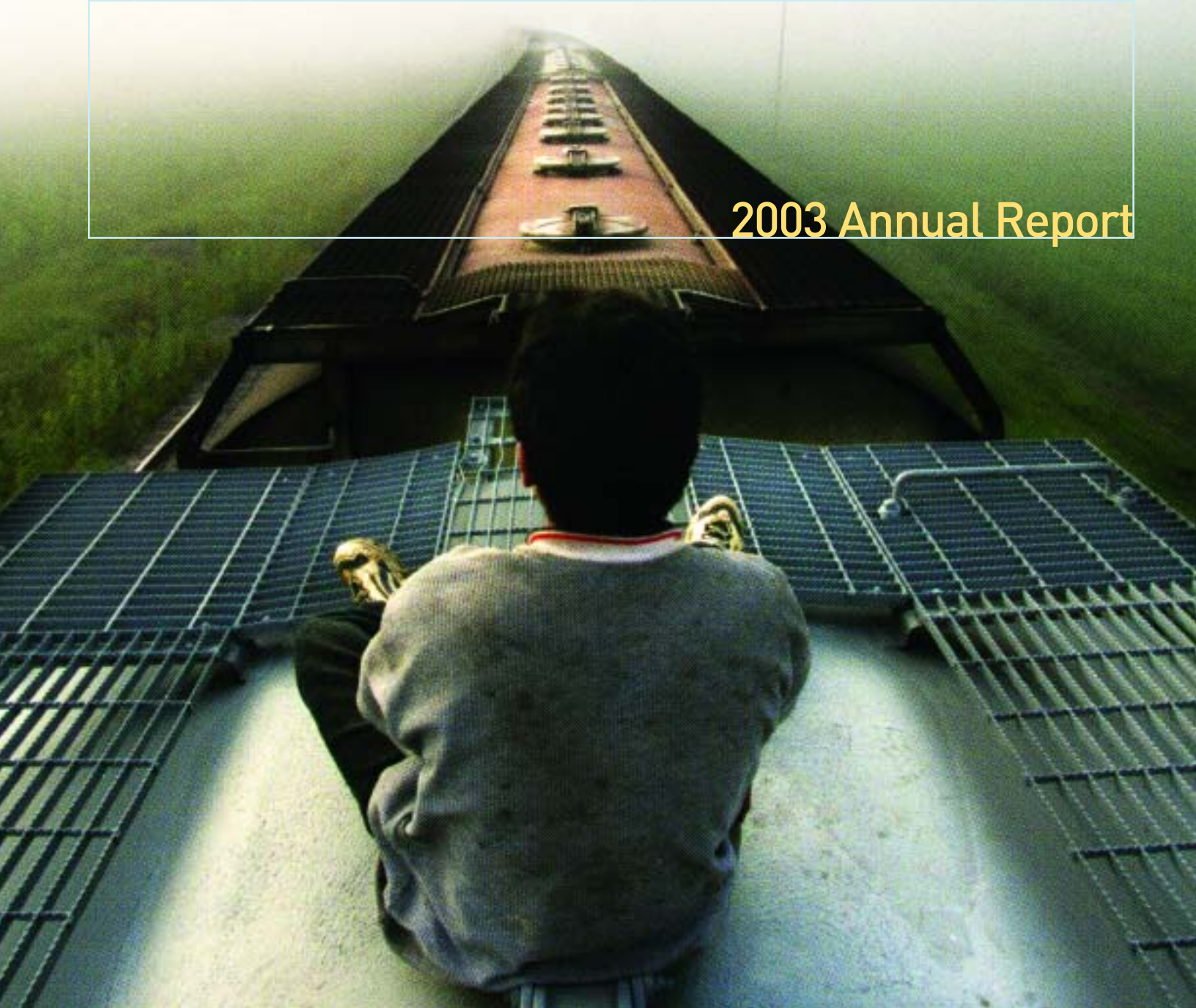


OPEN SOCIETY INSTITUTE

# U.S. PROGRAMS

2003 Annual Report



# MISSION STATEMENT

An open society is one that protects fundamental human rights, guarantees impartial justice, provides opportunities for people to make the most of their talents, and makes public decisions through a democratic process that is open to full participation and constant reexamination.

