida International University College of Law.

As State Director of the Live Free Campaign, Desmond is currently engaged in a national campaign to reduce mass incarceration, reduce gun violence in urban communities, and re-enfranchise the over 5 million returning citizens nationally who are prevented from voting. The Live Free Campaign is a part of the PICO National Network, the nation's largest organizer of faith based congregations with over 1,000 member institutions.

As President of the FRRC, which is recognized for its work on felon disenfranchisement issues, Desmond has orchestrated the reorganization and incorporation of a coalition comprised of over 70 state and national organizations and individuals which includes, but not limited to the NAACP, ACLU, PICO, Florida League of Women Voters, A. Philip Randolph Institute, PICO Florida, and Florida Immigration Coalition. Desmond has also received many accolades, celebrating his hard work and dedication to leadership and commitment to social justice.

A sought after speaker, Desmond has made numerous appearances on radio and television including numerous shows such as Al Jazeera, Democracy NOW and MSNBC with Joy Ann Reid. He is a guest columnist for the Huffington Post in which one of his articles about the Trayvon Martin incident garnered national attention. Desmond is married and has five beautiful children.



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**Roberta “Toni” Meyers** is Director of the Legal Action Center’s National H.I.R.E. (Helping Individuals with criminal records Reenter through Employment) Network project. She has worked at the LAC for over 20 years in various capacities and in October 2007 became the sole director of HIRE. She works directly with policy makers and advocates to reform policies and practices that limit employment opportunities for people with criminal histories. She has accepted invitations to present at dozens of national, regional, and local criminal justice and workforce development conferences and has been called to testify before Congress and state legislators.

Roberta has a Master of Science degree in Public Safety with specialization in Criminal Justice Policy and Public Administration from Capella University and a Bachelor of Science degree in Business, Management, and Economics from the State University of New York/Empire State College. She serves on the Board of Directors of Youth Represent, Women On the Rise Telling Herstory (WORTH), Collateral Consequences Resource Center, and Advisory Board member of the National Clean Slate Clearinghouse.

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**Ngozi Ndulue** is responsible for providing leadership in initiating, formulating, implementing and coordinating programming and objectives for the NAACP’s efforts to reform the criminal legal system. Ngozi will develop and manage an annual plan in alignment with organizational strategy that shapes the litigative, policy and programmatic agenda around criminal and juvenile justice reform. She will also conceptualize grassroots projects and campaigns to support advocacy among NAACP field units around issues of disproportionate representation of African American and other populations of color at all levels of criminal and juvenile justice systems.

Ngozi Ndulue has a wealth of experience in addressing racial justice issues through litigation, policy advocacy and public education. After law school, she completed a judicial clerkship at the Sixth Circuit Court of Appeals, and subsequently represented death-sentenced individuals as an Assistant Federal Public Defender for the District of Arizona. In 2011, Ngozi joined the Ohio Justice & Policy Center, a Cincinnati non-profit law firm that focuses on reforming the criminal legal system. During her time at OJPC, Ngozi represented prisoners in federal civil rights cases, worked on state and local racial justice policy campaigns, and administered a law school clinic.

Ngozi is a daughter of Nigerian immigrants who grew up in Cincinnati, Ohio. Ngozi earned her Bachelors of Arts in French and Mathematics from the University of Cincinnati and her Juris Doctor from Yale Law School.

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**Serena Nunn McCullers'** life forever changed in 1989 when she was arrested as part of a drug conspiracy. She was found guilty at the young age of 19 and sentenced to close to 16 years. In 1989, Nunn was arrested for helping her drug-dealer boyfriend. She was charged, along with 23 other people, with participating in a conspiracy and aiding and abetting the distribution of cocaine.

A jury found her guilty of all counts and at 19, she became the face of young women who were caught up in the controversy over mandatory minimum sentencing for drug crimes. Nunn was sentenced to 15 years and eight months in federal prison. Eight years later a young lawyer named Sam Sheldon read an article about Serena, contacted her and agreed to file a commutation petition on her behalf. In 2000, President Bill Clinton granted her clemency petition. Serena went on to gain her Bachelor's degree in political science from Arizona State University and law degree from the University of Michigan Law School.

On December 16, 2018 she received a Presidential pardon from President Barack Obama. Serena later relayed to ProPublica, "The commutation process was about my freedom. And I think the pardon process is about my future. This is the second round for me, but this time it's about redemption. There is no better way to start my professional career as an attorney than to have the president of the United States pardon me." Serena has been a criminal defense attorney in Atlanta and is looking at various new initiatives designed to support those formerly incarcerated.

