



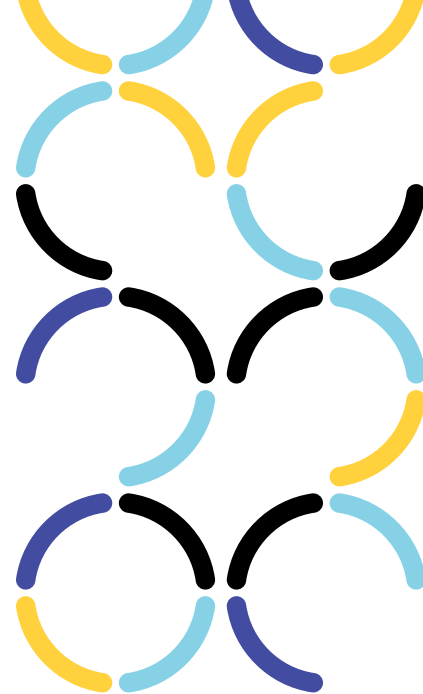
# LEADING GROWTH AND CHANGE



2020 ANNUAL REPORT

# CONTENTS

- 04 LETTER FROM OUR EXECUTIVE DIRECTOR
- 05 LETTER FROM OUR BOARD CHAIR
- 07 OUR 2020 IN NUMBERS
- 08 MEETING NEW NEEDS AMIDST A PANDEMIC
- 10 A RECKONING FOR RACIAL JUSTICE
- 12 LEGISLATIVE SUCCESS IN 2020
- 14 WHY WE GIVE TO OJPC: LEAVING A LEGACY WITH OJPC
- 16 WHY I DO THIS WORK: ALICIA MILLER
- 17 WHY I VOLUNTEER: RABBI JONATHAN PERLMAN
- 18 OUR STAFF
- 20 FINANCIALS, DONORS & GRANTS



## OUR MISSION

OJPC's mission is to create fair, intelligent, redemptive criminal-justice systems through zealous client-centered advocacy, innovative policy reform, and cross-sector community education.

## WHAT WE DO

OJPC is a nonprofit law firm with offices in Cincinnati and Columbus, Ohio. We offer a spectrum of free legal services, programs, and resources to help people navigate the complexities of our criminal legal system.

OJPC works to substantially reduce the size and racial disparity of Ohio's prison population, as well as to protect the rights and dignity of incarcerated people. We also serve people in the community by removing criminal records-based barriers to employment, housing, education, and full community integration. In addition to offering direct, pro-bono legal services for impacted individuals, we advocate for public policy that creates safe and just communities at the state and local level. We provide education about criminal-legal issues through statewide presentations, a clinical legal program for law students, an annual internship program, community resource materials, and written legal and policy guides.



## A LETTER FROM OUR EXECUTIVE DIRECTOR:

Dear friends of OJPC,

2020 presented both adversity and opportunity. As a once-in-a-century pandemic gripped the world and forced us into isolation, OJPC worked even harder to keep incarcerated people safe from COVID-19. As you'll read more about in this report, we went to court to defend and protect people incarcerated across the entire state, with successes that may have saved hundreds of lives. We developed and promoted recommendations for courts, jails, and prisons to adapt to the pandemic and keep people safe.

The racial reckoning that started in the summer of 2020 pushed OJPC to redouble its efforts to address racial injustice in our criminal legal system. We released a report documenting how law enforcement officers disproportionately cited Black people for violating the stay-at-home orders. We also released recommendations on how Cincinnati could improve policing to ensure that people of all races and backgrounds are treated fairly.

But that's not all we did in 2020. Working with our coalition partners, we achieved important legislative victories last year: most notably the passage of SB 256, which eliminates juvenile life without parole, and HB 263, which greatly expands opportunities for returning citizens to obtain professional licenses.

As we reflect on the past year, we at OJPC also grieve alongside so many who lost loved ones to COVID-19, and we hurt for people who were killed or injured by those who are sworn to protect and serve. At the same time, we brim with optimism for all that we can do—and what we have already begun to do together—in 2021. In the space made by disruption and loss, we can transform our criminal legal system and make our society a better place for everyone.