The mission of the Open Society Institute is to promote these values in the United States and in emerging democracies around the world. Although the United States aspires to the ideal of an open society, in many respects we fall short and in others we are losing ground.

An open society requires a public sphere shielded from the inequalities of the marketplace, but in the United States, the dominant values have become those of market fundamentalism, which rejects a role for government and poses a threat to political equality, public services, racial justice, and the social safety net. An open society requires an unbiased system of justice that stands apart from political pressures and social inequality, but in the United States, the pressures of money, bias, and politics undermine the independence of the courts and the fairness of the criminal justice system. An open society is one in which individuals and communities can make the most of their talents and assets, but in the United States, too many people face barriers posed by failed schools, a dead-end criminal justice system, or the sharp inequalities in our provision of healthcare and economic security. And too many communities are isolated from full participation in democratic decision making or the mainstream of the economy.

Through our grantmaking and our policy initiatives, the Open Society Institute's U.S. Programs seeks to restore the promise of our pluralistic democracy and bring greater fairness to our political, legal, and economic systems. We seek to protect the ability of individuals to make choices about their lives and to participate fully in all the opportunities—political, economic, cultural, and personal—that life has to offer.

COVER: Each year, thousands of migrants like this Honduran boy stow away on freight trains passing through Mexico, hoping to reach the United States. At the end of more than 1,500 miles aboard the freights, *El Norte* comes only to the brave and lucky.

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# FLEXIBILITY IN UNCERTAIN TIMES

## MEETING THE CHALLENGES OF AN OPEN SOCIETY

The Open Society Institute (OSI) began its work in the United States in 1996 with the belief that, although the basic institutions of democracy and justice in the country were sound, particular problems required more attention and debate. The War on Drugs, for example, had taken thousands of lives, had led to massive incarceration, and was virtually unquestioned in the political process. With little discussion or dissent, Congress had just cut off most of the federal benefits for legal immigrants and had turned over responsibility for the economic safety net for impoverished families to the individual states.

OSI took on these and other pressing public policy issues, helping to build up organizations that could put forth alternatives, demonstrate the cost of current policies, broaden the debate, and ensure that the voices of those affected are



heard in the public sphere. OSI was driven by the values and experiences of its founder, George Soros, and of its other leaders, most of whom had previously worked with activist and human rights organizations. OSI's work in the United States was also forged out of the assumptions of the time in which it was created. To take on these many diverse problems, OSI began by creating individual programs, each charged with establishing or expanding the base of activists and thinkers working to address the issues.

Today, OSI is still concerned with the same problems, but new challenges have emerged. Some were unforeseeable, such as the assault on civil liberties after the terrorist attacks of September 11, 2001. Others are the product of a long-term, multifaceted, right-wing strategy to discredit public institutions and services (such as health and education), human rights, legal protections against discrimination, and other aspects of an open society. Confronted with these new challenges, OSI's individual issue-based approach appeared too limited. It did not allow us the flexibility to respond to emerging issues and did not help establish a systematic response sufficient to the challenge of radical right-wing dominance.

As the context in which OSI works has changed, we at OSI have begun to develop a different approach, one that we hope will also appeal to other foundations and policy organizations. At the end of 2003, OSI ended its nine-year commitment to the Project on Death in America and closed the programs on Governance and Public Policy, Reproductive Health and Rights, and Law and Society. Our fellowship programs, OSI-Baltimore, and Youth Initiatives will continue through 2005, but as we move forward, OSI will make grants in the United States through two consolidated programs.



Christopher Jackson—wrongfully convicted in the 1999 drug raid in Tulia, Texas—greeted a relative after his conviction was overturned.

The first program will focus on justice. Since OSI launched its broad U.S. program in 1996, the state of justice in our country has been at the core of its mission. In the eight years since, the organizations and individuals supported by OSI have made great strides, and we need to stay the course. There are real debates under way about the death penalty and harsh drug laws, and they have resulted in significant reforms and advances in several states. There is a growing movement to reduce the incidence of incarceration and to provide meaningful assistance to people returning to society after

serving time in prison. There is more effective delivery of legal services to the poor and a strong network of state and national organizations that support access to impartial courts. At the same time, other serious challenges to our system of justice—the crackdown on immigrants, detention without due process of thousands at Guantánamo Bay, and expansion of the government’s surveillance powers—have emerged.