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**Marjorie J. Peerce** is a litigator, with a practice focus on white collar criminal defense, regulatory matters, and complex civil litigation. In her more than 30 years of practice, she has handled matters across the criminal and regulatory spectrum, including the representation of Cindy Shank. She is Co-Managing Partner of the firm's New York office and is a leader of the firm's Virtual Currency team. In addition, she served on the Steering Committee for Clemency Project 2014.

Margie appears in New York state and federal courts, as well as in federal districts around the country. She has handled criminal and regulatory investigations concerning, for example, violations of the Internal Revenue Code, securities fraud (including Bitcoins), the Foreign Corrupt Practices Act (FCPA), the Bank Secrecy Act, government contract procurement and subsidy fraud, mail fraud, bribery, accounting fraud, immigration fraud, health care fraud, environmental matters, commodities fraud, computer fraud and hacking, and criminal customs investigations. Margie has handled a significant number of matters with the SEC, as well as with FINRA and the CFTC. She has handled numerous matters with the New York Attorney General in a variety of areas. She also regularly represents individuals in myriad matters in the Criminal and Supreme Courts in New York City.

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**Mary Price** is General Counsel of Families Against Mandatory Minimums (FAMM). She directs the FAMM Litigation Project and advocates for reform of federal sentencing and corrections law and policy before Congress, the U.S. Sentencing Commission, the Bureau of Prisons, and the Department of Justice.

She is a member of the American Bar Association's Criminal Justice Section, is a member of its Sentencing Committee, serves on the ABA's Task Force on the Reform of Federal Sentencing for Economic Crimes, and was a founder of Clemency Project 2014, serving on its Steering, Screening and Resource committees. Previously, she served on the Practitioners' Advisory Group to the United States Sentencing Commission.

Ms. Price graduated cum laude from Georgetown University Law Center, where she was a Public Interest Law Scholar and the Law Center's first recipient of the Bettina Pruckmayr Human Rights Award. She graduated Phi Beta Kappa from the University of Oregon. Ms. Price joined the staff of FAMM in late 2000.

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**Divine Pryor** serves as the Executive Director of the Center for NuLeadership on Urban Solutions, an independent research, training and advocacy Human Justice think tank, formerly at Medgar Evers College in the City University of New York, founded and developed by academic professionals with prior experience within the criminal punishment system. It is the first of its kind in the country. Dr. Pryor is a social scientist with extensive knowledge and expertise in the criminal justice, health and social service fields, having spent over half his career administering HIV/AIDS, domestic violence, substance abuse and other social service non-profits.

He is a highly sought after technical assistance provider who continues to work with various non-profit and governmental agencies to build infrastructure, program capacity and innovative solutions.

In 2001, Dr. Pryor was appointed by the Council of State Governors to the National Re-entry Policy Council where he and over 100 national experts produced the most voluminous work in re-entry in the nation. Dr. Pryor has also served on the advisory board of the DC Pre-Trial Services Agency, NYC Department of Juvenile Justice, and the Re-entry program of the Kings County Prosecutor office. In 2009, Dr. Pryor was appointed by the Majority Leader of the New York State Senate to co-chair the New York State Anti-Gang Violence Reduction Commission. In 2016 he was appointed as chair of the NYC Criminal Justice Clergy Taskforce and Co-Founded the Peoples Police Academy. In addition, Dr. Pryor is an active member of a number of local, regional & national legislative, social and political advocacy groups whose focus is to achieve de-carceration through community development.

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**Monica L. Reid** serves as the Director of Advocacy for NACDL. In this capacity, Monica coordinates NACDL's efforts to mobilize individuals and groups in support of NACDL's policy objectives. This includes assisting in the preparation of advocacy materials for NACDL activists and affiliates; preparing and disseminating federal and state action alerts regarding pending legislation; monitoring and tracking state legislation on priority issues; initiating and coordinating lobby meetings between NACDL members and Members of Congress; coordinating other grassroots lobby events (e.g., Washington lobby days and call-in campaigns); and facilitating state-level coalition building with influential community members and organizations.

