

Inside Philanthropy



The State of
American Philanthropy

Giving for
Criminal Justice

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ABOUT INSIDE PHILANTHROPY

Inside Philanthropy is a digital media site that covers the world of charitable giving. We report daily on foundations, major donors, and trends in philanthropy. Through our GrantFinder resource, we also profile and track thousands of funders working across key issue areas and geographic regions. Inside Philanthropy is supported by reader subscriptions and advertising. We do not receive funding from any other source. Learn more at insidephilanthropy.com

ABOUT THE STATE OF AMERICAN PHILANTHROPY

The State of American Philanthropy is a series of background papers on important topics and trends in U.S. philanthropy. The papers draw on past research and reporting by IP writers, as well as new interviews, grantmaking data, and other sources. Learn more at insidephilanthropy.com/state-of-american-philanthropy.

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EXECUTIVE SUMMARY

Giving to criminal justice reform organizations has soared to unprecedented levels in recent years. The funding uptick is widely associated with the emergence of the Black Lives Matter movement in 2013, followed by a significant additional surge in 2020 after the murder of George Floyd by a Minneapolis police officer. The predominant funder types in justice reform include private foundations, community foundations, grassroots networks and collaborative funds. More recently, corporations and individual donors are leaving a larger funding footprint.

This paper analyzes current trends in giving to criminal justice reform. Key takeaways include:

Who's Giving

- Private foundations like the MacArthur, Annie E. Casey and Ford Foundations are longtime funders in this space. Newer foundations piloted by living donors have more recently become key funders, including Arnold Ventures and the Chan Zuckerberg Initiative.
- Community foundations, collaborative funds and grassroots networks are essential givers in justice reform. Increasingly, these groups are working with legacy foundations via collaborative funds or joint advocacy campaigns.
- Corporations and individual donors have not historically been big givers, but in 2020 and 2021, mega-pledges and donations came from corporations like Microsoft, Nike and Universal Music Group, as well as from individual donors, including Michael Jordan and MacKenzie Scott.

Who's Getting

- Between 2014 and 2018, the most-funded category (receiving \$384 million) was services for offenders, which includes anti-recidivism programs, mental health care, and education programs, among others. This category was followed by juvenile justice reform, alternatives to detention/incarceration programs, rehabilitation of offenders, and finally, due process programs received the smallest slice of the pie (\$100 million).
- The Equal Justice Initiative was the biggest recipient of institutional funding (\$58 million from 2014–2018), followed by the Center for Employment Opportunities, JustLeadershipUSA, Tides Center and New Venture Fund.
- In the years since 2018 (the year of Candid's most recently available data), several organizations have received significant funding for the first time, including the National Bail Fund (bringing in \$80 million in the spring of 2020 alone), the Movement for Black Lives, the Prison Policy Initiative and Color of Change.

The Big Issues and Funding Trends

- The biggest issues within criminal justice reform include policing reform, alternatives to incarceration, and bail and pretrial reforms. Other areas of focus include research-driven initiatives, advocacy,

constituent-led leadership development, movement building and jail/prison population reduction (decarceration) strategies.

- There is growing – albeit continuously underfunded – support for reforms surrounding women and LGBTQ+ communities in jails and prisons, programs for victims of gender-based violence and sexual assault, immigrant detention, healing justice and restorative justice programs.
- Key funder strategies include advocacy campaigns, movement building and leadership development. These strategies are used to increase public awareness of the consequences of mass incarceration, policing and the impacts of the justice system on youth and minority populations.

Equity in the Sector

- Issues of equity are central to criminal justice reform. Minority and vulnerable communities are overrepresented among the populations impacted by policing and incarceration.
- Larger funders recently stepped up their efforts to fund BIPOC-led and constituent-led organizations, as well as to empower these organizations with multi-year, general operating support grants.
- Several constituent-led organizations have become influential within justice reform in recent years, including the Formerly Incarcerated Convicted People and Families Movement.
- There remains a lack of funding for mental health and substance abuse programs, and programs focused on women, LGBTQ+, Latinx, Native American and immigrant populations affected by the justice system.

Fundraising Now

- Starting in the Spring of 2020, criminal justice reform organizations experienced fundraising surges on a scale that few could have predicted. The Minnesota Freedom Fund, a once-tiny bail fund, received over \$30 million in contributions after George Floyd’s death. The Movement for Black Lives, which raised \$2.7 million in 2019, raised \$90 million in 2020. And in the 2020 fiscal year, the Bail Project brought in \$41 million from 468,000 donors, as compared to \$14.9 million from 5,100 donors in 2019.
- There is growing funder interest in constituent-led organizing, in community organizing, and in theories of change that prioritize people from impacted communities and forging strategic partnerships with these communities.

Looking to the future, there are many opportunities and challenges facing justice reform funders and recipients. A common concern is whether recent funding surges will last. At the same time, there is general optimism about the growing support for policing reform and other “front-end” initiatives, as well as cautious acknowledgment of increasing donor understanding of systemic racism, intersectionality and the relevance of systemic factors—such as housing, education, food security, poverty reduction and community development—within justice reform.

Criminal justice reform has always been a substantially underfunded sector of philanthropy, and the sudden influx of giving in recent years has created an environment of dynamism and growth, as well as a proliferation of collaborative programs and funds.

Introduction

In May 2020, George Floyd, an unarmed 46-year-old Black man, was murdered by a Minneapolis police officer in broad daylight while onlookers pleaded for Floyd's life. The disturbing footage sparked nationwide protests that stretched through the summer. Support for the Black Lives Matter movement surged while calls to #DefundthePolice drew attention to issues central to criminal justice reform philanthropy, particularly in the areas of policing and police violence.

Amidst all of this, funding to criminal justice reform organizations soared to unprecedented levels. For many in this field, the key question has now become: Will the funding last?

This brief examines recent research and news, Candid data, and expert opinion from new Inside Philanthropy discussions with leaders in the field to provide a bird's-eye view of criminal justice reform philanthropy in the U.S.—its priorities, trajectory and funding landscape. Despite the recent upward trends, justice reform remains a relatively underfunded area of philanthropy, particularly in relation to the behemoth industries of policing and prisons that it seeks to dismantle or reform.

“We’ve gone from a period of famine to a period where there are five or 10 times more donors than before, but the space remains underpopulated,” Nicholas Turner, president and director of the Vera Institute of Justice, previously told Inside Philanthropy. “If you were to compare it to, say, charter schools, it’s like night and day.”

Candid data from 2014–2018 shows that domestic funding for criminal justice reform totaled \$427

million, while total funding for all philanthropic sectors was \$348 billion. Justice reform thus comprised only 0.14% of domestic funding. Widening the lens, Candid data from 2011–2019 captured \$3.3 billion in racial equity grants, which accounted for less than 1% of overall U.S. foundation funding. Criminal justice reform is a small, somewhat overlapping piece of the larger, historically underfunded racial equity sector.

By comparison, the populations that justice reform philanthropy serves—currently and formerly incarcerated individuals and their families, as well as crime survivors and populations impacted by policing and the legal system, is huge. Research compiled by the Prison Policy Initiative shows that 4.9 million people are booked in jail every year, nearly 5 million are currently paroled or on probation, and 77 million have a criminal record. Nearly half of Americans have a close family member who has been incarcerated.

The public investment in this system of mass criminalization is significant. Total annual costs of policing are \$126.4 billion, according to the Prison Policy Initiative. The Bureau of Justice Statistics estimates that the cost of jails and prisons is \$80 billion per year.

As this report highlights, criminal justice reform organizations and their funders employ a variety of strategies to reform the legal and justice systems. Even conservative-leaning funders like the Charles Koch Institute seek substantial changes in efforts to reduce mass incarceration and overcriminalization. Given that the vast majority of justice reform philanthropy is intent on reforming or reinventing a massive institution, it's unsurprising that most funding, for now, is funneled toward movement building, advocacy and public education.

The Lay of the Land

Who's Giving

Criminal justice reform funding has surged in recent years following the emergence of Black Lives Matter in 2013 and again during the racial justice protests in 2020. In past decades, justice reform giving was predominated by a handful of legacy private foundations. Today, it is driven by a proliferation of joint funding efforts that often involve collaborations between private or community foundations and smaller, constituent-led organizations. This dynamic relationship between large foundations and grassroots movement building is a newer, unique and evolving aspect of criminal justice reform philanthropy. In recent years, corporations and individual donors have become a more important source of funding.

Candid data shows that between 2014 and 2018, the top three givers were the John D. and Catherine T. MacArthur Foundation, Ford Foundation and the Annie E. Casey Foundation, together providing approximately \$208 million. Other top givers included the Foundation to Promote Open Society, and the California Endowment, a private, state-focused foundation that takes a holistic approach to health and healthy communities.

In the time since Candid's most recently available data in 2018, donations from private foundations as well as major new donors have dwarfed previous totals. The Chan Zuckerberg Initiative (CZI) gave over **\$50 million** to justice reform programs in 2019 alone. Likewise in 2019, Open Philanthropy, a relative newcomer to this space funded primarily by Facebook co-founder Dustin Moskovitz and Cari Tuna, gave over \$40 million, and Arnold

Top 10 Criminal Justice Funders 2014 - 2018¹

Grantmaker	Dollar Value of Grants Awarded
John D. and Catherine T. MacArthur Foundation	\$107.08M
Ford Foundation	\$59.60M
Annie E. Casey Foundation	\$42.24M
Public Welfare Foundation	\$35.58M
Foundation to Promote Open Society	\$33.37M
W.K. Kellogg Foundation	\$32.02M
The California Endowment	\$30.73M
Arnold Ventures	\$27.36M
NoVo Foundation	\$25.90M
Andrew W. Mellon Foundation	\$23.22M

Source: Candid

Ventures granted **\$40 million** to launch the National Partnership for Pretrial Justice. The MacArthur Foundation's Safety and Justice Challenge awarded **\$246 million** between 2016 and 2021 to programs aimed at reducing over-incarceration.

Future commitments have accelerated this upward trend. In February 2021, **CZI announced** a **\$350 million** commitment to criminal justice reform over the next five years, which would make CZI the largest funder ever in the justice reform arena. In July 2020, Open Society Foundations **announced** that **\$150 million** will be granted over the next five years to Black-led justice organizations.

It's notable that many of the largest contributions in recent years came from family foundations or LLCs with living donors that weren't involved in justice reform a decade ago, whether due to an initial lack of interest or simply because the entity didn't yet

exist, as with the Chan Zuckerberg Initiative. Young billionaires prioritizing criminal justice reform is a positive signal for this area of philanthropy.