In early 2004, OSI combined a number of initiatives to form the **U.S. Justice Fund**, to which we have committed \$50 million over the next three years. OSI’s U.S. Programs will continue its work on criminal justice issues, particularly now that we are joined by other funders who share our sense of need and of opportunity, and we will continue to respond to the profound challenges to civil liberties posed by a government that views the Bill of Rights as expendable.

The state of justice in America—from mass incarceration to assaults on the independence of judges—is but one part of a political and policy landscape formed by 25 years of steady investments made by right-wing forces in a network of think tanks, scholars, advocates, litigation, and media. Tax cuts that starve the government of revenue, reducing the amount of spending for education, health, and other human needs, are another example of right-wing influence. In recent years, OSI has responded with parallel efforts in discrete fields, from reproductive rights to drug policy, but we realize that a more far-reaching response is necessary and so have created our second major funding program, the **Strategic Opportunities Fund**.

The Strategic Opportunities Fund will build on many of OSI’s prior investments by providing grants to support key policies and grassroots organizations advancing a progressive agenda. It will provide support for progressive leaders—many



of whom have emerged from our fellowship programs—and for new ideas and approaches that deserve a wider audience. The fund will also strengthen the capacity of key organizations by providing increased technical assistance in organizational management and communication. It will provide more flexible funds for rapid response to emerging open society challenges, with an emphasis on specific concerns that have an impact on a diverse array of issues and interests, such as budget and tax policies and the composition of the judiciary. This work is already under way through a series of special grants to expose and combat right-wing efforts to stack the federal bench and to educate the public about the impact of federal budget and tax cuts on state and local services. OSI has committed \$30 million to the Strategic Opportunities Fund over the next three years.

OSI is striving to accomplish the goals of the U.S. Justice Fund and the Strategic Opportunities Fund not only through grantmaking, convenings, and other traditional foundation approaches but also through its policy office in Washington, D.C. OSI-Washington is advancing civil liberties and criminal justice reforms and works with a broad coalition of nongovernmental organizations to promote more constructive global engagement by the United States.


After eight years of work in the United States, we at OSI feel more strongly than ever that strengthening an open society requires a coordinated response, and the reorganization of our work and programs will now enable us to meet this challenge more fully.

**Gara LaMarche**

OSI Vice President and Director of U.S. Programs

April 2004

# JUSTICE



The state of justice in our country has been at the core of U.S. Programs since OSI launched the first initiatives in 1996. OSI works to ensure equality under the law to all people by promoting advocacy and policy reform, supporting public education campaigns that highlight social inequities, and sponsoring fellowship programs to develop innovative thinkers and advocates positioned to shape policy debate.

In 2003, U.S. Programs pursued its work for justice through various initiatives. The Gideon Project addressed indigent defense and the reform and abolition of the death penalty. The After Prison Initiative focused on the reintegration of people returning home from prison. The Community Advocacy Project supported various organizing efforts to challenge excessively punitive criminal justice policies and promote alternatives. Constitutional and Legal Policy supported efforts to protect the fairness and impartiality of the courts. Access to Justice strengthened the work of organizations responding to the civil legal needs of low-income communities and communities of color. The justice work also included funding for drug policy reform, improved juvenile justice policy and practice, the defense and expansion of civil liberties, immigrants' rights, and the rights of lesbian, gay, bisexual, and transgender people.

In early 2004, OSI combined a number of its initiatives to form the U.S. Justice Fund, an integrated program that will seek procedural and substantive justice for all individuals by supporting criminal, civil, and constitutional justice reform. The program will focus its grantmaking, educational, and advocacy activities on three areas: building a fair and rational criminal justice system, advancing constitutional democracy, and advancing civil justice.

## THE GIDEON PROJECT

The Gideon Project strives to ensure that all people have equal access to justice. Named for the 1963 Supreme Court case *Gideon v. Wainwright*, which gave indigent defendants the right to legal counsel, the Gideon Project has concerned itself with achieving death penalty reform and abolition, improving public defense services, combating racial profiling, and increasing prosecutorial accountability. The unequal application of laws, wrongful convictions and incarcerations, and an overburdened criminal justice system frequently thwart the ability of poor and marginalized communities to receive justice. Such systemic flaws compromise human and constitutional rights and undermine the foundation of a democratic society.