Monica currently serves as Convener for the Northern Virginia (NOVA) Coalition for Black Civic Participation, which is a coalition of over 30 nonprofit organizations created to register and educate African American voters in Northern Virginia through the "NOVA Votes: Educating and Encouraging the Black Vote" campaign. In 2013, Monica was awarded the Marian Van Landingham Legislation & Public Policy Award by the Alexandria Commission on Women, the Excellence in Social Action Award by the Omicron Zeta Sigma Alumni Chapter of Phi Beta Sigma Fraternity, Inc., and was a 2013 recipient of the Top 40 Under 40 Award presented by the EnVest Foundation.

Monica is a graduate of George Mason University with a Master's in Public Administration and a B.A. in Government & International Politics and Economics.

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**Norman L. Reimer** is the Executive Director of the National Association of Criminal Defense Lawyers (NACDL). NACDL is the preeminent organization in the United States advancing the mission of the nation's criminal defense bar to ensure justice and due process for all and to advocate for rational and humane criminal justice policies. As executive director, Norman Reimer leads a professional staff based in Washington, D.C. serving NACDL's approximately 10,000 direct members and 90 local, state and international affiliate organizations with up to 40,000 members.

Prior to assuming this position Norman Reimer practiced law for 28 years, most recently at Gould Reimer Walsh Goffin Cohn LLP. A criminal defense lawyer throughout his career, with expertise in trial and appellate advocacy in both state and federal jurisdictions, Mr. Reimer is also a recognized leader of the organized bar, and a spokesperson in behalf of reform of the legal system.

He earned both his undergraduate and juris doctor degrees at New York University. Mr. Reimer is a recipient of the prestigious Champion of Indigent Defense Award, presented by the National Association of Criminal Defense Lawyers in 2003 and the Gideon Award presented by the New York State Association of Criminal Defense Lawyers in 2002.

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**Cynthia W. Roseberry** is Vice President for Institutional Advancement & Executive Director of the Center for Entrepreneurship & Innovation at Wilberforce University, the nation's first private HBCU.

During the Obama administration, Ms. Roseberry served as project manager of the historic Clemency Project 2014. Often referred to as the nation's largest law firm of nearly 4,000 lawyers, it provided pro bono support to more than 36,000 applicants for presidential clemency. Ms. Roseberry also served on the Charles Colson Task Force on Federal Corrections, a nine-member, bipartisan, Congressional blue-ribbon panel charged with examining the federal corrections system, including overcrowding, prison violence, public safety measures, prison rehabilitation and employment programs, and re-entry programs and policies to reduce recidivism. She was also the executive director of the Federal Defenders of the Middle District of Georgia, Inc. A founding board member of the Georgia Innocence Project, she was the first African-American female president of the Georgia Association of Criminal Defense Lawyers. She received the 2017 Champion of Justice Award from the National Association of Criminal Defense Lawyers.

Ms. Roseberry earned her Bachelor of Science from Wilberforce University in Ohio, where she was initiated into Zeta Chapter of Alpha Kappa Alpha Sorority, Incorporated. She earned her Juris Doctor from Georgia State University College of Law. A national and international speaker, Ms. Roseberry has presented in nearly every U.S. state, in Europe and the former Soviet Union. Her TEDx talk, *My Father, My Hero*, delivered from inside a prison, has been critically acclaimed.

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**Kevin Skidmore** was arrested for Armed Robbery at the age of 16 in 1995. He was found guilty and sentenced to a mandatory minimum sentence of 10 years. During his 10-year stay, he earned a GED and two vocational trades: Graphic Design and Architectural Drafting. He was transferred to the Clayton Transitional Center in 2004 and was one of the first juvenile offenders to be approved to go to a Transitional Center. In April 2005, he was released. Four months after his release, he was hired by a company and served as Team Lead, supervising 21 people and earning \$60,000 a year. Six years later, he purchased his own home.

In May 2014, he launched his trucking company — FourFourtyTrucking, LLC which was named after the Senate Bill 440 that was pivotal in his release.



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**Amy Solomon** leads the Laura and John Arnold Foundation’s emerging corrections portfolio, with a focus on community supervision, prison reform, reintegration and fines and fees. Amy joined the Foundation after seven years in the Obama Administration, where she served as executive director of the Federal Interagency Reentry Council. Comprised of more than 20 federal agencies, the Council spearheaded substantial policy reforms including the federal Ban the Box rule, fair housing guidance, the Second Chance Pell initiative, Medicaid guidance for the justice-involved population, and a critical modification related to child support.