Collaborative funds, giving circles and grassroots networks are significant drivers of criminal justice reform philanthropy. The Movement for Black Lives, a collective of over 100 groups dispersed nationwide, has created a grant-giving vehicle—the Black Lives Matter Global Network Foundation — that **granted \$21.7 million** in 2020, its inaugural year. Other important collaborative funds include the Communities Transforming Policing Fund, the National Bail Fund Network, the California Black Freedom Fund, the Spark Justice Fund and the Democracy Frontlines Fund.

The largest corporations in the U.S., which historically avoided justice reform efforts, have suddenly entered the scene. Sony, Universal Music Groups, Microsoft and others have pledged millions to racial justice programs, many of them centering criminal justice reform in their work. Apple and Walmart pledged \$100 million apiece. It's unclear

how much of these racial justice pledges will go to criminal justice reform specifically, but the initial \$10 million of Apple's \$100 million pledge was granted to criminal justice reform organizations, and other corporations are focusing portions of their racial justice pledges on justice reform, too.

The NFL has likewise become a significant contributor, most likely related to controversies associated with “taking a knee” and Colin Kaepernick's stand on criminal justice reform. The league's Inspire Change Initiative has **granted** tens of millions to racial justice and justice reform organizations since 2018, and it recently announced a 10-year commitment of \$250 million.

Individual and celebrity donors are interested in the cause, with Seth Rogen, Chrissy Teigen, Don Cheadle and others donating to bail funds during the George Floyd protests. Author and philanthropist MacKenzie Scott **donated** an unknown but significant amount as part of her \$587 million giveaway to racial justice organizations.

Strategy Spotlight: **CAMPAIGN ZERO #8CANTWAIT**

The well-publicized campaigns to #DefundthePolice and #AbolishthePolice have grabbed attention and sparked conversation, but there is less attention to the specific policing reform efforts undertaken in towns and municipalities across the U.S. Orchestrated efforts like Campaign Zero narrowed in on eight targeted policies with its #8Can'tWait campaign, including banning chokeholds and rules for de-escalation. Other commonly targeted reforms include banning no-knock warrants, requiring the release of footage within 48 hours when someone is killed or injured, and ending qualified immunity.

#8CantWait targeted reforms that can be implemented quickly, as opposed to more comprehensive reforms advocated by those who support defunding the police—i.e., city budget overhauls that redirect money from police to alternative programs like substance abuse programs or training mental health professionals to respond to certain types of 911 calls.

An [analysis](#) by Candid found that giving to racial equity causes increased exponentially in 2020. By July of 2020, \$4.2 billion was awarded or pledged in that year alone, a staggering increase over the \$3.3 billion awarded in the eight-year span between 2011 and 2019. Data on the proportion of this racial equity funding going to criminal justice reform specifically won't be available for several years, but the upward trend is clear.

Before 2020, Candid documented that [only 1%](#) of overall foundation funding went to the umbrella category of racial equity. Narrowing the lens, Candid data from 2014–2018 shows that only 0.14% of total domestic philanthropic funding went to criminal justice reform. As we detail throughout this brief, giving has risen since 2018, but even with substantial upticks, justice reform remains a relatively sparsely funded area of philanthropy.

Inside Philanthropy's August 2020 survey of funders and fundraisers working on criminal justice reform shows caution despite recent upward trends. About half of the 64 respondents felt giving was increasing, while the other half felt it was about the same, losing traction generally, or losing traction specifically due to COVID prioritization. As one respondent observed, "It has been an unusual year because of BLM. Will this stay the trend, or will another flavor of the year take over?"

Who's Getting

A good place to start thinking about what types of organizations are getting resources for criminal justice reform work is Candid data, which allocates criminal justice reform funding into a handful of subcategories. The most-funded category is services for offenders (receiving about \$384 million between 2014 and 2018), followed by juvenile justice reform,

alternatives to detention/incarceration programs, rehabilitation of offenders, and finally, due process programs, which received the smallest slice of the pie (\$100 million).

In practice, there is often significant overlap between organizations and funds that support justice reform work in general (advocacy, public education, movement building) and direct service programs like bail funds and re-entry programs. For example, the National Bail Fund Network, a project of the Community Justice Exchange, disperses money directly to rapid-response community bail funds, and is also involved with advocacy and coalition work to end or reform the money bail and pretrial detention systems.

Subject	Amount Funded
Services for Offenders	\$384.14M
Juvenile Justice	\$231.46M
Alternatives to Detention and/or Incarceration	\$221.43M
Rehabilitation of Offenders	\$114.07M
Due Process	\$100.24M

Source: Candid

Organizations often divide their criminal justice reform efforts according to the timeline of interaction with the system, which can loosely be thought of as before, during and after arrest or incarceration. Arnold Ventures explicitly divides their five criminal justice programming areas in this way, with "front-end" programs, including policing and pretrial justice reform; "during" incarceration funding including a prison reform

program; and the “after” portion comprising probation/parole and reintegration programs. Of these five, its [pretrial justice program](#) has received the most funding to date (\$95 million).

Juvenile justice is often included with programs that also target the adult incarcerated population, but some programs and foundations focus on juvenile justice more exclusively. Key funders and recipients in this area include the Annie E. Casey Foundation, the MacArthur Foundation, the Public Welfare Foundation, the Center on Juvenile and Criminal Justice, The Advancement Project, the Coalition for Juvenile Justice, the Haywood Burns Institute, the Campaign for Youth Justice and the National Juvenile Justice Network.

Increasingly, in recent years, the delineation between juvenile justice programs and general justice reform programs are blurred. The growing preponderance of funds for policing reform, crime reduction, community development, restorative justice and alternatives to incarceration are often targeted to youth populations, even when not specifically earmarked within a “juvenile justice” fund or program. This is largely because youth comprise a significant portion of the individuals impacted by the legal system.

Considerable philanthropic funds are directed to local governments and municipalities (sometimes directly to the governments or “office of” or “Mayor’s Fund”-type quasi-charitable entities, and sometimes to nonprofits working to change the procedures of local justice systems) to reform police departments, courts, legislatures and other publicly funded entities in efforts to reduce jail and prison populations. The Macarthur Foundation’s Safety and Justice Challenge is the biggest giver in this area, though public-private partnerships to reduce mass incarceration represent a popular strategy in general.

Other types of nonprofits receiving substantial investments include bail funds, movement building and advocacy organizations, pre-arrest diversion programs, and research and educational organizations with data-driven approaches to mass incarceration, criminalization and public safety. There is a quiet blossoming of coalitions and organizations led by victims of crime, especially in the area of domestic violence and sexual assault. In recent years, funds are increasingly directed to BIPOC-led and constituent-led organizations, as discussed in the Equity section.

Year	Dollar Value of Grants	Grantmakers	Grants Awarded	Recipients
2014	\$167.98M	2,208	4,503	1,247
2015	\$178.89M	2,690	6,860	1,431
2016	\$266.94M	2,807	7,920	1,550
2017	\$290.35M	2,804	5,804	1,461
2018	\$360.25M	3,113	6,426	1,707

Source: Candid

Giving and Getting: Deeper Dive

Between 2014 and 2018, the Equal Justice Initiative (EJI) was the biggest grantee within criminal justice reform by far, receiving about \$58 million from an assortment of funders, including the Open Society Foundations. EJI's post-2018 numbers are likely much larger. Fidelity Charitable's [2021 Giving Report](#) of donor-advised funds found that in 2020, for the first year ever, a criminal justice organization cracked Fidelity's top 20 list, coming in at No. 20, and EJI is that organization.

EJI is a decades-old nonprofit founded by Bryan Stevenson, based in Montgomery, Alabama, providing legal services to the poor, including death penalty litigation, juvenile justice programs, reentry programs and advocacy efforts. EJI is unique for its recent emphasis on public outreach and education. It bankrolled the successful 2020 feature film "Just Mercy," and in 2018, it opened two national institutions—The Legacy Museum: From Enslavement to Mass Incarceration, and the National Memorial for Peace and Justice.

The second-largest recipient on Candid's list is the Center for Employment Opportunities, which provides post-incarceration employment and job-readiness programs, followed by JustLeadership USA, a newer organization led by formerly incarcerated individuals focusing on local and state advocacy campaigns and programs to promote constituent leadership opportunities.

JustLeadership is emblematic of recent shifts within criminal justice reform philanthropy, with constituent-led organizations focused on education, advocacy and leadership development receiving more large-donor support.

Other top recipients during 2014–2018 included Tides Center, the New Venture Fund, and Homeboy

Top 10 Criminal Justice Grant Recipients 2014 - 2018²

Recipient	Dollar Value of Grants Received
Equal Justice Initiative	\$58.46M
Center for Employment Opportunities	\$23.64M
JustLeadership USA, Inc.	\$20.22M
Tides Center	\$20.08M
New Venture Fund	\$19.00M
Homeboy Industries	\$18.71M
Prison Fellowship Ministries	\$17.33M
Domus Foundation	\$14.02M
W. Haywood Burns Institute	\$13.35M
Impact Justice	\$13.11M

Source: Candid

Industries, a Catholic rehabilitation and reentry program for current and former gang members. Rounding out the list were Prison Fellowship Ministries (aiding prisoners, families and communities), Domus Foundation, the Haywood Burns Institute (focusing on youth justice and community development) and Impact Justice, which advocates for restorative justice programs.

Since 2018, several organizations emerged for the first time as recipients of significant funding—perhaps most notably, bail funds. The Bail Project received \$15 million from 200,000 individual donors in the first weeks of the George Floyd protests. The National Bail Fund brought in \$80 million in the late spring of 2020. Another organization that saw explosive growth was the

Minnesota Freedom Fund, a scrappy nonprofit with a pre-protest annual budget averaging around \$150,000. As [reported by IP](#), in a matter of days, it had a war chest topping \$30 million from 900,000 individual donations. Many of these funds were ultimately directed to outside organizations working on similar issues.

Other funds and organizations receiving unprecedented support in recent years include Black Lives Matter, The Vera Institute of Justice (a longstanding research institute), Borealis Philanthropy, the NAACP Legal Defense and Education Fund, the Prison Policy Initiative, Color of Change, and research initiatives at John Jay College, the Research Triangle Institute and the Center for Effective Public Policy. Individual fundraisers at GoFundMe also received unprecedented contributions in 2020. George Floyd's GoFundMe page broke the website's record, with more than \$14 million raised via [500,000 donors](#). Floyd's family created two foundations supporting Black Lives Matter and other groups.

Philanthropist MacKenzie Scott [singled out](#) several criminal justice reform organizations for large, multi-million-dollar gifts, including Blackbird, the Center for Policing Equity, the Collective Future Fund, Futures Without Violence, Groundswell Fund, RAINN and LatinoJustice. These recipients track with two important trends in criminal justice reform philanthropy, namely, giving to BIPOC-led organizations and organizations that focus on domestic and sexual violence prevention.