Sincerely,  
David A. Singleton

## A LETTER FROM OUR BOARD CHAIR:

Dear friends,

It's never easy to briefly reflect on OJPC's work in its annual report. That challenge feels particularly daunting this year. I keep thinking about the song from *Rent*: how do you measure a year? How do you measure a year that was dominated by a global pandemic and a long overdue, still incomplete reckoning about race, violence, and policing in America?

OJPC proved to be adaptive and resilient, stretching and evolving to meet the needs of incarcerated people who were vulnerable to COVID-19. OJPC's professionals worked collaboratively with policymakers, community partners, and activists to advocate for meaningful policing reforms. They did so while continuing to obtain early release for clients in the *Beyond Guilt* program and serving OJPC's clients in its well-established programs.

Even with these challenges, OJPC continued to build the operations that support its core work. OJPC's leadership and staff expanded OJPC's team, footprint, and donor base. They rebranded and launched an improved website and built a more robust volunteer program. They took the blueprint of our annual fundraising and community engagement event and transformed it into a digital event with even greater reach and impact.

Through so much upheaval, OJPC stayed true to its core mission of never writing anyone off. How do you measure this year? I think *Rent* says it best. Measure it in love—the unconditional, unceasing love of our fellow citizens. That love is evident in OJPC's steadfast refusal to reduce people to their most painful stories and abiding belief that every person is worthy of dignity and respect. Thank you for being a part of OJPC's ability to keep providing and growing its loving work.

Sincerely,  
Beth Silvers



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# THE IMPACT OF CRIMINALIZATION AND INCARCERATION IN OHIO

 **70,416**

Estimated number of people incarcerated in Ohio's jails, and state and federal prisons.

 **1 in 3**

Ohioans has a criminal record of some kind

 **43,246**

People are incarcerated in Ohio state prisons

 **1 in 4**

Jobs are legally off limits to Ohioans with a criminal record.

 **719**

Ohioans are serving life sentences

 **135**

People are on death row in Ohio

 **942**

Calls from Ohio to the National Sex Trafficking Hotline

*The data and approximations above were compiled using the most recent reports from the Ohio Justice & Policy Center, Policy Matters Ohio, Ohioans to Stop Executions, The Sentencing Project, The Prison Policy Initiative and the Ohio Department of Rehabilitation and Corrections.*

## OUR 2020 IN NUMBERS

 **361**

People helped by OJPC staff at a free Second Chance legal clinic

 **136**

OJPC clients assisted with full record sealing

 **63**

OJPC clients assisted with partial record sealing

 **41**

OJPC clients assisted with CQE applications

 **38**

OJPC clients helped with outstanding court debt

 **50**

Petitions for judicial release filed by OJPC on behalf of clients

 **27**

OJPC clients returned home from prison

 **23**

Charges expunged for clients who survived sex trafficking

 **20**

College students interned at OJPC

# MEETING NEW NEEDS AMIDST A PANDEMIC



## HOW OJPC CONTINUED TO SERVE CLIENTS DURING THE CORONAVIRUS PANDEMIC

Even in the early days of the coronavirus pandemic, it was clear that incarcerated individuals would face unique and dangerous threats to their health and safety. **In April 2020, Marion Correctional Institution was ranked as the No. 1 hotspot for COVID-19 infections in the country.** According to the Ohio Dept. of Rehabilitation and Corrections reporting, at least 134 people incarcerated in Ohio prisons have died of COVID-19, and at least 7,000 people have been infected with the virus while incarcerated in Ohio state prisons, as of March 2021.

Nearly every aspect of the criminal legal system changed in some way during 2020. Because of this, OJPC found new ways to represent incarcerated clients who were especially vulnerable to COVID-19, as well as formerly and currently incarcerated individuals whose relief checks were garnished. We also began hosting our free legal clinics online, making us available to new clients from all corners of the state.