Amy concurrently served as director of policy for the Office of Justice Programs at the U.S. Department of Justice. In that role, she worked with Justice Department leadership and the White House to shape, launch, and implement a broad range of domestic policy initiatives focused on criminal justice reform, health care reform, urban policy, and building trust between the justice system and communities of color.

Amy holds a master’s degree in public policy from the Harvard Kennedy School and a bachelor’s degree in English from the University of Michigan.

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**Tracey Syphax** has over 20 years of entrepreneurial experience, as a returning citizen and as a strong advocate for reentry reform. Tracey has spent his career advocating ending mass incarceration by using proper reentry tools. He has joined with the Obama Administration and companies from across the American economy as a founding partner for the launch of the Fair Chance Business Pledge. Tracey’s success can be seen in diverse groups throughout the US. Through his entrepreneurship courses with CJ Meenan and motivational speaking, he offers returning citizens the opportunity to succeed. His influence and success have been to create an economic engine and revitalize the lives of the formerly incarcerated. Reuniting families and strengthen communities through the 3Es, Education, Employment, and Entrepreneurship is viable for reentry.

Tracey is the author of the award-winning memoir, “From The Block To The Boardroom,” and the recipient of numerous awards, including; 2016 One of the 25 Most Influential African Americans in New Jersey; 2014 White House Champion of Change; Empower Magazine’s 2014 Person of the Year; and Princeton Regional Chamber of Commerce’s 2011 Entrepreneur of the Year; 1st African American in 51 years to receive this award. Tracey is also the President and COO of Phax Group Construction & Design LLC and the Senior Managing Partner of Phax Group Real Estate LLC. He owns and manages multiple properties.

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**Nkechi Taifa** is the advocacy director for criminal justice at the Open Society Foundations. Her areas of expertise include federal sentencing reform, executive clemency, law enforcement accountability, and re-entry. Taifa also convenes the Justice Roundtable, a Washington-based advocacy coalition that advances criminal justice reforms. Taifa is the founding director of the Equal Justice Program at Howard University Law School and was adjunct professor at both Howard Law and American University Washington College of Law.

She was legislative counsel for the American Civil Liberties Union, serving as principal spokesperson for its Washington Office on criminal justice and civil rights issues. Taifa also served as public policy counsel for the Women's Legal Defense Fund and as staff attorney for the National Prison Project. As a private practitioner, she represented indigent adults and juveniles, and practiced employment discrimination law. Taifa has served on the boards of numerous public interest organizations, and as an appointed commissioner and chair of the District of Columbia Commission on Human Rights. She has written and spoken extensively on issues of justice reform, receiving numerous awards for her social justice accomplishments. Taifa received her JD from George Washington University Law School and graduated magna cum laude from Howard University.

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**Rudy Valdez** is a New York City-based filmmaker committed to making cinematic, meaningful documentary films about social, cultural and political issues. Most recently he shot and directed *THE SENTENCE*, a documentary about mandatory minimums and sentencing reform. Rudy got his start as a camera operator on the Peabody Award-winning, Sundance series *Brick City*, and his most recent credits include: **Cinematographer** for Academy Award-nominated Director Sebastian Junger's film *The Last Patrol* (HBO); **Director of Photography** for Whoopi Goldberg presents *Moms Mabley: I Got Something To Tell You*; **Director of Photography** for *Remembering the Artist*, Robert De Niro, Sr.; **Director of Photography** on *The Conversation Series*, a New York Times OpDoc; **Cinematographer** for the BET series *Second Coming?: Will Black America Decide the 2012 Election?*; **Director of Photography** for *Prison Dogs*; and **Cinematographer** for *Buried Above Ground*, directed by Ben Selkow and premiered at the Woodstock Film Festival. Valdez is also a proud volunteer as a mentor for the Ghetto Film School.

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**Tiffany Williams Roberts** is a native of Atlanta, Georgia, and currently serves as Community Engagement and Movement Building Counsel for the Southern Center for Human Rights. She obtained a B.A. from Emory University in 2003. In 2008, Tiffany obtained her J.D. from Georgia State University College of Law, graduating with pro bono distinction and several other honors. While at Georgia State, Tiffany studied in Rio de Janeiro, Brazil, Panama City, Panama and Durban, South Africa.

Through the nationally acclaimed Gideon's Promise (formerly Southern Public Defender Training Center), Tiffany continued her legal education. Tiffany also serves as Deputy Director of the National Institute for Teaching Ethics and Professionalism, housed at the Georgia State University College of Law.