Fidelity Charitable's 2021 Giving Report [documented](#) the exponential increase in giving to racial equity organizations among donor-advised funds. Year over year between 2019 and 2020, there

was a 1,347% increase in the number of charitable accounts supporting the Fair Fight Initiative, a 1,132% increase in those supporting the NAACP Legal Defense and Education Fund, and a 978% increase in support for the Bail Project. Fidelity's report categorizes these criminal justice reform groups within the larger umbrella of racial equity organizations, and they were some of the largest recipients within this category.

The Big Issues and Beyond

Funding priorities within criminal justice reform have shifted in tandem with the increased influence of grassroots, BIPOC-led or constituent-led organizations. Many associate this shift with the 2014 uprisings in Ferguson, Missouri, following the death of Michael Brown, an unarmed Black teenager who was fatally shot by a Ferguson police officer. Grassroots movements—which had been ignored or underfunded for decades—demonstrated their ability to affect change in ways that were extraordinarily visceral. They demanded attention, and some of the larger funders were listening.

Constituent-Led Organizing. Tanya Coke, director of the gender, racial, and ethnic justice programs at the Ford Foundation, says that grassroots organizations are more likely to focus on locally determined issues, like bail reform, whereas foundations had traditionally focused on state-level sentencing reforms. “This is one area where Ford has shifted,” Coke says. “As more constituent organizing came online, these member-led organizations were interested in changing their local DA, or policy at their local jail. County and municipal fights.” Coke says the success of these local efforts prompted Ford to invest more heavily in Black-led organizing and programs that “look at the question of freedom and liberation more holistically.”

Issues receiving considerably more funder attention in recent years include policing reform, bail and other pre-trial detention reforms, diversion and alternatives to incarceration programs, parole and probation reform, youth programs disrupting the school-to-prison pipeline, advocacy and policy efforts surrounding defunding the police and restorative justice programs, as well as a proliferation of education, advocacy, movement building and leadership development programs.

More Attention to Women and LGBTQ+ in the System. There is growing support for reforms surrounding the imprisonment of – and violence experienced by – women, mothers and members of the LGBTQIA communities, as well as healing and

justice programs related to sexual harassment and gender-based violence. There is also growing but continuously underfunded support for policy changes surrounding prostitution in the legal system, human trafficking, hate crime policies and the criminalization of trans lives, as well as violence experienced by LGBTQ+ people at all levels of the legal system, from interactions with police to violence in jails. One recent example was the successful effort to repeal New York’s “walking while trans” anti-loitering law that police used to justify targeting trans people. Several national justice reform groups, including Color of Change and LatinoJustice, were involved in this campaign.

Multiple interviewees for this report highlighted that today’s constellation of priorities within justice reform is an outgrowth of movement-building predating the George Floyd protests. In the summer of 2020, the movement was ready to meet the moment.

“My fund was created, and our Black-Led Movement Fund was created, following Ferguson [in 2014],” says Jeree Thomas, program officer at the Communities Transforming Policing Fund at Borealis Philanthropy. “2020 was unique because we had the intersection of a pandemic and several violent murders by the police, but honestly, there was funding that already created the groundwork and network that made the uprising possible, that made the sustained and coordinated demand possible.”

Immigrant Detention. Another topic area receiving increased attention is immigrant detention. The Chan Zuckerberg Initiative, for example, initially pursued criminal and immigrant justice efforts in tandem, situating them together at FWD.us, the initiative’s advocacy arm. Now,

Grantee Spotlight



Formerly Incarcerated,
Convicted People &
Families Movement

Founded in 2011, the Formerly Incarcerated Convicted People and Families Movement (FICPFM) is “a national network of over 50 civil and human rights organizations led by people who have conviction histories and their family members,” as stated on its website. In the past several years, FICPFM has received grants from large funders, including the Chan Zuckerberg Initiative, which speaks to the growing funder awareness of the importance of constituent-led organizing. Organizations within the FICPFM network include those targeted at constituencies that are too often overlooked, such as Forward Justice, which focuses on the U.S. South; the Bay Area-based Legal Services for Prisoners with Children (LSPC); and the Chicago-based Organized Communities Against Deportations.

there are two separate programs—the Justice Accelerator Fund for justice reform, and a revamped FWD.us to focus more exclusively on immigrant justice reform. In general, there is growing recognition — among funders, if not the larger public — that immigrant detention is part and parcel of mass incarceration in the U.S.

Attention to Conditions of Confinement and Post-Release.

The COVID-19 pandemic drew funder attention to areas that have been chronically underfunded, including what are called “conditions of confinement” issues such as healthcare for inmates, as well as resources for inmates immediately after their release. In 2020, justice reform organizations deployed emergency response grants because of both COVID-19 and the racial justice uprisings. Some funding went to personal protective equipment and prisoner release advocacy efforts, while other funds assisted newly released individuals with housing and job searches.

The Circle for Justice Innovations (CJI), a longstanding grantor of grassroots justice reform organizations, responded quickly via their participatory grantmaking model. CJI’s partners, many of them constituent-led, quickly understood the immediate needs. Executive director Aleah Vaughn says that during the first weeks of COVID, jails and prisons saw “lockdowns where people were kept in their cells and solitary all day, so we had a situation where you can’t even call your family. And then people were being released, which is great—but to where? They might be older, sick, not have family. Many of the post-release support services were closed. So we had a crisis.” Vaughn explains that CJI’s emergency funds went toward novel purchases such as tablets to connect former inmates with post-release caseworkers, or toward protective equipment for inmates, guards and staff.

Inside Philanthropy

August 2020 Survey

“Criminal justice reform is gaining traction. People are recognizing the prevalence and effects of racism on systems. People are recognizing the importance of holistic support for youth and young adults across interlocking systems.”

—Fundraiser, Napa, California

COVID-19 resulted in prison population drops throughout the country, which many hail as a decarceration success story. But others warn that without continued advocacy, it won’t last.

[According to joint research](#) by the Associated Press and The Marshall Project, incarcerated population drops in 2020 ranged from 2% in Virginia to 22% in Connecticut. This was driven primarily by court closures, fewer people being sent back for parole violations, [and](#) “because prisons stopped accepting new prisoners from county jails to avoid importing the virus.” This suggests the decreases might be transitory, and justice reform organizations are pursuing strategies to make the reduction permanent.

Amid the 2020 funding surge, it’s notable that diversion programs, bail and pretrial reform, policing reform, research, and advocacy programs saw the majority of increased support, in part because the 2020 protests drew attention to topics surrounding policing and violence long neglected by funders. Services for the currently and formerly incarcerated didn’t see the same level of support—though the tide lifted most boats, and organizations led by the formerly incarcerated were better-funded in recent years.

“For us at Borealis, our two [justice reform] programs are really focused on the front end of the

system, on policing and pretrial issues,” Thomas says. “But there’s still a lot of advocacy around folks’ experiences in prison, around trying to close prisons, and that needs a lot of attention.”

Funder Strategies and Trends

The strategies pursued by justice reform funders have become dominated by the democratizing trends in philanthropy, with programming increasingly focused on advocacy, coalition-building, research-informed policy initiatives, participatory grantmaking and multi-year grants to constituent-led organizations. This tracks with the huge focus on advocacy within the larger category of racial equity funding. According to an analysis by Candid, 66% of funding for racial equity employs policy, advocacy and systems reform as a strategic approach, whereas just 4% of overall U.S.-focused funding does.

Advocacy and Movement Building. Responses to IP’s survey indicate that people working in criminal justice reform see advocacy and movement building as a growing funder focus, with almost half believing more funding is going to this area, and less than 1 in 10 responding that less funding is.

Funders are also increasingly targeting the “front end” of the system as a way to prevent people from being arrested, sentenced or incarcerated in the first place. The flowering of these strategies comes

with a panoply of terms and phrases such as restorative justice, pre-arrest diversion, pretrial reform, community investment, calls to defund or abolish the police and prisons, crime prevention strategies and alternatives to policing. This is a radically different geography than 15 years ago when attorney-led organizations working on prosecutorial and legal reform dominated the field.

While prosecutorial reform remains important, newer efforts widen the lens and blur the lines between justice reform and broader economic empowerment and community health initiatives. “There’s more recognition of how the pieces connect,” says Thomas. “We have used the criminal justice system to make up for the fact that we never resourced people’s basic needs. A lot of the advocacy we support is changing budgets because that’s one way to pressure our cities and counties and states to create safety. Housing creates safety. Employment and food and education create safety.”

Funding and Growing Coalitions. Another major strategy is funding coalition work, where hyper-local grassroots efforts are folded into national movements and advocacy campaigns. This type of movement-building is especially important with justice reform philanthropy, in part because the justice system itself—driven by local law, jails, courts and attorneys—is so fragmented. Examples of coalitions include the Movement for Black Lives, Families Against Mandatory Minimums, The



“We have an obligation and a responsibility to each individual that we incarcerate and society can decide to do what they want but we can’t crowd our facilities to the point of breaking, where violence and other i

ssues become almost inevitable. We have to make sure that we fund medical and mental health care inside of facilities for every individual. And we have to understand that public safety and public health doesn’t end at the jailhouse door.”

— Alex Busansky, president and founder, Impact Justice

Formerly Incarcerated People and Families Movement (FIPFM), the Live Free Campaign, and multiple bail collaboratives including National Bail Out and The Bail Project.

Empowering BIPOC-led organizations with multi-year, general operating support grants is a growing strategy, in tandem with cross-sector collaboration with other racial justice issues. One example is the Libra Foundation's \$36 million [funder collaborative](#), the Democracy Frontlines Fund, aimed at supporting front-line Black activists working to end systemic racism. Many Democracy Frontlines recipients are criminal justice reform organizations, while others focus on free and fair elections.

Linking Voting and Justice. The relationship between voting and justice reform is increasingly recognized by funders, and coalition efforts like Black Voters Matter and State Voices fold justice reform into campaigns to end prison gerrymandering, end the disenfranchisement of currently and formerly incarcerated people, and pass justice reform issues—like drug legalization—via local ballot measures. Coke says that among the work of the 50-plus organizations comprising FIPFM, “What’s interesting is that their through-theme is civic engagement and voting, both ending disenfranchisement and motivating people who have lived experiences with the criminal justice system to help transform it.”

Research Supporting Everything. Research and data-driven solutions is a very popular funder strategy embraced by large donors such as Arnold Ventures, the MacArthur Foundation and the Open Philanthropy Project. In 2019, Arnold Ventures granted \$10 million to the [Urban Institute](#) “to launch a prison research and innovation

initiative.” They have also granted tens of millions to create a pretrial tool attempting to quantify a defendant’s likelihood of committing another crime or failing to appear at future hearings. Organizations with data-driven approaches include the Vera Institute of Justice, The Prison Policy Initiative, the Drug Policy Alliance, the Justice Policy Institute, and the Data Driven Justice Initiative, a public-private partnership launched during the Obama era.