▶ In March of 2020, OJPC produced a list of 15 comprehensive policy recommendations for courts, police, prosecutors and jails to minimize the spread and scale of the new virus in different pockets of the criminal legal system. Many of these changes were adopted in some way, at the urging of advocacy groups from around the country, including OJPC.

▶ OJPC also began representing medically-vulnerable people who were incarcerated during the pandemic and eligible for judicial release. In 2020, OJPC helped 50 clients file for judicial release.

▶ OJPC joined forces with the ACLU of Ohio to sue on behalf of people incarcerated in Ohio. In April 2020, we and the ACLU filed a class-action habeas suit in response to a severe COVID-19 outbreak at the federal prison near Elkton, Ohio. The Elkton suit touched all three levels of the federal courts, garnering nationwide attention. The early results were positive: U.S. District Judge James Gwin issued a preliminary injunction that could have protected over 800 medically vulnerable prisoners at Elkton. The Sixth Circuit and U.S.

Supreme Court each declined to stay Judge Gwin's preliminary injunction, but the injunction was ultimately overturned by a divided panel of the Sixth Circuit.

▶ Almost a year later, OJPC and the ACLU of Ohio again sued on behalf of incarcerated people, this time to challenge ODRC's practice of illegally garnishing Ohio prisoners' CARES Act emergency relief checks to satisfy unpaid court debt. "Incarcerated people and their families are some of the most marginalized, economically precarious people in our society," said OJPC attorney and Skadden Fellow Michael Zuckerman. "It is beyond irrational to single them out and take money out of their COVID-19 relief checks, particularly when Ohio's Attorney General has already recognized that those relief funds are exempt from debt collection for all Ohioans." The lawsuit is pending.

▶ OJPC began holding virtual legal clinics in 2020. This required some logistical changes, but the end result was a new type of direct legal service in Dayton, Mansfield, and Columbus.

## CLIENT STORY: DAVID WATKINS

When OJPC took David Watkins' case, he was a 57-year-old man with hypertension, diabetes, and severe immunosuppression because of a kidney transplant. We sought to withdraw a guilty plea that he filed a few months before COVID-19 struck.

Judge Mark Serrott of the Franklin County Court of Common Pleas carefully considered our motion and temporarily remanded Mr. Watkins to home confinement. This likely saved

his life, given that an outbreak occurred at Noble Correctional Institution, where Mr. Watkins had previously been incarcerated. OJPC advocated for Mr. Watkins through appeals all the way to the Supreme Court of Ohio. We were successful in keeping him out of prison during the most dangerous COVID-19 outbreaks. Mr. Watkins returned to ODRC custody in early April 2021, after receiving both doses of the COVID-19 vaccine.



# A RECKONING FOR RACIAL JUSTICE



Image by Kon Karampelasage from Pixabay.

The summer of 2020 brought the perfect storm for a long-overdue reckoning on racial justice in America.

The nation watched the horrific video of Derek Chauvin killing George Floyd in Minneapolis. People of all backgrounds joined the fight to end systemic racism and police violence – problems that are not new to Black and brown Americans. In Cincinnati, Columbus, Cleveland, and dozens of

towns throughout Ohio, people hit the streets, supporting the movement to protect Black lives, disavow white supremacy, overhaul the criminal legal system, and end violence by state officials.

In addition to individual staff members' involvement in local protests and marches, OJPC got involved in this movement on several fronts:

▶ In 2020, OJPC was awarded a grant that allowed us to work with Iris Roley, a Cincinnati activist and Black United Front leader, who played a crucial role in formulating the Collaborative Agreement and the Collaborative Refresh.

▶ Working with Iris, OJPC collected and analyzed arrest-record data in Hamilton County to show the racial disparity and general over-policing in social-distancing violations. We shared this data through media and in virtual community conversations.

▶ Nearly every week, since March 2020, OJPC co-hosted online community forums called “Freedom Fridays,” which were led and facilitated by Iris.

▶ OJPC worked with the Cincinnati Black United Front to put together a list of policy recommendations for more equitable policing during mass protests and a pandemic. 68 local organizations and community leaders cosigned the recommendations.