# The Promise of Equal Justice

Four decades after the Supreme Court issued its landmark ruling, the promise of *Gideon* remains unfulfilled. “This country cannot afford empty rhetoric,” says the Gideon Project’s director, Jacqueline Baillargeon, “especially when matters of freedom and imprisonment and, in some cases, life or death are at stake. In the indigent defense reform area, our goal is to ensure that the right to counsel for poor people translates into a qualified attorney capable of providing quality representation. Underfunded programs, lack of standards for counsel, and outright resistance to the constitutional imperative mean that, in all too many cases, representation is inadequate.”

Throughout 2003, the Gideon Project devoted much of its energy to raising national awareness about the legal problems and hurdles that indigent defendants face on a daily basis. In March 2003, OSI hosted a forum, *40 Years Later: Assessing the Promise of Gideon*, to mark the 40th anniversary of the U.S. Supreme Court’s decision in *Gideon v. Wainwright*. Criminal justice advocates attending the event discussed the current impact of the ruling. Among them were Stephen Bright, director of the Southern Center for Human Rights; Jimmy Bromgard, the 111th person in the United States to be exonerated by DNA testing; John J. Farmer Jr., former attorney general of the State of New Jersey and current counsel to the 9/11 commission; Abe Krash, one of the original *Gideon* lawyers; Bryan A. Stevenson, executive director of the Equal Justice Initiative of Alabama; and Jo-Ann Wallace, senior vice president for programs at the National Legal Aid & Defender Association. The forum’s discussion sparked a year of public education activities, which included outreach to the media and the entertainment industry. The *New York Times* responded by running an editorial detailing the stories told by forum participants, stating, “It is time, at last, to make the promise of *Gideon* a reality.”

With the goal of sustaining momentum, the Gideon Project also provided seed money to the **National Legal Aid & Defender Association** and **The Constitution Project** to set up a blue-ribbon

# The New York Times

Founded in 1851

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## Gideon's Trumpet Stilled

Forty years ago this week, the Supreme Court handed down its landmark decision, *Gideon v. Wainwright*, holding that poor defendants have a constitutional right to a lawyer. That principle is now ingrained in our culture, but the reality is that for many defendants, the promise of *Gideon* has been hollow. Poor people are still imprisoned, and even put to death, after trials in which they have shockingly inadequate legal representation.

The man who gave the *Gideon* case its name, Clarence Gideon, was sentenced to five years in prison for breaking into a poolroom. This was after a trial in which he was forced to represent himself because he lacked the money to hire a lawyer. In March 1963, the Supreme Court overturned his conviction, holding that his trial violated the 6th and 14th Amendments. "The right of one charged with crime to counsel may not be deemed fundamental and essential to fair trials in some countries," the court wrote, "but it is in ours."

*Gideon* laid out a constitutional principle, but it is up to the states to apply it. Their programs are woefully inadequate. In many of the 22 states that pay for such legal services entirely at the state level, the level of financing is so low that lawyers cannot afford to investigate and prepare proper defenses.

In the 28 states that rely on local financing, the quality of representation is even worse. In some Texas coun-

ties, defendants wait months in jail before seeing a lawyer. In Georgia, some counties try indigent defendants in non-felony cases without providing lawyers, even when a conviction may result in prison time—a direct violation of *Gideon*.

The recent spate of exonerations based on DNA tests has demonstrated that inadequate representation can, and does, lead to wrongful convictions. A Montana man, speaking at an Open Society Institute panel this month, told of spending 15 years in prison on a sexual assault charge after a trial in which his court-appointed lawyer did no investigation, hired no experts and failed to file an appeal. After 15 years, he was cleared with DNA evidence.

There is no great mystery about how to provide low-income defendants with appropriate legal representation. The states must ensure that lawyers' caseloads meet accepted standards, and that there are sufficient resources for investigators and expert witnesses. The lawyers who take these cases should, ideally, work for professional defender services. If not, they must get appropriate training and supervision, and there must be a process for removing those who do not perform adequately.

