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Interview with LaTosha Brown: The South and Criminal Justice Reform

By Niki Jagpal

NCRP Senior Research and Policy Director Niki Jagpal interviewed Grant-makers for Southern Progress Project Director LaTosha Brown about her unique regional perspective on criminal justice reform.

Niki Jagpal: Given its history, and the history of philanthropy as a whole, how is philanthropy in the South reacting to the growing awareness of structural disparities in our country?

LaTosha Brown: The South is shifting and so are its demographics. We're seeing areas of new perspective, new people and people of color who are actually going into philanthropy as program officers and in other positions. These young people have different perspectives, which may be representative of race or class, so new conversations are being had within phi-

lanthropy. But they're new conversations to deal with old problems. There's a long, long way to go.

In the South, we're still plagued with many of the structural problems from social racism and the major social issues that result from poverty, oppression and racism. But something is changing in the South and the question for philanthropy is: How will we respond? I will give an example. Georgia has the fifth-highest incarceration rate in the nation, and we're starting to see some legislative traction there, with both Republicans and Democrats, around framing criminalization not just as a justice issue but as a fiscal issue. One of my colleagues on the parole board in Georgia told me about a meeting he had with the head of the Department of Corrections (DOC) and some other managers there. The head



CC image of Louisiana State Penitentiary by GoffB.



CC image of Lake Killarney, part of Louisiana State Penitentiary, by Lee Honeycutt.

of the DOC, who's a Republican, actually, brought out the book *Slavery by Another Name* and asked the staff to read it. Now, I don't know if this might not be a big deal for somebody somewhere else, but that's a big deal in Georgia. That's a really, really big deal. My understanding is that the book came from a fiscal kind of space and that opened the conversation, but it also opened up a space for people to discuss another frame, the South's slave past, the economic exploitation of people and the criminalization of folks. So, here you have the DOC saying "we've got to do something about this." In a very traditionally conservative space, we've seen the Georgia Department of Corrections thinking really aggressively about how it can do things differently to decrease recidivism, to increase the number of programs that are inside the prisons and to start really thinking about alternatives to mass criminalization.

NJ: *I've looked into that a little bit: the relationship between how framing issues differently helps people to be able*

to come into a space from another angle and see them as multilayered issues. And that's basically what I heard you say.

LB: Absolutely. I think that there's a disconnect, even in philanthropy; when we're thinking about criminal justice, we see the race component of the criminalization of people of color, right? But we're not seeing the economics of racism and how it is so built into the economic infrastructure in the South. Within the top five states with the highest prison population per capita, Louisiana is number one, Mississippi is number three, Alabama is number four, and Georgia is number five.¹ Those states were among the six with the highest slavery population.² So we shifted – there's some correlation between the economics of slavery and enslavement and economics of prisons.

In philanthropy, I think we see criminal justice in its current form and what it's doing to communities, and we see the implications of race. I think it's important for foundations involved in criminal justice reform to

have an analysis around the economics of racism in the South. We need to see how the criminal justice system is an economic driver, particularly in rural areas, where there is not really any development of other industries.

Recently, I went to a symposium about the history and significance of the slave trade,³ and it brought up something I'd never thought about before: When slaves were taken to auction, and nobody bought them, what happened to them? And what happened is they actually were placed in slave prisons.

NJ: *Wow.*

LB: That's the kind of reaction I had. There were slave jails in the French Quarter of New Orleans that became a catalyst for commerce. Slaves were jailed because they couldn't be sold. You might be too old or cough too much. Maybe you were a woman and couldn't bear children. Or you kept running away. So, for no other reason than you were a slave and no one wanted to buy you, you were put in these cells. And an industry grew up around it. People built businesses right by these jails to feed and clothe the slaves. There's a whole other history here, and I know it seems off-topic, but I think it is connected. It's the question of "What do you do with people who you think are excess people? What do you do with people when you don't have enough jobs? What happens to excess people?" I don't think there's any such thing as excess people, but you get my point.