In addition to her legal career, Tiffany dedicates numerous hours to community organizing around issues of police accountability, public safety and civil rights. She is a volunteer and leader of *Ishmael's Promise*, a youth pretrial diversion program launched by the Board of Deacons at Ebenezer Baptist Church. Tiffany's solo practice specializes in criminal defense and civil rights issues. Her commitment is one to professionalism and client-centered representation.

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**Solicitor General Stephanie Woodard** was appointed by the governor in December 2008. Ms. Woodard previously worked in the Fulton County District Attorney’s Office as Senior Assistant District Attorney, in the Carroll County District Attorney’s Office and in the DeKalb County Solicitor General’s Office. She was an attorney in private practice from 2000 until her appointment to Solicitor General.

Ms. Woodard currently serves on the Board of Directors of the Edmundson-Telford Center for Children, and the Board of Advisors for Friends of Recovery, which supports alternative sentencing courts. She is formerly on the board of 3 Dimensional Life, a Christian substance abuse rehabilitation program. She is a founding member of WomenSource, a nonprofit organization that empowers women with personal and professional resources, and Women Working Wonders, a program to support the children served by CASA.

Ms. Woodard earned a bachelor’s degree in economics from Georgia State University and a Juris Doctor (JD) from Georgia State University Law School.

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**Sally Yates** is the Former United States Deputy Attorney and a partner in King & Spalding’s Special Matters & Government Investigations practice, twice named by Law360 as “White Collar Practice Group of the Year.” Sally’s deep experience, leadership and wide-ranging background provide clients with strong, independent judgment in difficult times. As the second-highest ranking official at the U.S. Department of Justice (DOJ) and as Acting Attorney General, Sally was responsible for all DOJ’s 113,000 employees including all prosecutorial, litigating, and national security components as well as all US Attorney’s offices and law enforcement agencies and the Bureau of Prisons.

Sally oversaw DOJ’s most significant matters and was instrumental in setting DOJ’s enforcement priorities and initiatives. Known for her lifelong, nonpartisan focus on public corruption, Sally is recognized worldwide for her integrity and credibility. A Fellow of the American College of Trial Attorneys, she specializes in independent investigations for public and private organizations and boards.

# Endnotes

- 1 <https://www.nacdl.org/WorkArea/DownloadAsset.aspx?id=52766&libID=52739>
- 2 <https://www.nacdl.org/scjn/conference/>
- 3 [https://www.nacdl.org/uploadedFiles/Content/Advocacy/State\\_Criminal\\_Justice\\_Network/\\_documents/Speaker%20Bios%20FINAL.pdf](https://www.nacdl.org/uploadedFiles/Content/Advocacy/State_Criminal_Justice_Network/_documents/Speaker%20Bios%20FINAL.pdf)
- 4 <http://rightoncrime.com/about/>
- 5 [http://www.mission-launch.org/what\\_we\\_do](http://www.mission-launch.org/what_we_do)
- 6 [http://www.mission-launch.org/teresa\\_hodge](http://www.mission-launch.org/teresa_hodge)
- 7 <https://www.kochind.com/companies/>
- 8 <https://www.brennancenter.org/publication/how-many-americans-are-unnecessarily-incarcerated>
- 9 <https://www.miaminewtimes.com/news/miami-dade-laws-force-sex-offenders-into-homelessness-and-squalor-9559894>
- 10 <https://www.alec.org/about/>
- 11 <https://www.alec.org/issue/criminal-justice-reform/>
- 12 <https://www.nuleadership.org/staff-board-list/dr-divine-pryor>
- 13 <https://www.nuleadership.org/peoples-police-academy/>
- 14 The Thirteenth Amendment to the U.S. Constitution provides that “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly covered, shall exist within the United States, or any place subject to their jurisdiction....Congress shall have power to enforce this article by appropriate legislation.”
- 15 <https://www.houstonpublicmedia.org/articles/news/2018/03/21/274487/houston-toughens-halfway-house-rules/>
- 16 The panel on which Marcus Bullock spoke — *Entrepreneurship and Training: Harnessing Your Power for Success* — will be discussed later in this report.
- 17 The panel on which Susan Burton spoke — *Criminal Justice Leaders/Authors Panel* — will be discussed later in this report.
- 18 <https://www.npr.org/2017/05/16/528587632/after-6-prison-terms-a-former-inmate-helps-other-women-rebuild-their-lives>
- 19 The panel on which Desmond Meade spoke — *Forgetting: Alleviating Collateral Consequences Through the Legislative & Referendum Process* — will be discussed later in this report.