The Supreme Court was right, four decades ago, when it said that the right to counsel is "fundamental and essential." It is time, at last, to make the promise of *Gideon* a reality.

commission to investigate the state of indigent defense in America. Because of the high-profile nature of the commission, the Gideon Project hopes the commission's recommendations will become a central part of the ongoing debate surrounding the rights of the poor, the marginalized, and the disadvantaged within America's criminal justice system.

In 2003, the Gideon Project continued to fund organizations that work toward the reform and abolition of the death penalty, including **Murder Victims' Families for Reconciliation**, an advocacy group made up of murder victims' family members who support abolition of the death penalty; the **Quixote Center's *Moratorium Now!*** campaign, which mobilizes and builds networks among organizations seeking a moratorium in their state; and the **Death Penalty Mobilization Fund at the Tides Foundation**, which provides grassroots support to organizations that seek abolition of the death penalty or moratoriums in their states.







## THE AFTER PRISON INITIATIVE

The After Prison Initiative promotes programs that are designed to protect public safety by addressing the needs of the formerly incarcerated and the communities to which they return. In recent decades, the increase in expenditures for incarceration and the construction of prisons, together with an underinvestment in social infrastructure, has created a crisis for many communities. More men and women are being imprisoned, and when they return to their communities, too few resources are being spent on their successful reintegration. As a result, more

and more people spend their lives alternating endlessly between prison and the streets.

OSI has given grants to **The Institute**, a criminal justice research and policy organization, to provide specialized technical assistance to states seeking to reduce their prison populations and limit the number of people returning to prison on parole violations. So far, The Institute has successfully implemented changes in Connecticut and Louisiana. Other OSI grantees testified before California's Little Hoover Commission, contributing to the commission's recent

decision to recommend changes in the state's handling of parole violators.

The After Prison Initiative also provides grants to initiatives that support the reallocation of existing criminal justice funds to communities facing an influx of people returning from prison. It funds systemic reforms to remove the barriers faced by these people as they seek housing, legitimate employment, and adequate healthcare. "We view barriers to reentry as a civil and human rights issue," says the program's director, Susan Tucker.





Every afternoon, hundreds of people are released from state prison in Huntsville, Texas. A few are greeted by waiting relatives, but most walk three blocks to the Greyhound bus station. They have all received a \$50 check and a one-way bus ticket "home."

## Reinvesting in Justice

In 2003, OSI funded several groups and individuals exploring ways to lower recidivism and promote public safety and healthy communities. The grantees' intent is to enable private organizations and local and state government agencies to access data on how best to reallocate criminal justice money and ensure the equal provision of public safety to get "more bang for the buck," according to Susan Tucker, director of The After Prison Initiative.

Grant recipient Professor Todd Clear, of New York's **John Jay College of Criminal Justice**, is coordinating studies of 10 neighborhoods with high incarceration rates. He is examining how concentrated levels of imprisonment and release ultimately undermine community stability, triggering a decline in overall public safety. Clear is trying to identify a "tipping point," the level at which a community loses so much of its adult population to incarceration that social networks break down and the crime rate increases.

In Chicago, OSI grantees have been collating vast databases of information from the early 1990s, analyzing the effect that the incarceration of women—particularly minority women—has on their children, their job prospects, and their reliance on public services. "Women are typically incarcerated for less serious crimes than are men," says grantee Robert LaLonde of the **Irving B. Harris Graduate School of Public Policy Studies** at the University of Chicago. "Therefore the benefits of incarcerating women are fewer. And the costs of incarcerating women are higher because they're more likely to be custodial parents." When women go to prison, their children often enter the foster care system, at a very high cost to taxpayers.

In Pennsylvania, **Community Legal Services** has used its grant to produce reports on the restrictions that people returning from prison face when they seek housing, substance abuse treatment, and temporary unemployment benefits. Although these policies are meant to protect the public, they actually undermine the ability of people returning from prison to establish a law-abiding life.

**George Washington University** researchers, headed by Gregg Squires, have conducted research nationally on how low-income mortgage lending has expanded home ownership in poor neighborhoods and, in the process, reduced crime rates. OSI also funded the writing of a **Human Rights Watch** report on the increasing number of mentally ill individuals who are being incarcerated. The report presented a series of recommendations for effective alternatives to imprisoning the mentally ill.