A Giver and a Getter: The Movement for Black Lives



M4BL brought in \$90 million in 2020, from 1.1 million individual donations at an average of \$33 per gift. Smaller donations were buoyed by donations from larger givers and institutions in amounts the organization had never before seen. The M4BL directed a significant portion of these funds to its Black Lives Matter Global Network Foundation, and by the end of 2020, the BLMGNF granted \$21.7 million primarily to BIPOC-led and LGBTQ-led organizations. In its 2020 Impact Report, M4BL revealed that it’s sitting on about \$60 million and developing strategies to build out its endowment.

Invest/Divest Framing. A newer strategy within criminal justice reform is known as invest/divest, which was formulated during the 2015 Movement for Black Lives (M4BL) convention in Cleveland, resulting in the movement’s initial six legislative platforms, including the invest/divest platform calling for divestment from prisons and police and investment in communities. As reported in *Yes!* magazine, this platform focuses on local budget processes and diverting funds to education, public

health, housing and creating long-term safety in communities, as well as decriminalizing poverty, drug use and sex work. A recent incarnation of this platform is the #DefundthePolice movement, which was promulgated in 2020 by many BLM groups already working on invest-divest strategies

“At the heart of the invest-divest demand is the recognition that our city, state and federal budgets reflect the dehumanization and the degradation of Black life through lack of investment in anything besides Black incarceration or surveillance,” Marbre Stahly-Butts, co-author of demands from the Invest-Divest platform, [told Yes! Magazine](#) in 2016. Invest-divest funding is prominent in the M4BL network, as well as among members of the Funders for Justice network. The Justice Reinvestment Initiative—a public-private partnership co-sponsored by the U.S. Department of Justice—likewise deploys an invest/divest strategy in partnership with local governments via local legislative decisions and budgets.

The California Endowment is another sizable funder that focuses its giving within an invest/divest framework. Its justice reform program is called “justice reinvestment,” and grants focus on community reinvestment, prevention and healing. Tamu Jones, the managing director of justice reinvestment at TCE, says that reimagining public safety has become a huge priority among justice reform funders in general. The George Floyd protests, Jones says, prompted larger funders to more seriously consider “alternative ways to deal with violence and conflict, as well as to redefine public safety and upend the logic that prisons and policing bring us closer to safety. We’re now thinking about strong, responsive systems of care that are outside the criminal justice system.”

Within the invest/divest and restorative justice frameworks, justice reform funders and organizations are exploring community-based, rather than punitive, approaches to crime and violence. Research organizations like The Brennan Center for Justice and the John Jay College of Criminal Justice increasingly [prioritize research](#) into the efficacy of community-based public safety efforts, including “violence interruption” programs that provide services to individuals most likely to commit violent crimes.



“While state prison populations are coming down, jail populations in many places are rising. To address the situation, we’ve been focusing on bail reform. Bail needlessly leads to the incarceration of people who shouldn’t be in jail, particularly poor people who don’t have the wherewithal to pay cash bail. We’re seeing growing awareness of that fact and momentum building across the country to do something about it.”

—Tanya Coke, director, Gender, Racial, and Ethnic Justice, Ford Foundation

Invest/divest is similar in some ways to impact investing and boycotting strategies that pressure companies to divest from policing and private prisons. In 2019, the well-publicized [campaigns](#) surrounding divestment from private immigrant detention centers led to an announcement from major U.S. banks that they would cut ties with private prisons and detention centers.

Seeking Bipartisanship. Bipartisan advocacy is another emerging strategy, as conservative-leaning groups, recognizing the detrimental effects of mass incarceration, take up the mantle. The [Clean Slate initiative](#), for example, is supported by progressive funders such as the W.K. Kellogg Foundation and CZI, in coalition with Koch-funded organizations like the American Conservative Union Foundation and the Faith and Freedom Coalition.

Perspectives on Equity

Equity issues are vital within justice reform philanthropy because the impacted populations contain a marked overrepresentation of minority or vulnerable people. According to data from the FBI, Black Americans represent 13% of the population, yet made up 27% of arrests in 2016, and Native Americans were arrested at double the rate of white people. A 2014 study showed that nearly half of all Black men will be arrested by age 23. According to the NAACP's criminal justice fact sheet, African Americans and Hispanics comprise 32% of the U.S. population, but 56% of the U.S. incarcerated population.



**CIRCLE
FOR JUSTICE
INNOVATIONS**

“After they (transgender people) were criminalized when they were put in prisons, they were the most likely to be abused—sexually, repeatedly, and in all types of ways—and they were the least likely to be defended or protected by guards. We felt strongly that we needed to bring more attention to what was happening with them.”

— Aleah Bacquie Vaughn, executive director, Circle for Justice Innovations

In addition to racial disparities, other minority groups and vulnerable people are disproportionately impacted. The incarcerated population is substantially more likely than the general population to live below the poverty line, have chronic health problems, be unemployed or have no high school diploma. Research by the Prison Policy Initiative found that people with mental health and substance abuse problems are significantly more likely to be arrested and incarcerated. Among people who were not arrested within the past 12 months (the baseline population), the prevalence of substance abuse disorder is 7%. Among those who have been arrested two times or more, the prevalence of substance use disorder is 53%.

Since 1980, the number of incarcerated women has risen by 700%, in large part because of stiffer drug sentencing laws and because women are less able to afford bail or reintegrate successfully upon release. Women are by far the fastest-growing incarcerated demographic in the United States. Despite this, there is very little data about women in prisons and jails and in the parole system simply because women as a category have been largely excluded from research and tracking data. A 2019 Prison Policy Initiative report about women's mass incarceration references the difficulty of compiling such a report due to the “frustratingly hard to find and altogether missing data on gender.”

The preponderance of minority and vulnerable populations affected by the legal system is part of why calls for constituent-led grantmaking and organizing have been so vocal. In recent years, the calls are, to some degree, being answered, as BIPOC-led and constituent-led justice organizations are receiving more funding. For the first time, many

fundors now explicitly track the percentage of grants going to minority-led, community-led or constituent-led organizations.

Borealis Philanthropy, which houses several criminal justice reform funds, cite in their [2020 annual report](#) that 77% of their grants went to BIPOC-led organizations. The philanthropist Mackenzie Scott reported that 91% of her racial equity grant recipients are organizations led by leaders of color. In 2019, Public Welfare Foundation—a longstanding and significant funder of criminal justice reform—announced a new approach focusing grants on hyper-local, community-led transformative justice organizations. The Black Lives Matter Global Network Foundation reported that 23 of its 33 grantees in 2020 were LGBTQ+-led organizations.

This newer emphasis on both constituent- and minority-led leadership has uplifted leadership by women within justice reform philanthropy. The M4BL, which was founded by two queer women of color, has deeply prioritized the leadership of marginalized Black people, including “women and femmes,” since its founding. The larger justice reform foundations and organizations were frequently helmed by white male attorneys in the past, but this has shifted. Women and women of color now hold leadership roles within justice reform programs at the MacArthur Foundation, Ford Foundation, Arnold Ventures, The Chan Zuckerberg Initiative and Open Philanthropy, among others.

These leadership shifts play a role in long-overdue funder attention to the unique needs of women in the system. Recent campaigns like #FreeHer, #ClemencyWorks and Black Mama’s Bail Out sparked national conversations. There is increased

Strategy Spotlight: Restorative Justice

Restorative justice is a major and growing strategy in justice reform. Related programs often include pre-arrest diversion, or preventing arrest by providing services such as mental health and trauma counseling, help for substance abuse, or opportunities to accept accountability for the harm caused.

These programs are particularly prevalent within juvenile justice and centering survivor-identified needs in intimate partner violence and sexual harm. Advocates highlight the failures of the current criminal justice system to rehabilitate those who cause harm or provide healing or restitution to survivors. Restorative justice programs can be seen as pilot programs for a complete reimagining of the justice system. Organizations involved in this work include the Zehr Institute for Restorative Justice, Crime Survivors for Safety and Justice, and the Transformational Prison Project.

understanding of the needs of incarcerated pregnant women and mothers, and coalitions targeting women’s issues are receiving more consistent large-funder support. The National Council for Incarcerated & Formerly Incarcerated Women and Girls, for example, received grants from both the Chan Zuckerberg Initiative and Open Philanthropy in 2019. Among other efforts, National Council members advocate for bills allowing community-based alternatives to incarceration for primary caretakers. Free Hearts, an organization led by formerly incarcerated women in Tennessee, ran a successful advocacy campaign leading to the passage of this type of bill in [Tennessee](#) in 2019.

Constituent-led organizations and coalitions within criminal justice reform philanthropy include The Formerly Incarcerated Convicted People and Families Movement (FICPM), JustLeadershipUSA, Voice of the Experienced, All of Us or None, Solutions Not Punishment, Dignity and Power Now, The National Council for Incarcerated & Formerly Incarcerated Women and Girls, and Essie Justice Group, among others. These constituent-led efforts have received substantial foundation grants in recent years.

The Circle for Justice Innovations, founded in 2000, was one of the earlier justice funders to focus on constituent-led organizing. Vaughn describes how CJI's participatory grantmaking model, in which recipients guide grant decisions, allowed CJI to identify the most pressing issues and fund durable efforts. "Participatory grantmaking means we're hearing people who are familiar with the issues because they're literally living it," she said. "And that has been the strength of our risk. We have funded organizations where it's their first grant. And they're successful, and their success allows them to get into the sight of larger organizations. If we would just let people who are being oppressed tell us what they need, we will go much further. Now, you have people power behind it. Now the movement is harder to erode."

Vaughn says that CJI's participatory grant model led to early successes in areas ranging from anti-shackling bills for incarcerated pregnant women to changing laws that prevent formerly incarcerated people from obtaining employment. One demographic still largely ignored by funders, Vaughn says, is the Native American community. "Native Americans have higher rates of police shootings in many states and are more subject to detention for longer periods of time than both

Blacks and whites, because of the racism of the system not wanting to send people back to reservations," says Vaughn. Another overlooked group is Black immigrants, who are targeted with police orders and therefore more likely to be deported. "They're just not part of the conversation," Vaughn says.



"The work that we do now, we talk about breaking isolation all the time. Because of our analysis, our realization, our understanding of the criminal legal system, we know mass incarceration has isolated millions of people, but particularly women. And the impact that isolation has is one that is political, it has an impact on organizing, it has an impact on mental and physical health."

—Gina Clayton-Johnson, founder and executive director, Essie Justice Group

Despite recent uptrends in giving to BIPOC-led criminal justice reform organizations, Black-led organizations remain substantially underfunded compared to white-led organizations, and those working within justice reform philanthropy are wary of how long the funding surges will last.