20 The Anti-Drug Abuse Act of 1986 established much tougher sentences for crack cocaine offenses as compared to powder cocaine. Although crack is not appreciably different from powder cocaine, it took 100 times the amount of powder cocaine to trigger the same severe penalties as crack cocaine, a 100:1 ratio. This law disproportionately punished African American defendants, who were more likely to be prosecuted for crack cocaine than white defendants. In 2010, Congress passed the Fair Sentencing Act, which reduced the crack-powder ratio to 18:1.

21 <https://www.cnbc.com/2018/08/14/california-is-paying-inmates-1-an-hour-to-fight-wildfires.html>

22 <https://www.nonprofitvote.org/voting-in-your-state/special-circumstances/voting-as-an-ex-offender/> and <https://www.vox.com/policy-and-politics/2019/3/25/18277470/amendment-4-florida-felon-voting-rights-fees-legislation>

23 Nathan Deal was Governor of the State of Georgia at the time of the August 2018 *Shattering the Shackles* conference. His term ended, and his successor was sworn into office, on January 14, 2019.

24 <https://www.gaaccountabilitycourts.org/>; <https://www.gaaccountabilitycourts.org/acct-court-websites>

25 <https://djj.georgia.gov/>

26 <https://floridarrc.com/desmond-meade/>

27 <https://www.tallahassee.com/story/opinion/2018/09/19/case-against-amendment-4-felon-voting-rights-opinion/1351689002/>; <https://www.tallahassee.com/story/opinion/2018/09/18/florida-amendment-4-save-money-give-felons-chance-opinion/1343670002/>

28 <https://www.governor.pa.gov/governor-wolf-signs-clean-slate-bill-calls-for-more-criminal-justice-reform/>

29 <http://ccresourcecenter.org/2018/06/29/collateral-consequences-in-occupational-licensing-act/#more-16652>; <http://ccresourcecenter.org/2018/07/10/16794/>

30 [https://www.gencourt.state.nh.us/bill\\_status/billText.aspx?sy=2018&id=1942&txtFormat=html](https://www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2018&id=1942&txtFormat=html)

31 [https://custom.statenet.com/public/resources.cgi?id=ID:bill:IN2018000H1245&cuiq=750f0532-c727-5973-b696-a024b26ec104&client\\_md=9e8a761565ab5b657fe0023d322ee7a0&mode=current\\_text](https://custom.statenet.com/public/resources.cgi?id=ID:bill:IN2018000H1245&cuiq=750f0532-c727-5973-b696-a024b26ec104&client_md=9e8a761565ab5b657fe0023d322ee7a0&mode=current_text)

32 <http://www.scotusblog.com/case-files/cases/timbs-v-indiana/>

33 *Id.*

34 The program partnership is between Calvin College, Calvin Theological Seminary, and the Michigan Department of Corrections. [https://www.mlive.com/news/grand-rapids/index.ssf/2018/05/15\\_michigan\\_prison\\_inmates\\_ear.html](https://www.mlive.com/news/grand-rapids/index.ssf/2018/05/15_michigan_prison_inmates_ear.html) for Calvin Prison Initiative.

35 <http://www.baltimoresun.com/news/opinion/oped/bs-ed-bernstein-0301-20150228-story.html>; <https://nicic.gov/lead-law-enforcement-assisted-diversion>; [http://www2.centerforhealthandjustice.org/sites/www2.centerforhealthandjustice.org/files/publications/CHJ%20Diversion%20Report\\_web.pdf](http://www2.centerforhealthandjustice.org/sites/www2.centerforhealthandjustice.org/files/publications/CHJ%20Diversion%20Report_web.pdf)

36 <https://www.uber.com/community/economic-opportunities/fresh-chances/>

37 <https://safestreetsandsecondchances.com/new-prison-reform-partnership-begins-in-pennsylvania/>

38 Clemency Project 2014 was an unprecedented and wholly independent pro bono effort by the nation's bar that answered the Department of Justice's 2014 call for the bar to offer free assistance to potential petitioners.





This publication is available online at  
[www.NACDL.org/ShatteringtheShackles](http://www.NACDL.org/ShatteringtheShackles)



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