Collectively, these funded initiatives are helping to shift the criminal justice debate away from the get-tough talk of recent years toward a more sober accounting of the return on investment of our criminal justice dollars.



## THE COMMUNITY ADVOCACY PROJECT

Within the field of criminal justice reform, the promotion of alternatives to incarceration has long been a crucial issue. According to the Community Advocacy Project's director, Raquiba LaBrie, this has meant "trying to create a fierce and vocal grassroots base to promote changes in criminal justice policy."

In 2003, the project began to reshape its mission. It will seek to reduce the United States' use of excessively punitive criminal justice policies to respond to social, economic, and public health conditions. The project will pursue its mission by supporting advocacy efforts to oppose prison expansion and advance sentencing reform. In 2004, this work will continue as part of the U.S. Justice Fund.

OSI's 2003 grantees, such as the California-based groups **Critical Resistance** and the **Ella Baker Center**, work to oppose prison expansion at the state and national levels. Others, notably **Grassroots Leadership**, with its *Not With Our Money!* campaign, put the spotlight on prison privatization. Others work with the families of incarcerated people to challenge the overreliance on imprisonment as a panacea for social ills.

The Community Advocacy Project has also sought to strengthen resource hubs within the field. It provided support to the **DataCenter**, a national organization, to conduct research and analysis for a range of criminal justice advocacy groups. Other OSI-funded groups, such as the **Justice Policy Institute**, publish reports that reveal the imbalanced relationship of costs and benefits in current incarceration policies. In 2003, OSI and the JEHT Foundation cohosted a meeting to study the methods by which states issue bonds to build prisons without prior voter approval.

By supporting these organizations, OSI hopes to create a resource network capable of sophisticated information analysis that will reveal the flaws in current incarceration policies.

## Closing Tallulah Prison

In June 2003, a wave of public pressure generated by Community Advocacy Project grantees led to the 2004 closure of Tallulah Juvenile State Prison, Louisiana's infamous juvenile detention facility.

Since 1996, Tallulah had been in the spotlight due to allegations of rampant violence toward and neglect of the facility's teenage inmates. Newspapers and reform groups documented numerous cases in which incarcerated youth suffered attacks by other inmates or by guards and were injured seriously enough to need hospital treatment. Lawyers of the **Juvenile Justice Project of Louisiana** sued the state of Louisiana. In 2000, the state settled and agreed to implement major changes—but the changes were never fully made. For this reason, several OSI grantees (**Grassroots Leadership**, the **Juvenile Justice Project of Louisiana**, **Families and Friends of Louisiana's Incarcerated Children**, the **Justice Policy Institute**, and the **Youth Law Center**) joined together to shut down the facility. The diverse coalition included the parents of incarcerated teens, community leaders, and legal and policy advocates. "We saw the value and importance of aligning with the community," says Attorney David Utter of the Juvenile Justice Project of Louisiana. As a result of the coordinated effort, Tallulah youth are to be moved onto parole, into nonsecure programs close to their homes, or, if needed, into other secure facilities.

OSI grantees had another major victory on the juvenile justice front in 2003. They fought a proposed "superjail" for teenagers in the Bay Area of California. The large facility, to have been located in the town of Dublin, was to house teenagers mainly from the Oakland area. The **Ella Baker Center** coordinated a campaign against the superjail and successfully blocked its construction. The new plan is for a smaller facility located much closer to Oakland. This plan represents a double victory. First, because there will be less room available, alternative solutions will be sought and fewer juveniles will be incarcerated. Second, those who are put behind bars will be in an institution that is closer to their homes and families.

## CONSTITUTIONAL AND LEGAL POLICY

In 2003, Constitutional and Legal Policy emerged to continue a multiyear grantmaking initiative begun by the Program on Law and Society to protect the fairness and impartiality of the nation's courts. It also expanded support for organizations working to articulate and frame a progressive, humane vision of the law and build a movement to challenge the strategic efforts of right-wing legal groups and think tanks.