"When I saw this increase in funding [in 2020], I said, OK, we have a max of five years," says Vaughn. "An absolute max. We have to do everything we can right now, because whatever is left on the floor, that's it."

A Closer Look at Funder Types

Private Foundations

The largest private foundations in criminal justice reform philanthropy include the John D. and Catherine T. MacArthur Foundation, The Annie E. Casey Foundation, Ford Foundation, Open Society Foundations, The California Endowment and the W.K. Kellogg Foundation. Arnold Ventures—previously known as the Laura and John Arnold Foundation—is a major justice reform grantor that became an LLC in 2019, along with changing its name.

The John D. and Catherine T. MacArthur Foundation granted \$107 million in 2014–2018 via its [Safety and Justice Challenge](#), which targets local jails and the systems that fill them. The foundation includes 51 “sites” across the country harnessing data-driven solutions to reduce jail populations, including working with local governments and courts. Since launching in 2015, the challenge has provided \$217 million in grants.

Ford Foundation granted \$59 million to criminal justice reform between 2014–2018, and in 2020, it pledged an unprecedented \$180 million to racial justice and civil rights groups. Portions of this pledge will go to its criminal justice reform program, but the breakdown isn’t yet known. Ford’s criminal justice programs include support for sentencing and parole reforms, restorative justice and pre-arrest diversion programs, crime prevention and coalition building, with a focus on general operating support grants and grants to constituent-led organizations.

Foundation to Promote Open Society granted \$33 million in the 2014–2018 timeframe and doubled down on its commitment in 2020 with Open Society Foundations’s pledge of \$150 million awarded as five-year grants to Black-led justice organizations, including Circle for Justice Innovations, Repairers of the Breach and the Equal Justice Initiative. This pledge is [noteworthy](#) because all of the funds provide long-term support to Black-led organizations.

The open-ended nature of the OSF commitment is part of an emerging shift within the sector, says [Lorraine Ramirez](#), senior program manager of Funders for Justice. “What we’re seeing in this moment is philanthropy moving money to movements, for movements to determine what they want to see. And that’s a learning trajectory for OSF, as well as philanthropy overall,” she said.

Nearly across the board, foundations with previous work in this space have [doubled down](#) on their justice reform commitments. In 2020, The California Endowment announced a [\\$225 million](#), 10-year commitment to [Black-led organizing](#) in California, beginning with an immediate \$5 million deployment to criminal justice reform organizations. Other foundations that increased their previous support in this area include donor-advised fund contributions via Tides Center and Schwab Charitable, and a variety of mid-sized funders including the David Rockefeller Fund, Heising-Simons Foundation, The Overbrook Foundation, the Hill-Snowdon Foundation and the Charles and Lynn Schusterman Family Foundation.

In 2020, a handful of foundations that were not previously involved in justice reform made first-time pledges to the larger umbrella topic of racial justice, including the William and Flora Hewlett

Foundation, which [announced](#) a 10-year, \$150 million racial justice fund in July 2020. It remains to be seen how much of this racial justice commitment goes to criminal justice reform specifically, but the initial round of grants included justice organizations and funds like the Ella Baker Center for Human Rights and the Democracy Frontlines Fund.

Candid data [indicates](#) that funding in support of Black people, as a percentage of total domestic philanthropy, peaked at about 2.2% in 2015, the year after Michael Brown's murder in Ferguson. This is a marginal increase in the relatively stable rate of 2% between the years 2008 and 2017. Only time will tell if the 2020 bump will finally mark the beginning of a longer-term trend.

Funder Spotlight



NATIONAL
BASKETBALL
PLAYERS
ASSOCIATION
FOUNDATION

In late 2020, the NBA and the National Basketball Players Association (NBPA) Foundation established the National Basketball Social Justice Coalition. The organization aims to use pro basketball as a platform to raise awareness, educate the public and advocate for meaningful change across a number of issues including voting access and criminal justice reform at the local, state and national levels.

Inaugural board members include NBA chairs Steve Ballmer and Marc Lasry; players Carmelo Anthony and Sterling Brown; and coaches Lloyd Pierce and Doc Rivers, among others.

Corporate Funders

Justice reform, and racial equity issues in general, have not historically been popular targets for corporate giving. Beginning slowly in 2014 and taking off in 2020, [corporate commitments](#) to the larger issues of racial justice and economic equity are deepening. Apple launched a \$100 million Racial Equity and Justice Initiative, which includes criminal justice reform as one of its priorities. Amazon and Facebook likewise made mega-dollar commitments, and Sony Pictures Entertainment, Visa, Google, Nike's Jordan Brand [and others](#) launched a variety of programs aimed at racial equity issues, including criminal justice reform.

It will remain unclear for several years how much goes to justice reform specifically, and how much materializes as grants rather than getting [folded into](#) products, services or existing commitment totals. A few corporate givers stand out for having already implemented the promised grants, as well as for pre-2020 commitments to justice reform.

Microsoft created its Justice Reform Initiative in 2017 with programs supporting data and digital technologies that increase transparency and accountability in policing, diversion programs, and the justice system in general. In 2020, in a message from CEO [Satya Nadella](#), Microsoft unveiled a five-year, \$50 million sustained commitment to justice reform as part of additional programs aimed at racial equity issues. [Partnerships](#) within Microsoft's justice initiative include the Urban Institute at the University of Southern California and the Institute for Innovation in Prosecution at John Jay College, among others.

[Google](#) first forayed into criminal justice reform philanthropy in 2015 with a series of grants focused on the San Francisco Bay Area. By 2017,

it had expanded that mandate and dispersed \$32 million to justice system reformers across the country, especially those with data-driven approaches, including the Center for Policing Equity and Measures for Justice. In 2020, it announced \$14.5 million in immediate additional commitments to justice reform organizations as part of its new \$175 million commitment to racial equity initiatives.

Amazon committed \$10 million to racial justice and equity organizations and quickly followed through with grants to the Brennan Center for Justice, the Lawyers' Committee for Civil Rights, and others that focus specifically on criminal justice reform.

Universal Music Group made a \$25 million commitment to the Black community via its Task Force for Meaningful Change, including grants to justice reform organizations like The Bail Project and Color of Change. The music industry in general stepped up with big-dollar promises in 2020, including a \$100 million commitment from Warner Music Group and the foundation of its billionaire owner, Len Blavatnik, to charitable causes related to social justice, racism and violence. As Mike Scutari wrote at Inside Philanthropy, Blavatnik's new fund is "a testament to the lightning speed at which viral protest can translate into a massive gift in a sector with a historically light philanthropic footprint."

The NFL made large commitments to justice reform via its Inspire Change Fund, which launched in 2018 and expanded in 2020 with the announcement of a 10-year, \$250 million commitment to social justice issues. The funding categories spelled out by the NFL are education, economic advancement, police and community

relations and criminal justice reform. The league has granted \$95 million, with grants to the Center for Policing Equity and the Clean Slate Fund, among other justice reform organizations.

Inside Philanthropy August 2020 Survey

"As an organization that has historically funded research, many organizations and lawmakers are turning to that base of research to help guide their thinking around making laws/policies about criminal justice reform."

—Foundation professional, New York, New York

The NBA and its players have likewise become vocal proponents of criminal justice reform, beginning most notably with a three-day, league-wide game boycott following the shooting of Jacob Blake by a police officer in Kenosha, Wisconsin. The boycott prompted efforts within the NBA, which had not previously been involved with racial justice issues like its brother league, the NFL. The new efforts include the first-ever NBA Foundation as well as a National Basketball Social Justice Coalition, which will reportedly advocate for reforms in voting access and the criminal justice system.

In August 2020, the NBA's board of governors committed \$300 million via its new NBA Foundation to "economic prosperity in the Black community." It remains unclear whether the adjacent National Basketball Social Justice Coalition, with its focus on criminal justice reform, will receive funding as a portion of this commitment. Another new entity as of December 2020 is the Players' Justice Fund within the NBPA Foundation. Much remains to be seen, but the involvement of the NBA in justice reform is an interesting development that might be quite impactful in future years.

Community Foundations

Community foundations play an influential role relative to the size of their grantmaking in criminal justice reform. The justice system and its sprawling geography of courts, jails and prisons operates according to local laws and mandates. Local successes, particularly in the areas of pretrial detention and bail reform, have spread to other communities as strategies are scaled and replicated.

Efforts spearheaded by several New York foundations and justice coalitions—in concert with national advocacy groups like JustLeadershipUSA—led to the New York City Council’s 2019 decision to end many forms of money bail and close the infamous jail on Rikers Island. Community foundations involved in these efforts included the New York Community Trust, the Brooklyn Community Foundation, the North Star Fund and others. [North Star also supports](#) Communities United for Police Reform, and after the death of Eric Garner, it established the Let Us Breathe Fund, which has disbursed over \$1 million to local racial justice organizations.

A constellation of California foundations recently made mega-dollar commitments. The California Black Freedom Fund, which includes justice reform as one of its three primary concerns, [composed of](#)

both national and California funders, launched in October 2020 with the goal of raising \$100 million over five years for Black-led power-building organizations in California. The Silicon Valley Community Foundation is another, donor-advised foundation in California that is involved with justice reform efforts. [Other California foundations](#) funding justice reform include the Rosenberg Foundation and the Sierra Health Foundation.

Demographic community foundations represent a plethora of funds aimed at justice issues affecting women, youth, and those within the Black, Hispanic and LGBTQI communities. These funders include the Spark Justice Fund at Borealis Philanthropy, the Akonadi Foundation, the Black Lives Matter Global Network Foundation, the New York Women’s Foundation’s Justice Fund, the LGBTQ Freedom Fund and The National Bail Out, which focuses on bail funds and advocacy for Black mothers.

Across the U.S. there are a number of funds at smaller community foundations focused on state- or city-wide justice reforms. In many cases, these community funds receive support from larger national funders like Ford and Public Welfare foundations. Funds include the Michigan Justice Fund at the Community Foundation for Southeast Michigan, the Oklahoma Justice Fund, the Texas

Fundraising Spotlight



The California Black Freedom Fund (CBFF) is a five-year initiative on a mission to raise \$100 million and investing those funds in Black-led organizations. It was founded by 16 foundation leaders across California, and in partnership with activists Kaci Patterson, Anthony Thigpenn, and Reverend Ben McBride. Current CBFF partners include the Akonadi and Annenberg foundations, the California Endowment and the Chan Zuckerberg Initiative, among many others.

CBFF’s criminal justice-related goals include removing police from schools, redeploying resources from police departments to community services, and closing state prisons and youth detention facilities.

Public Policy Foundation, the Racial Equity Fund at the Central Indiana Community Foundation, and the Meyer Memorial Trust's Justice Oregon for Black Lives fund, which recently committed \$25 million to justice reform in Oregon. There is also a smattering of funds housed within community foundations focused on local juvenile detention and youth justice programs, such as the Juvenile Justice Initiative at Chicago Community Trust.