▶ OJPC attorney and former public defender Alicia Miller joined a group of local lawyers in representing protesters who were arrested as a result of their participation in Black Lives Matter marches. This resulted in municipal judges dismissing more than 100 charges against protesters.



Iris Roley at a gathering in Cincinnati.

▶ The theme of OJPC's 2020 fundraising event was “Race and Justice,” with keynote speaker Yusef Salaam. Yusef is one of the Exonerated Five (formerly the Central Park Five), whose story of wrongful conviction and racial profiling remains one of the most poignant and public examples of American injustice.

▶ OJPC worked with state and local lawmakers, and multiple partner organizers, to promote better, fairer public-safety practices. This included advocacy to allocate appropriate City funding for Cincinnati's Citizens Complaint Authority.



## LEGISLATIVE SUCCESS IN 2020

At its core, OJPC's policy advocacy work is driven by our clients' experiences within the criminal legal system. Our advocacy rests on three strategic planks. OJPC works to: reduce the number of incarcerated people in Ohio, expand opportunities for people with criminal records, and protect the human rights and dignity of incarcerated people. "There are specific policy objectives we fight for, and we saw the payoff in 2020 in a big way," said OJPC Policy Director Kevin Werner. Altogether, OJPC's 2020 legislative portfolio encompassed more than 50 bills.

Our legislative work in 2020 was highly successful across each plank, and we have even more work to do in 2021. Here's where we landed at the end of a very busy legislative session:

### DECARCERATION: REDUCING THE SIZE OF OHIO'S PRISON AND JAIL POPULATIONS

**House Bill 1** passed during the final hours of the 133rd General Assembly. The bill expands intervention in lieu of conviction. Now, more Ohioans with substance abuse issues are eligible to seek treatment instead of being sent to jail or prison if substance abuse is a contributing factor in the charged offense.

In 2020, Ohio became the 24th state in the country to stop sentencing juveniles to life in prison without the possibility of parole. **Senate Bill 256** represents a historic achievement for criminal justice reform organizations. Tyra Patterson, OJPC's community outreach specialist testified in favor of the bill, telling the committee, "the bill you are considering today is telling our young people in prison that they are more than the worst mistake they ever made. You're telling them that you won't give up on them. They need a path to redemption and you are creating it."

### SECOND CHANCE: EXPANDING OPPORTUNITIES FOR PEOPLE WITH CRIMINAL RECORDS

Because of OJPC's advocacy, **House Bill 1** expands eligibility for record sealing so that more Ohioans can access jobs, housing and education. As a result, people with more than five felonies can be eligible for record sealing. Additionally, people who complete intervention in lieu of conviction programs can seal their record so that it will no longer be visible on background checks for jobs and professional licensing. "Without OJPC's engagement, the bill would have unnecessarily triggered at least 128 collateral sanctions that were a barrier to at least 34 employment pathways, negatively impacting thousands of Ohioans," said OJPC attorney Pam Thurston. "We fixed that."

**House Bill 263** restricts when a license-issuing board can deny granting an initial professional license for people with criminal records. The bill ensures irrelevant past convictions and over-broad disqualifiers (such as "bad moral character") will not prevent the issuance of a professional license. In testimony before the House Commerce & Labor Committee, Policy Director Kevin Werner told the committee, "There are more than 250 laws and rules that create employment barriers for people with criminal convictions. Another 600 rules otherwise limit earning opportunities by restricting licensure or government contracting. Together, these barriers restrict more than 1.3 million jobs in Ohio." HB 263 begins to address the massive barriers OJPC clients face when seeking occupational licenses.

### HUMAN RIGHTS: PROTECTING THE RIGHTS AND DIGNITY OF INCARCERATED PEOPLE

**House Bill 136** bans the death penalty for individuals with severe mental illness. "Much can be said about why we should not execute individuals with severe mental illness at the time they committed a capital crime. But even when we agree on this, there is a common misconception that defendants with severe mental illness are protected from being executed by our current law. This is not the case... unless H.B 136 is passed," testified Kevin Werner, OJPC's policy director.