The **Justice at Stake Campaign** is the anchor for the program's judicial independence initiative. The campaign, made up of 42 national and state partner organizations, works to educate Americans about threats to judicial independence, particularly the growing influence of money and partisan political pressures in state judicial elections.

At the end of 2002, Justice at Stake celebrated a major breakthrough when North

Carolina enacted the nation's first public-financing system for judicial races. In 2003, partner organizations built on that success by promoting judicial reform in Pennsylvania, Illinois, Ohio, and other states.

Although still in the development stage, the program's constitutional democracy initiative supports groups working to counter the narrow, conservative vision of the law that has become increasingly dominant in recent years.



## Advancing a Progressive Vision

In the summer of 2003, at a filled-to-capacity convention in Washington, D.C., the **American Constitution Society for Law and Policy** (ACS) came of age. ACS is a national organization of law students, law professors, practicing lawyers, and others seeking to foster an understanding of the fundamental principles of American law. Senator Hillary Rodham Clinton delivered a speech there, as did Supreme Court Justice Ruth Bader Ginsburg. During the three days of the convention, law students and young lawyers had the opportunity to interact with jurists, legal academics, and leaders of progressive advocacy groups. The event signified a milestone for the two-year-old lawyers' organization, marking its emergence as the progressive counterpart to the nationally ascendant Federalist Society.

OSI has supported ACS since the society was founded in 2001. ACS has grown rapidly and now includes nearly 100 law school chapters and an increasing number of lawyers' associations in cities throughout the country. "In the past year, we've gone from being a start-up to being a nationally recognized organization," says Executive Director Lisa Brown.

According to the director of Constitutional and Legal Policy, John Kowal, ACS exists "to advance a progressive vision of the Constitution and constitutional democracy, providing an infrastructure that connects academics and thinkers with practitioners and policymakers."

Brown agrees. "We make sure a progressive vision of law and policy issues is being articulated," she says. "We want people to think hard, write, talk, come up with new ideas, and become better at articulating our ideas to make them accessible for public consumption."

Last year, when the U.S. Supreme Court heard arguments on the University of Michigan Law School's affirmative action policy, ACS chapter members at the Georgetown University Law Center prepared an *amicus curiae* (friend of the court) brief in support of affirmative action. Working through the ACS network, the Georgetown students persuaded 13,922 Michigan students to co-sign the brief. Months later, the Supreme Court issued a sweeping ruling upholding the Michigan policy. Observers credited a number of persuasive *amicus* briefs—including the students'—for preventing a conservative Court from fatally undermining affirmative action.

"The story of the American Constitution Society and its growth is inspiring," says Kowal. "It shows that progressives are eager to take the initiative in the debate over law and public policy and are no longer content to fight yesterday's battles."





## ACCESS TO JUSTICE

Access to Justice began as a way to address pressing infrastructure needs in the legal aid field created by the 1996 federal funding cuts and restrictions, to educate the public about this vital public service, and to help transform the ways in which lawyers assist the poor. Through the years, the program has funded a host of initiatives designed to expand the scope of legal services and increase impoverished people's access to lawyers. Access to Justice was part of OSI's Program on Law and Society until 2003. It has been

incorporated into the U.S. Justice Fund along with other key elements of the Program on Law and Society.

After Congress cut approximately one-third of all federal funding for legal aid and placed restrictions on the type of work that legal aid attorneys were allowed to perform, OSI funded polling to analyze the public's views of legal aid. The research found that most people did not know what legal services programs were or what they did. In light of these findings, the program supported a public

education and advertising campaign that explained the kind of assistance that legal aid provides, such as ensuring child support, medical services, or heat in a family's apartment. Recognizing the need to build public support and public dollars, OSI has funded various groups—such as the **Project for the Future of Equal Justice**, a joint project of the **National Legal Aid & Defender Association** and the **Center for Law and Social Policy**—to raise the visibility of the field of legal aid.

## Community Lawyering

Access to Justice has helped to transform the way in which lawyers provide services to the poor by supporting a process known as community lawyering. Community lawyering, which has become increasingly popular in recent years, establishes partnerships with communities to achieve systemic reform. Rather than focusing solely on the legal issue presented by the client's case, lawyers work with other professionals or groups to address the underlying problems—for example, domestic violence, mental illness, joblessness, or drug addiction—that may have led to the client's legal issues.