Major Donors

In the recent past, criminal justice reform philanthropy did not receive much support from individual philanthropists or celebrity donors, but this has changed. Beginning around 2013, when protests against Trayvon Martin's killing in Florida sparked a national conversation, donors without previous involvement pledged funds and even formed alliances around issues like police brutality and mass incarceration. Again in 2020, several celebrity efforts emerged, particularly with support to bail funds.

The Chan Zuckerberg Initiative, an LLC piloted by Mark Zuckerberg and Priscilla Chan, became hugely influential in this space with the launch of its criminal justice reform program in 2017. In 2021, CZI announced a five-year **\$350 million commitment** to its Justice Accelerator Fund. With that, CZI became one of the largest contributors ever to justice reform. Major CZI funding interests

to date have included reform in prosecutorial practices, post-incarceration employment opportunity reforms, and movement-building and advocacy. This mega-pledge from CZI emulates a significant shift in justice reform philanthropy, as newer foundations and LLCs with living donors are joining longer-standing givers like Ford Foundation in the justice reform space.

Hedge fund billionaire Michael Novogratz was one of the **earliest supporters** of The Bail Project, which launched in 2017, as well as other justice efforts like Civil Rights Corp. Novogratz and Sukey Caceres Novogratz founded the private foundation Galaxy Gives. Criminal justice reform is its largest funding bucket at around \$50 million.

Novogratz also backs the REFORM Alliance, a star-studded **effort to reduce** the number of people held under community supervision. REFORM got its start when rapper Meek Mill was re-incarcerated following a 2017 parole violation, kicking off a #FreeMeek social media campaign that led to his release. With CNN political commentator Van Jones at the helm, the REFORM Alliance has secured endorsements and funding from a range of big names, including Michael Rubin, Laura Arnold, Robert Smith, Clara Wu Tsai, Daniel Loeb, Shawn "Jay-Z" Carter and Meek Mill himself. The tech billionaire Jack Dorsey **donated \$10 million** to the REFORM Alliance in 2020.

Major Donor Spotlight: Sukey Caceres Novogratz and Michael Novogratz

G A L A X Y
GIVES

Sukey Caceres Novogratz and Michael Novogratz move their philanthropy through their foundation, Galaxy Gives. The foundation supports criminal justice reform through various avenues focusing on fighting mass incarceration, ending cash bail, reforming probation and parole and helping those affected by mass incarceration. Galaxy Gives has awarded \$50 million in grants to likeminded organizations including VOCAL-NY, Recidiviz and the Bail Project.

Michael Jordan [stepped into justice reform](#) philanthropy in a big way in 2020, with an announcement that he and Nike's Jordan Brand plan to give \$100 million over the next decade to organizations that work to advance racial equality, social justice and access to education. Of the amount pledged, Jordan will donate \$50 million personally. It's noteworthy that [two of the three initial grants](#) went to justice reform organizations: the NAACP Legal Defense and Educational Fund and the Formerly Incarcerated and Convicted People and Families Movement.

Philanthropist MacKenzie Scott became the largest individual donor ever to criminal justice reform with her [July 2020 announcement](#) that she had donated \$586 million to racial equity

organizations, including several focused on justice reform. The exact dollar amount to each recipient is unknown, but reports suggest that many gifts registered in the tens of millions, [including](#) to the emerging justice reform powerhouse Center for Policing Equity.

Other major donors include the former hedge fund manager [Bill Ackman](#), as well as Facebook co-founder Dustin Moskovitz and Cari Tuna.

Moskovitz and Tuna [have supported](#) criminal justice reform philanthropy through the Good Ventures Foundation, and they are the primary funders of Open Philanthropy and its significant justice reform programs. Instagram co-founder Mike Kreiger and Kaitlyn Krieger have also [focused their giving](#) primarily on criminal justice reform. They are co-founders of the Future Justice Fund, which has provided grants to Color of Change, the Marshall Project and Californians for Safety and Justice, among others.

An assortment of celebrities and sports stars donated to bail funds in 2020, including Chrissy Teigen, Seth Rogen and a \$100,000 donation from LeBron James to pay fines for felons in Florida. Many celebrities voiced future commitments to policing and justice reform in 2020, but it remains unclear how and whether these will materialize. The married actors Blake Lively and Ryan Reynolds were involved before 2020, with a [\\$1 million donation](#) to the NAACP Legal Defense Fund in 2019. Rihanna and John Legend have also been involved with justice reform programs.

Intermediaries and Associations

The influence of multi-funder efforts within justice reform philanthropy has rapidly increased in recent years, as large donors are networking in new ways with longstanding community groups. In some

Funder Spotlight



Open Philanthropy (OP), formerly known as the Open Philanthropy Project, has become one of the biggest funders within criminal justice reform philanthropy, disbursing about \$25 million per year.

OP is a project of Facebook co-founder Dustin Moskovitz and Cari Tuna, created as a vehicle to fund criminal justice reform and a few other key issues. OP applies a specific calculation to selecting grantees. This strategy led them to grantees working an array of areas, including movement-building for those affected by gun violence (the Live Free campaign), conservative-leaning justice reform organizations like Just Liberty, and a prosecutorial reform campaign at People's Action.

cases, as with the Movement for Black Lives (M4BL), intermediary coalition organizations that once ran on small budgets are now sizable funders.

One of the most significant multi-funder efforts is the Executive Alliance for Boys and Young Men of Color, composed of dozens of racial justice organizations initially involved with the Obama administration's My Brother's Keeper initiative, and later providing seed funding for the National Youth Alliance for Boys & Men of Color. Alliance members, including the Ford Foundation and the Nathan Cummings Foundation, collaboratively launched the Communities Transforming Policing Fund at Borealis Philanthropy. The alliance was also instrumental in creating the California Funders of Boys and Men of Color, a collective of 16 funders that has invested more than \$149 million with a focus on participatory grantmaking and funding smaller community organizations in California.

Another California-centric multi-funder effort is the Returning Home Well fund, a public-private partnership with a \$30 million investment aimed at reentry programs for the formerly incarcerated. The fund was launched in 2020 by the state of California and a group of private funders, including The California Endowment, the Heising-Simons Foundation and OSF. The Black Freedom Fund is another major multi-funder effort originating in California, with \$100 million in pledges. Funders include the Chan Zuckerberg Initiative, the California Wellness Foundation, and the Emerson Collective. The new fund gives grants to Black-led power-building organizations rooting out systemic racism in California and nationally, and justice reform is one of the fund's main priorities.

Taken together, these recent mega-dollar, multi-donor collaboratives in California represent an

emerging ecosystem of California-based funders zeroing in on justice reform and other racial justice issues.



“The recent murders shocked a lot of people into a conscience around what we’ve been saying the whole time—Black life is in danger, and we need to create alternatives to police and incarceration to take care of our folks.”

—Charles Long, resource coordinator, Movement for Black Lives

The Movement for Black Lives (M4BL) has been a powerful collective of racial justice organizations since it formalized as a nonprofit in 2014, serving as a funding intermediary and policy platform through which small community groups amplified their advocacy campaigns. Today, M4BL consists of over 100 organizations spread throughout the country, often pooling resources and collaborating on political advocacy or public education efforts. The M4BL is a testament to the fact that funding levels do not equate with impact—until more recently, M4BL groups worked with small budgets (and many still do), yet led successful campaigns.

As of 2020, the M4BL became a key funder within the justice reform space with the establishment of the Black Lives Matter Global Network, which granted \$22 million to racial justice organizations in 2020. Many of those grants went to organizations working on criminal justice reform.

Another key funding intermediary, Funders for Justice (FFJ), is a national organizing platform that coalesced during the Ferguson uprising in 2014. Today, it is a collection of over 500 funders that

mobilize resources to grassroots groups involved with invest/divest strategies, healing justice initiatives and organizing against police unions, amid other justice work. As reported by IP, The power of FFJ's network became evident in June 2020, when the group organized a call with nearly **700 participants**, including the Solidaire Network, the Third Wave Fund and M4BL members. The organizers called on philanthropy to provide the M4BL network with \$50 million in 2020—a transformative goal, given that M4BL had raised \$2.7 million in 2019.

By the end of 2020, M4BL brought in \$90 million. The success of M4BL groups in 2020 speaks to the coalitions that were already in place pre-2020. They were able to capitalize on the moment when large donors started to provide more funding.

The Tides Center is an important fiscal sponsor, funding intermediary and “nonprofit accelerator” within justice reform, having helped fund major efforts and organizations, including the Alliance for Safety and Justice and Californians for Safety and Justice, as well as the network Fair and Just Prosecution. Tides and Tides Advocacy, along with Open Philanthropy, are also **key funders** behind the Justice Collaborative, which provides infrastructure, expertise and networking support to justice reform groups throughout the U.S.

The Justice and Mobility Fund is a newer collaborative funded primarily by the Ford Foundation and the Charles and Lynn Schusterman Family Foundation and housed with Blue Meridian Partners. It has become a significant source of direct financial assistance to the formerly incarcerated, having contributed over \$23 million to the Center for Employment Opportunities’

Returning Citizens Stimulus program, which gives returning citizens direct payments to help ease back into life on the outside.

As the larger foundations have increased the breadth and depth of funding, new collaborative funds and giving circles are focusing on niche areas within justice reform. The Life Comes From It circle, for example, provides grants to organizations focused on restorative justice, transformative justice and indigenous peacemaking organizations led by people of color. The innovative new fund **is supported by** some of the biggest donors in justice reform philanthropy, including Open Philanthropy and the Public Welfare Foundation.

Regional Spotlight



According to the DC Justice Lab, in the country's capital, Black people make up 90% of police searches, 93% of people sentenced are Black—with over half being Black men ages 18-30—and close to 90% of the incarcerated population in local jails are Black. The team of law and policy experts want to see large scale changes to those statistics and aims to “fully transform the District's approach to public safety and to make it a leader in national justice reform.”

Current DC Justice lab supporters include the Public Welfare Foundation, Borealis Philanthropy, and FWD.us.

Fundraising Now

In the Spring of 2020, criminal justice reform organizations experienced fundraising surges on a scale that few could have predicted. In Minnesota, where George Floyd was murdered by a Minneapolis police officer, the Minnesota Freedom Fund—a once-tiny bail fund—received over \$30 million in contributions after Floyd’s death. The Movement for Black Lives, which raised \$2.7 million in 2019, raised \$90 million in 2020. And in the 2020 fiscal year, the Bail Project brought in \$41 million from an astonishing 468,000 donors, as compared to \$14.9 million from 5,100 donors in 2019.