**Senate Bill 18** prohibits corrections officers and law enforcement personnel from restraining or confining a woman at certain points during pregnancy or postpartum recovery. Tiffany Smith, a former OJPC attorney, read part of a client's account of childbirth in prison to the Senate Judiciary Committee. "I was shackled for the entire birth of my son. It is cruel and unusual punishment. Meeting my son for the first time while shackled was a horror I'll never forget." SB 18 was incorporated into and passed as part of HB 1.

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### HELP US MAKE A DIFFERENCE

OJPC's policy advocacy is highly effective because it is informed by client experiences in the real world. **If you or someone you know would like to share a perspective on a topic before the legislature, OJPC's Policy Director Kevin Werner would love to hear from you.** You can reach Kevin by email to [kwerner@ohiojpc.org](mailto:kwerner@ohiojpc.org) or by calling 513-421-1108 x14.

# WHY WE GIVE: LEAVING A LEGACY WITH OJPC

During their lifetimes, Paul and Mary Lee Bergeron led lives of service and mentorship, affecting countless members of their community in Knoxville, Tennessee. A few years ago, in failing health, they moved to Cincinnati to be close to their eldest son, First District Court of Appeals Judge Pierre Bergeron.

Mary Lee spent her career as a physical therapist, and she loved helping people heal. Later, she became an Episcopal priest, and practiced healing of a different sense, in what Pierre called “just a continuation of her life of service to others.”

Paul taught history at the University of Tennessee, where he mentored students whose letters of gratitude he kept for the rest of his life. Bergeron recalled countless occasions when he would run into one of his dad’s former students, and “their faces would light up recalling the impact he had on their lives.”

For Paul and Mary Lee, the needs of other people were front and center, and public service was part a family tradition. They raised their children with stories about their grandfather, a Baptist minister, who was fired from his church for speaking out against segregation during the civil rights movement.



*Paul and  
Mary Lee Bergeron*

This foundation of service and a desire to help the community inspired their three sons throughout their lives. “They both placed a lot of value on service,” Pierre said. “And they definitely planted that seed in their children.”

So when Paul and Mary Lee died, their family decided to honor them by donating a portion of their estate to OJPC, specifically to combat racial injustice in the criminal legal system.

Thanks to this gift and other generous donations, OJPC will continue doggedly pursuing crucial reforms that ensure justice for all Ohioans.

## WANT TO GET INVOLVED?

We hope to one day live in a world where the services OJPC provides will not be in such high-demand. We hope that, one day, people aren’t routinely swept into an oppressive cycle of incarceration. We hope that, one day, our laws will no longer criminalize Blackness, poverty, trauma, mental illness, and that criminal records will no longer relegate people to a second-class status.

We don’t know when that day will come. But in the meantime, we could use your help to serve our clients and to promote meaningful reform in the name of justice and equity.

We are always looking for volunteers with a wide range of experiences, professional and otherwise. Visit [ohiojpc.org/volunteers](https://ohiojpc.org/volunteers) and make a Better Impact account, so that we can contact you about volunteer opportunities. If you’re a legal professional, talk to us about organizing a day of service, where you and your colleagues can help us consider potential cases for our newest project, Beyond Guilt. We’re also seeking physicians who want to volunteer by helping us evaluate medical cases for incarcerated people.

If you or a loved one is directly impacted by Ohio’s criminal legal system, we could use your help! OJPC’s policy advocacy is effective because it is informed by people’s experiences in the real world. If you’re willing to share your perspective on bills in the Ohio legislature or to share your story as part of our policy-advocacy efforts, OJPC’s Policy Director Kevin Werner would love to hear from you. You can reach Kevin at [kwerner@ohiojpc.org](mailto:kwerner@ohiojpc.org).



*Tyra Patterson at a Cincinnati Black Lives Matter rally. Photo by Bryan Evans, Shot By BE LLC.*

Each year, OJPC hosts an annual fundraising event, where nationally-recognized speakers discuss important criminal justice topics. Be on the lookout for information regarding these events on our website and on social media. You can also join our email list to get updates sent right to your inbox.