NJ: *Rural communities are not often the beneficiaries of philanthropic money. Do you have any advice for national or regional funders that work on criminal justice reform to help them understand why they need to better prioritize rural communities?*

LB: In some areas, the demand to build a prison is like the demand to build a school. It's probably more so. Why? Because prisons are seen as an economic base for communities. They're not seen as prisons. It's interesting because people in some areas don't want prisons there, right? But in rural areas that are economically struggling, the reason for the interest in having a prison in a community is that it creates jobs and income for counties.

National funders dealing with mass criminalization need to ask: Where is this local demand to build a prison coming from? Part of it is race, we know that. But part of it is also, if you build a jail with 800 beds, you'll find a way to fill those beds to cover the cost of the operations of the facility. In my opinion, this fuels some of the criminalization.

Funders should look into helping support work in local counties or other struggling counties that don't have a lot of jobs, and allow them to think about an economic strategy outside of the obvious, i.e., building a prison.⁴

There are different places along the continuum for philanthropy to engage with this issue. There's an entry point for a framework around race and class and criminalization of people. There's one around the criminal justice system itself. There's one around a community's demand or a community's tolerance for the expansion of prisons, some of which I think is fueled by the economic reality in these rural areas.

NJ: *That's so unfortunate and sadly true not just in the South, but I would imagine across the country.*

LB: Right. If I can say this, it's probably not the most political thing, but we have an economy in which Black bodies make money, and people have figured out how to make their profit in the South at the expense of destroying communities.

NJ: *What are some of the foundations and organizations doing great work?*

LB: The Greater New Orleans Foundation is doing interesting new work around child support and how that connects with the criminalization of Black men. Another great example is the Foundation for Louisiana, which is engaged in reducing the population of New Orleans' prison and the city jail, and has worked with the city to develop some strategies around that. In the last 10 years, the city's jail population decreased by more than half.⁵ The John D. and Catherine T. MacArthur Foundation also has provided support for criminal justice reform in New Orleans.⁶

On the organization side, I love the Georgia Justice Project and Equal Justice Initiative, which both provide the field with a lot of research and information. There are some great grassroots, community-based organizations in need of capacity support, including Project South and the Southern Movement Assembly, the Ordinary People's Society, Project Vote and Families and Friends of Louisiana's Incarcerated Children. There's also a coalition called the New Southern Strategy Coalition. It's a collaborative network of southern groups and some national allies to reduce the negative consequences of criminalization of people in the South. Its goal is to work collectively to bring about criminal justice reform in the region as a shared strategy, to bring in local organizations that can incorporate the nuances of how you move stuff locally but are informed by a larger process.

NJ: *How else can philanthropy help?*

LB: Foundations should work to:

1. Build the civic infrastructure capacity of grassroots and community networks in the South.

2. Provide more data and research resources to support policy work.
3. And most importantly, prioritize funding organizing and advocacy. ■

Niki Jagpal is senior director of research and policy at NCRP. LaTosha Brown is project director for Grantmakers for Southern Progress.

Notes

1. Oklahoma is the state with the second-highest incarceration rate. See <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=5177>.
2. As of the 1860 census, the six states with the highest slave populations were Virginia, Georgia, Mississippi, Alabama, South Carolina and Louisiana. See http://www.nytimes.com/interactive/2010/12/10/opinion/20101210_Disunion_Slavery_Map.html.
3. The Symposium was the Library of Virginia's "To Be Sold: The American Slave Trade from Virginia to New Orleans," which took place on March 21, 2015. To view a recording of the event, see <http://www.virginiamemory.com/exhibitions/to-be-sold/symposium>.
4. For more information about the economic link between rural communities and prisons, see Tracy Huling, "Building a Prison in Rural America," The New Press, 2002, <http://www.prisonpolicy.org/scans/building.html>.
5. "New Orleans Wins MacArthur Foundation Support to Reduce Local Jail Population," City of New Orleans, May 27, 2015, <http://www.nola.gov/mayor/press-releases/2015/20150527-pr-macarthur-grant>.
6. Ibid.