This was, in large part, the result of two major developments: the COVID-19 pandemic and surging donor interest in racial justice issues following Floyd’s murder. COVID outbreaks in prisons and jails drew attention to the health and sanitation conditions within the system, while the release of inmates to combat the virus cast a spotlight on programs and services for the formerly incarcerated, such as reintegration programs. At the same time, the series of police killings sparked interest among institutional, corporate and individual donors in policing reform, alternatives to policing, defunding police departments, restorative justice and pretrial reform.

The protests themselves drew attention to the machinations of the justice system, as people witnessed police violence as well as protestor arrests and detentions. Bail funds and pretrial reform organizations, in particular, found themselves at the nexus of these events, but organizations working across criminal justice reform issues experienced increased giving—in some cases, small but notable bumps; in others, game-changing opportunities.

Fundraisers IP spoke with reported greater interest from a wider range of funders, more flexibility in grantmaking from institutional funders, a stronger understanding of underlying, systemic problems and the importance of community-led organizing. Now, these organizations hope to turn this surge in interest into lasting change, building on years of dedicated work on these issues.

“I really do believe that we have shifted, and I think the proof is that we are out doing the work, and it is funded by a wide variety of funders,” says Jessica Stadt, chief of philanthropic engagement at Youth Advocate Programs (YAP), a national nonprofit working in youth justice, violence interruption and community-based alternatives. “Real change is happening, and the criminal justice sector has waited a long time for change to come.”

Increased Funding from More Diverse Sources

The twin influences of COVID-19 and the racial justice uprising seemed to have different fundraising impacts, depending on an organization’s size and existing funding sources. YAP is a longstanding youth justice organization with a program to keep juveniles out of a state prison. It operates in 31 states and Washington, D.C., and receives the majority of its funding from government contracts. In 2020, 91% of YAP’s approximately \$78 million in revenue came from government contracts, and 9% from private donors.

According to Carla Powell, chief of advancement and development at YAP, private contributions have become a more important source of funding, to the extent that YAP hired Stadt to oversee philanthropic engagement in early 2020.

“Government funders can only pay for so much, and there are so many needs in the communities we serve,” Powell says.

Stadt came on board just months before the pandemic, and the racial justice protests further accelerated the importance of philanthropic engagement. Funders have become more interested in larger questions about public safety and alternatives to detention, and new players are stepping forward. Powell has noticed that on foundation websites, the language itself is changing, with explicit acknowledgment of the racial disparities that affect communities.

“When we started putting out more marketing on our website about our violence interruption program, we had more funders actually coming to us,” says Stadt. “We’re seeing these collaboratives of people coming together in their own communities, and saying, ‘We want solutions.’ And the funders are responding. Carla and I sit in on meetings with communities where community representatives are there, as well as foundations and corporations, and we have been seeing a lot of people working together.”

New public-private partnerships are emerging, and corporations are interested in working with YAP on workforce development. In Chicago, YAP collaborates with the University of Chicago Crime Lab and Children’s Home & Aid on the Choose to Change (C2C) program, which provides services to youth impacted by violence and the justice system. The program has attracted recent funding from private funders like the MacArthur Foundation and the Pritzker Pucker Family Foundation, from corporations like AbbVie, from the mayor’s office and the Chicago Public Schools, from an alliance of Chicago’s professional sports teams and from individual donors. These layered supports are an example of the growing importance of justice reform to funders of many types.

Advocacy Spotlight



Youth Advocate Programs is a national organization with local and state affiliates around the country. YAP invokes multiple strategies to achieve its overarching goals of preserving families, promoting well being, racial equity, and economic inclusion for those “most harmed by systemic, institutional, community and individual discrimination bias.” YAP offers individualized direct services to justice-involved youth and families, as well as those with behavioral health needs, developmental disabilities and educational challenges. It also promotes public policy reform, training, and continuing education scholarships.

Funding is Becoming More Flexible

Impact Justice, a national justice reform and research organization founded in 2015, has likewise seen new funding opportunities emerge. According to Erica Lawson, associate director of development at Impact Justice, the most notable change in 2020 was an increase in contributions from individuals. “Proportionally, we did see a lot more activity with individual donors,” says Lawson. “With everything coming together this last year—with racial justice and conditions with COVID, with all of that—there is a growing need and interest for justice reform, and we definitely saw that pool of donors grow.”

There were also shifts in the organization’s relationship with its existing institutional funders. “There has been a willingness to be more flexible with funding, more flexible with what we need in

the moment, and how to direct funds,” Lawson says. Similar to YAP, Impact Justice receives the majority of its funding, 69%, from government contracts. But private support, particularly from foundations, is still central to the fundraising strategy, with each of the organization’s programs pulling funds from a different mix of sources. Its PREA Resource Center, which works with local agencies to advance sexual safety in prisons and jails, is funded by a cooperative agreement with the Department of Justice. Other Impact Justice programs rely more heavily on private support, including the Restorative Justice Project, the COVID-19 Emergency Response Fund, and the Homecoming Project, which provides affordable housing to people returning from prison in two California counties.

Alex Busansky, president and founder of Impact Justice, says that funders increasingly understand systemic racism and see justice reform issues through a new lens. “Some of our funders began to realize that what they do, even if they aren’t in the criminal justice space, relates to criminal justice. So philanthropy itself is looking at how these issues like housing, education, food—this all is about criminal justice.... There is a real intentionality around it now, and a much broader, holistic approach.”

From a fundraising perspective, this means that Impact Justice is increasingly approaching funders

who aren’t typically active in the criminal justice reform space. Lawson and Busansky say that funders have also become more interested in supporting BIPOC-led and constituent-led organizations, and are recognizing the impact of small community organizations.

Patrice Sulton, founder and executive director of the DC Justice Lab in Washington, D.C., certainly has insight into increased funder focus on smaller organizations. Sulton launched DC Justice in 2020 after receiving a \$200,000, two-year grant from the Public Welfare Foundation, followed by an unrestricted \$500,000 grant from FWD.us, a policy focused organization funded by the Chan Zuckerberg Initiative. Sulton incorporated DC Justice as a nonprofit in 2019 and hadn’t planned to launch until 2021—but plans changed, and she launched in 2020 instead. “Foundations were open to picking [justice] reform proposals at that time,” Sulton says. “After George Floyd’s death, there was a surge of interest in working on policing and racial justice.” Sulton also received encouragement from a key board member, as well as her law students, who would be involved with DC’s programming. It was also a “sense of self-efficacy,” Sulton says, that moved her forward.

“George Floyd’s death affected me in a deeply personal way,” she says. “It took a watershed moment in American history for me to believe that enough people were ready for the change I wanted



“If you want to support folks in this moment, don't just fund now for one year while police violence is at the top of everyone's mind. Fund it next year and the year after that when there's backlash from police unions and white supremacists, or when there's a moment around implementation, that's really critical.”

—Jeree Thomas, senior program officer, the Communities Transforming Policing Fund, Borealis Philanthropy

to see. It was always obvious that the work was needed, but it wasn't always obvious to me that it was possible." DC Justice Lab is focused on researching, organizing and advocating for "large-scale changes to the district's criminal legal system." Its first initiative was the More Than a Plaza campaign, which advocates for changes to policing in D.C. Other projects include work on D.C.'s Police Reform Commission, the Seal the Deal campaign, in support of criminal record expungement, and the Unlock the Box campaign to end solitary confinement.

Sulton emphasizes that DC Justice Lab's strategy is to tackle the entire system and advocate for lasting legal changes rather than a projects-based approach—and increasingly, funders understand that a systemic approach requires unrestricted, multi-year grants. For now, Sulton's fundraising focus is foundation grants, but she hopes to diversify by approaching giving circles and corporations, which are more of a strategic challenge. "Last year was interesting because every large company had a statement about racial justice, and I felt like, how do I tap into that? Each business partnership feels like a new relationship to forge, a new thing to learn. It's more opaque."

Coalitions Are Important for Fundraising

Sulton has also noticed that foundations, in particular, seem interested in funding coalitions, which has prompted her to think about future opportunities for DC Justice's partnerships.

The Essie Justice Group is a California-based organization that takes part in multiple justice-focused coalitions, including the Movement for Black Lives and the National Bail Out. Gina Clayton-Johnson, Essie's founder and executive director, has likewise noted increasing funder focus on coalitions

and movement-building. "I commend the [philanthropic] organizations that made sure they moved in the direction of coalitions that needed the resources," she says. According to Clayton-Johnson, the strategic capabilities of these coalitions derive from the impactful community work of member organizations. This work enabled the coalitions to grow powerful in 2020 and beyond. "We're in an important movement moment that has been built over many years by organizing in communities, by refining political demands, by chipping away in local campaigns toward reforms that we're now talking about in more mainstream spaces."

Inside Philanthropy

August 2020 Survey

"Smaller groups are making the most changes with the least amount of funding: groups with almost no money are getting schools and communities to divest from armed police. Bail funds are collecting donations \$3 at a time from people who are unemployed. Meanwhile, larger groups are saying they support social justice issues (BLM, LBGQTI+ issues, etc.) while not reflecting them in their organizations or leadership."

—Fundraiser, Oswego, New York

Essie Justice Group is an organization of women with incarcerated loved ones working in bail reform and gender justice. Its Healing to Advocacy program that builds leadership among women who are "enduring a loved one's incarceration." The majority of Essie's funding comes from foundations, including Open Philanthropy (its primary funders are Cari Tuna and Dustin Moskovitz), the Meadow Fund (via the Silicon Valley Community Foundation), Google Play via Tides Foundation, the Heising-Simons Foundation, and the California Wellness Foundation.

Essie did not see fundamental, sweeping funding changes in 2020, though there were upticks in contributions from individuals, as well as an unexpected \$100,000 increase in an existing 2020 grant from Borealis Philanthropy’s Black-Led Movement Fund. The Black Mama Bail Out—a coalition with which Essie is involved—was also highly successful in 2020, raising about \$80,000 from individual donors between April and June 2020, as compared to about \$18,000 so far during that same period in 2021. In general, Essie’s funding comes from longtime justice-funding foundations with which Essie has an established relationship. “We were able to rest in the stability of that [in 2020],” Clayton-Johnson says.

Clayton-Johnson says that philanthropy’s growing openness to general operating support grants and an increasingly systems-based understanding of justice reform has allowed Essie to be more nimble in its response to the current moment, including needs that arise due to COVID. In the past, she says, a policy funder wouldn’t necessarily be interested in prison conditions work like efforts to get sanitary equipment into prisons. But funders are now seeing the connections between folks’ experiences in jails and prisons and larger systems-oriented goals like changing prison policy at the state level.

“So I think now funders are saying, yeah, if that’s what you feel makes sense in terms of a tactic that leads to systemic change, then go for it,” she says. There has also been a “welcome change” with the grant process itself—applications are simpler, and funders are reaching out for feedback about their processes. Funders also seem interested in the internal workings at Essie, “particularly with how our staff are treated, and not in a Big Brother, micro-management way, but in a supportive way.”