And of course, donations help OJPC keep the lights on, pay our staff, and allow us to keep serving our clients free of charge.

Being a volunteer, a supporter, or an ally doesn’t need to be a full-time job—but it can be a calling, and it could make a life-changing difference in the life of a neighbor or a loved one entangled in the criminal legal system.





# WHY I DO THIS WORK

## SECOND CHANCE LEAD ATTORNEY & INTERNSHIP COORDINATOR **ALICIA MILLER**

Alicia Miller keeps a lot of plates spinning at OJPC. She's the lead attorney for the Second Chance Project, which serves hundreds of clients from all around the state, all free of charge. She also runs OJPC's internship program, which is popular among law students and undergrads alike.

It's a lot of work, but that's nothing new to Alicia. Before she joined the staff at OJPC in 2019, Alicia worked in the Marion County Public Defenders' Office in Indianapolis, where she represented more than 1,500 indigent clients over her five-year tenure.

OJPC is where Alicia got her first taste of public service lawyering. Alicia interned for the Second Chance Project and the Race and Justice Project, and she took part in OJPC's constitutional litigation clinic. Interacting with clients who found themselves boxed-in by criminal records and past incarcerations made an impact and informed the direction she would take after law school.

"We have a criminal justice system that operates to push marginalized people further into the margins," Alicia said. "Without creating avenues for everyone to eventually be free



of the civil consequences of their criminal records, we will not have a system based on second chances, rehabilitation, or transformation."

OJPC's Second Chance Clinics can be a lifeline for people with criminal records. Through the services provided at the clinics, people can learn about their options to overcome criminal records-based barriers to employment, housing, education, and positive community reintegration. In her role as internship program coordinator, Alicia says she's able to pay it forward and usher a new generation of public servants to work in the criminal legal space.

Donations to OJPC fund the salaries of staff members, like Alicia. Generous contributions also allow OJPC to continue to provide a robust internship experience for future lawyers and leaders, which will result in a safer, fairer future for everyone.

## WHY I VOLUNTEER:

### RABBI JONATHAN PERLMAN



Jonathan Perlman described his education in fundraising as "trial by fire."

"For those first 11 years I was just flying by the seat of my pants," he said.

After cutting his teeth fundraising for his congregation in Israel, Perlman studied the craft of fundraising with the United Way. Soon he knew all about grant writing, stewardship, and campaigns.

Fast forward to 2020: After a career that spanned from Israel to Washington D.C. to the Cincinnati Museum Center, Perlman has retired. He said he wanted to connect with the community, and he began working as a volunteer with local organizations focused on criminal-legal reform.

After getting involved with bail reform efforts in Hamilton County, Perlman met some of the staff at OJPC. In the fall of 2020, he inquired about volunteer openings, and saw that his expertise in planned giving campaigns aligned with a need at OJPC.

"I saw the potential in an already strong group of donors, staff and volunteers," he said. "I was fortunate to carve out a volunteer position that fit my skillset, where I felt appreciated and saw the impact of my work. And that's what every volunteer wants."

Perlman plans to continue volunteering with OJPC to launch its first planned giving campaign with the goal of creating an endowment fund to support OJPC's important work for years to come. He also looks forward to meeting OJPC clients in prison and at legal clinics once those sorts of in-person meetings – paused by the pandemic – can safely resume.

**Interested in volunteering?**

Go to [ohiojpc.org/volunteers](https://ohiojpc.org/volunteers) to learn more and join our team of dedicated volunteers.

# OUR STAFF HAS JOINED THE CALL

Like many of you, our staff spent a lot of time on video calls and in digital meetings while we worked from home in 2020.

We look forward to seeing your smiling faces (in person) in the near future!