Like other justice reform fundraisers, Clayton-Johnson has observed growing funder interest in constituent-led organizing, in community organizing, and in theories of change that prioritize people from impacted communities and forging strategic partnerships with these communities. “I’m optimistic that this is a lasting strategic shift,” she says. “Many of our philanthropic partners believe in the strategy, and they’re doing a lot to bring others with them.”

Collaborative Fund Spotlight **ART FOR JUSTICE FUND**

The Art for Justice Fund is a five-year fund launched in 2017 by banking heiress Agnes Gund, the Ford Foundation and Rockefeller Philanthropy Advisors with \$100 million from Gund’s sale of Roy Lichtenstein’s “Masterpiece.” It supports both traditional justice reform efforts and justice activist art initiatives and stands out for supporting unique projects and campaigns. The fund’s initiatives include the 2018 ballot measure campaign to restore voting rights to people with felony convictions in Florida. Other Art for Justice projects have included a mass incarceration quilt, narrative artworks by prosecutors, and an artist-in-residence program at the Philadelphia Office of the District Attorney.

An Analysis of Opportunities & Challenges

The most impactful opportunity within justice reform philanthropy may be the increased focus on policing and police violence—topics that were graphically elevated by high-profile murders by police. Large donors have moved funding to programs devoted to policing reform, alternatives to policing, and pre-arrest diversion. “Before George Floyd, police work in particular was not something people were very interested in,” says Jeree Thomas of the Communities Transforming Policing Fund. “Which is interesting, because there are decades upon decades of history around police brutality.”

The front end of the justice system in general is receiving more attention, and grantees have capitalized on this interest with new funds and programs in the areas of bail and pretrial reform, including community-led bail funds and policy campaigns, as well as national efforts surrounding alternatives to incarceration and community development. There is a new focus on bias within policing led by community groups, and research initiatives like the Center for Policing Equity that seek to quantify police bias and its effects.

“There is more attention now on, how do people end up in jail in the first place? Disparities in how people are treated, who gets arrested. There is a shift toward the front-end stuff, and policing is so inextricably linked to that,” says Vaughn. “People are now saying, ‘it’s not just about sentencing.’ They’re asking, ‘why are so many people getting arrested in the first place?’”

Vaughn says that along these lines, community groups are developing alternatives to policing as

well as pre-arrest diversion programs. These might include 911 alternatives, funding for substance abuse and mental health programs, emergency housing for LGBTQ+ people, who are more often unhoused—particularly in the trans community—and reforming the rules surrounding affordable and emergency housing.

While funders and grantees alike welcome these priorities, there is concern that attention and resources may be diverted from programs for people currently and formerly incarcerated, including parole reform and recidivism prevention programs. “Much of the emphasis has recently been on stemming the ‘front end’ of incarceration, which is great, but we still have to help the 70 million-plus people at the ‘back end’ who already have a criminal history, or we will lose generations to poverty and illness,” wrote one respondent to Inside Philanthropy’s survey.

A potentially seismic shift within justice reform philanthropy is the increasing donor understanding of systemic racism, intersectionality, and the relevance to justice reform of systemic factors such as housing, education, food security and community development. There is also much more attention on what some call “changing the narrative” vis-à-vis what public safety looks like with fewer police, or what justice looks like with fewer prisons.

“When people think about criminal justice reform, they think about handcuffs, police, prisons, jails. But the Movement for Black Lives is pushing a demand, asking people to consider these other building blocks of community, health and safety

that go beyond the four squares of the criminal justice system,” says Ford’s Tanya Coke.

There has also been a significant surge in coalition work and joint advocacy campaigns. This is interconnected with the broadening scope of justice philanthropy in general. Asking people to imagine new systems where social workers take on roles now filled by police, or where entire categories of behavior are decriminalized, requires large-scale advocacy and education. That’s exactly what groups like Black Lives Matter, Color of Change and FICPFM are doing.

While most see advocacy and movement building as a necessary and positive development, some caution that direct services need sustained attention. One respondent to IP’s survey wrote, “There has been an over-correction in the direction of increased dollars for advocacy at the expense of direct services for people who are suffering now.”

The recent successes of justice reform efforts have also presented novel challenges. Tamu Jones at The California Endowment says that funders too often overlook “retrenchment” or backlash, whether that takes the form of reversing policies, co-opting the narrative, or direct attacks on movement leaders. “This can be threats to their public safety, delegitimizing their work, sowing division, targeting folks, doxxing folks,” Jones says. “All of these things are the inevitable consequences when

you make forward movement against a regime that has held power for a very long time. We in philanthropy need to stick through these storms, to shore up and protect these individuals when they’re under attack.”

Another growing concern is that institutional funders tend to decrease or remove support after a single policy win, which leaves the victory vulnerable. Recent examples include the concerted campaign among conservative organizations to [attack the new bail reform laws](#) in New York, or the current efforts in Los Angeles to [successfully redirect](#) funds from the LAPD to community organizations. “Sometimes, we as philanthropists are fixated on hopping to the next policy win,” Jones says. “But we know it’s the implementation of the win where things fall apart. We have to be prepared for the deep leadership work, the intense ongoing work, the political education, the space for people to come together for shared visions, the long-game investment.”

In the research for this brief, several people from both the survey and one-on-one interviews expressed concern that mental health and substance abuse issues aren’t receiving enough funding. “There are precious few philanthropies focused on substance use disorder policy, although this issue touches on racial justice, the criminal legal system and healthcare—which are all hot topics,” one survey respondent wrote. “Funding for



“D.C. is one of the wealthiest, best-educated cities but still has the highest incarceration rate in the country. Why? Because of bad policies. And the reason the policies are so bad is because of a lack of inclusion. We don’t need to hear more from the people who have helped to prop up that system. We need to hear from people who are willing to fight for justice. [...] We have a system of injustice that has been too big, too Black and too expensive for too long.”

—Patrice Sulton, founder and executive director, DC Justice Lab

mental health and homelessness is still far below what is needed,” another respondent wrote. “It would be important for donors to recognize that funding for treatment could divert future costs for criminal justice and shelters.”

There is growing—but underdeveloped—interest in justice reform groups working in closer alliance with immigrant rights groups. Coke says that immigrant detention is “an incarceration crisis, too” and she hopes that more funders from “traditional criminal justice” will begin to see the relevance of this issue, particularly regarding the criminalization of migrants.

Programming around sexual, intimate partner and gender-based violence is another emergent priority, and restorative justice, healing justice and rehabilitation programs are part of a growing constellation of strategies. Organizations involved in this space include the California Partnership to End Domestic Violence, Impact Justice’s Restorative Justice Project, as well as the recently well-funded Alliance for Safety and Justice, whose Crime Survivors for Safety and Justice initiative advocates for policies that [scale back punitive measures](#) in favor of “crime prevention, trauma recovery and rehabilitation.” The Black Youth Project 100’s (BYP100) She Safe, We Safe campaign likewise advocates for non-punitive approaches to gender-based crime within the Black LGBTQ+ community.

Based on Candid data, a recent IP article [characterized funding](#) to domestic-violence-related programs as “miniscule.” Vaughn says that funding for domestic violence prevention is chronically overlooked, though it’s an area that actually needs infinite funding. “We can’t put enough money into this,” she says. “It’s not possible.”

Funder Spotlight

CIRCLE
FOR JUSTICE
INNOVATIONS



Circle for Justice Innovations (CJI) supports grassroots campaigns and organizations fighting to end mass incarceration, mass criminalization, and state violence. According to its mission statement, CJI believes the criminal justice reform movement “should be led by those most impacted by the injustices of the current system” and works “in alliances across race, class, faith, gender, gender identity, sexuality, immigration status, and age.” NEO Philanthropy fiscally sponsors CJI through its mission-aligned Donor Services program.

A related topic area is programming to improve the justice system’s accountability to survivors of rape and sexual violence. The Rape Abuse and Incest National Network (RAINN) is a leader in this area. Its work includes efforts to eliminate the rape kit backlog. Despite some recent increased funding, sexual violence prevention work is one of the most underfunded areas of justice reform philanthropy.

The funding surges in recent years have introduced an opportunity to support constituencies that are chronically underfunded in the justice reform space, such as the LGBTQ+, Native American, Latino, and Asian American and Pacific Islander communities, as well as women and girls and the U.S. South. While there are a smattering of groups out there, such as the Astraea Lesbian Foundation for Justice and LatinoJustice, many organizations supporting these constituencies don’t have criminal justice reform programs.

Propelled by the COVID-19 pandemic, rapid response grants and mutual aid efforts, which were already becoming more prevalent, picked up steam. Many community and grassroots organizations acted nimbly to the crisis, whether advocating for personal protective equipment within prisons and jails or working to provide food and housing to released inmates. These efforts were undertaken on a smaller scale by local groups like Southsiders Organized for Unity and Liberation in Chicago; far-reaching multi-funder efforts include the Returning Citizens Stimulus Program in California.

An underappreciated development has been the proliferation of conservative groups interested in justice reform – such as the Nolan Center for Justice – which tend to partner heavily with legal groups (in the area of prosecutorial reform) and public institutions. Some progressive organizations have been resistant to partner with such organizations, but lately, there is movement. The Chan Zuckerberg Initiative and other large funders are directing partnerships such as the Clean Slate Initiative, and left-leaning organizations like the Southern Center for Human Rights and The Sentencing Project recently signed on with the conservative Council on Criminal Justice.

In the research for this report, the concern expressed most often by funders and grantees was the limited resources of justice reform philanthropy compared to the mega-industries that support criminalization and incarceration. This is why advocacy work is so important within justice reform—it's not just about the much-needed funding for direct service projects, but about changing laws, institutions, cultures and mindsets.

“It’s a David and Goliath situation,” says Vivek Trivedi, strategic communications officer at Ford Foundation. “Our president [at Ford] says we can’t compete with the amount of money that’s poured into corrections. Philanthropy alone can’t be the singular solution. There must be changes from government and policymakers, as well.”

Inside Philanthropy August 2020 Survey

“[There is a] New emphasis on racial justice as a lens through which to view the entire criminal legal system and increasing recognition of the links between racism and dysfunctional health and criminal legal systems.”

—Fundraiser, New York, New York

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¹Based on available grantmaker data from Candid. Excludes federal funding, funding by higher education institutions and major donor advised funds (DAFs.)

²Based on available grant recipient data from Candid. Excludes government organizations and higher education institutions.

Feedback?

The State of American Philanthropy is an ongoing project, each SAP brief will be updated periodically to integrate new information, additional data and evolving perspectives. If you have comments or information you'd like to share with us, please email us at managingeditor@insidephilanthropy.org.