Pam Thurston, Attorney



Marais Jacon-Duffy,  
Communications Manager



Verjine Adanalian, Attorney



Mark Vander Laan, Litigation Director



Mara Roth, Paralegal



Laura Beverly, Operations Manager



Sasha Naiman, Deputy Director



Alyssa Beck, Paralegal



Alicia Miller,  
Second Chance Lead Attorney  
& Internship Coordinator



Sarah Estes, Development Director



Tyra Patterson,  
Community Outreach Specialist



Sheila Donaldson Johnson, Senior Paralegal



Kevin Werner, Policy Director



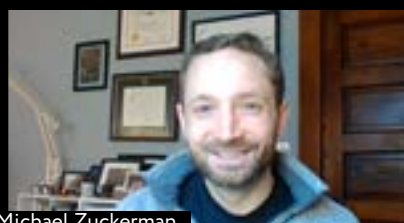
David Singleton, Executive Director



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Attorney & Skadden Fellow

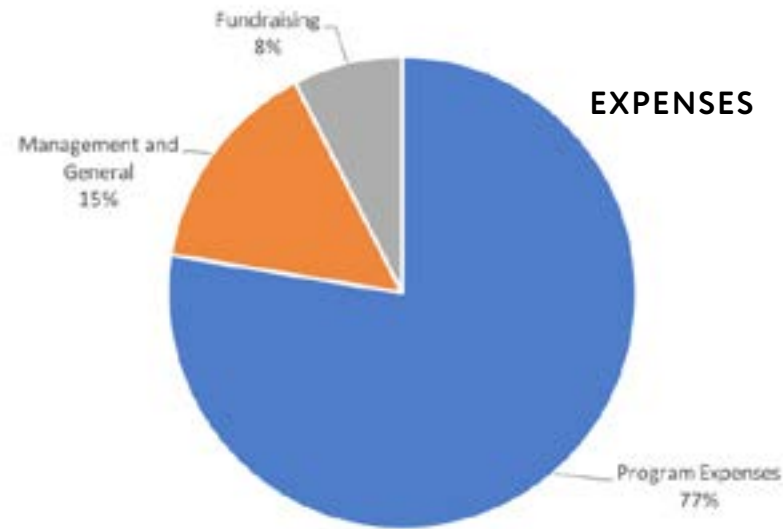
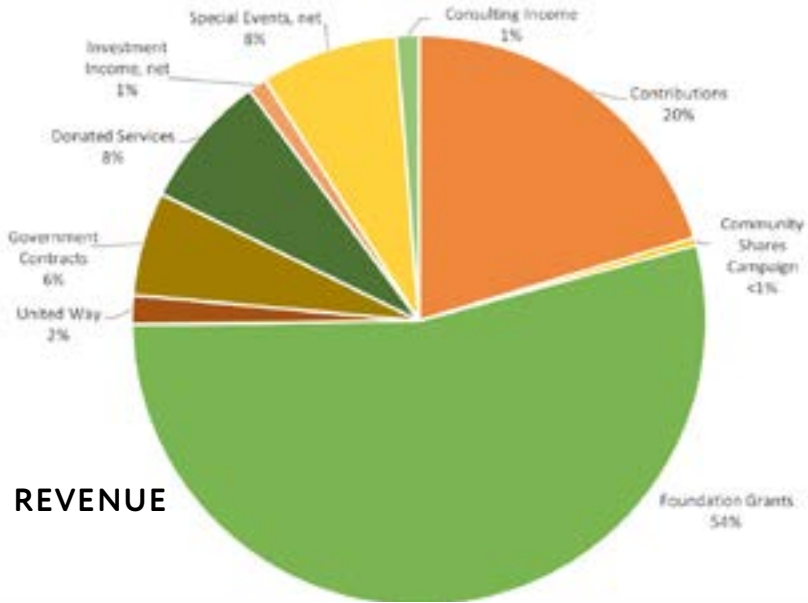


Jorge Dalence, Attorney\*

\*Licensed to practice in New York.  
Not licensed in Ohio.

# FINANCIALS

# OUR FINANCIAL SUPPORTERS



**OJPC is honored to receive grants or contracts from the following:**

- Art for Justice*
- Cincinnati Works, Inc.*
- The City of Cincinnati*
- Duke Energy Foundation*
- Equal Justice Works*
- The Ford Foundation*
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