Catherine Samuels, founding director of OSI's Program on Law and Society, says that it became "increasingly clear that courts and lawyers, working alone, simply cannot eliminate the complex, often systemic, problems that bring poor people, immigrants, and communities of color to their doorsteps over and over again. Rather, lawyers need to work in partnership with others to develop coordinated approaches, including public education, organizing, communications, research, and public policy advocacy."

During the past few years, this holistic and multidisciplinary approach has become more prevalent throughout the legal aid community. OSI grants have helped develop a field of community-oriented lawyers seeking to affect what the Community Advocacy Project's director, Raquiba LaBrie, calls "the court of public opinion."

OSI funded the Washington, D.C.-based **Advancement Project** to pioneer community lawyering work for racial justice and to build a network and resource center to support it. OSI and several other foundations participate in the **Racial Justice Collaborative**, providing grants to local partnerships formed among legal and community-based organizations.

OSI has also seeded the **Consortium on Community Problem Solving**. This new partnership reflects one of the most significant and promising developments in the legal arena: the movement of the courts, the police, and all types of lawyers—prosecutors, defenders, civil rights lawyers, and legal aid lawyers—toward community-oriented problem solving and away from an adversarial, litigation-based model.

The Staben House provides transitional housing for women who have been abused, are recovering addicts, or were previously incarcerated, and for their children, as they work to get their lives together and regain their independence.

## DEFENDING CIVIL LIBERTIES AND IMMIGRANTS' RIGHTS

More than two years after the destruction of the World Trade Center and the attack on the Pentagon, the world continues to be convulsed by the aftereffects. Internationally, America has dramatically shifted its foreign policy and military priorities in response to the rising power of international terrorist organizations. Domestically, the U.S. government has enacted a series of measures that proponents argue are necessary to track terrorists and prevent attacks. The new policies, however, diminish civil liberties and undermine the rights of immigrants.

In the wake of the 9/11 terrorist attacks and the resulting federal policies, OSI funded many immigrants' rights advocacy groups that had previously received funding from OSI's Emma Lazarus Fund, which operated from 1996 to 2000. These grants place particular emphasis on understanding the ways in which immigrants have borne the

brunt of antiterrorist clampdowns during the past two years and the ways in which immigrants' rights and civil rights overlap in today's world. The grants also promote specific grassroots and legal challenges to recent legislation that diminishes individual freedoms in America.

With the passage of the USA PATRIOT Act—and possibly of the even more coercive pending legislation known as PATRIOT Act II—immigrants have become particularly vulnerable to civil liberties restrictions, yet these restrictions affect all individuals in this country. OSI has supported groups that challenge the constitutionality of the PATRIOT Act and has funded organizations that focus on preserving the civil liberties of all. Grantees include the **National Immigration Forum**, the **Center for National Security Studies**, the **National Whistleblowers' Center**, the **National Asian Pacific American Legal**

**Consortium** (which is working to build up the infrastructure of groups that work with Arab, Muslim, and South Asian Americans), the **Center for Democracy and Technology** (a group that is exploring electronic privacy issues and the problem of governmental monitoring of individuals' library records), and the **American Civil Liberties Union** (which is working to protect privacy rights regarding sensitive data such as medical and financial information).

Through grants such as these, says Antonio Maciel, director of Grantmaking and Program Development for U.S. Programs, "we are getting the message across that the best way to achieve security in this country is to have a sane immigration policy, not one that drives people underground and makes it difficult to get intelligence. The thrust is in two areas: protecting the rights of immigrants and vigilance on the erosion of civil liberties."

## DRUG POLICY REFORM

In 2003, OSI awarded two major grants in the field of drug policy reform—one to the **Drug Policy Alliance** and the other to the **Fund for Drug Policy Reform at the Tides Foundation**.

The Drug Policy Alliance, the leading drug policy reform and advocacy organization in the country, promotes a more rational approach to dealing with the problems stemming from drug use and the War on Drugs. It supports a shift away from relying on the criminal justice system as the first tier of intervention and toward viewing drug addiction as a public health issue. According to Antonio Maciel, director of Grantmaking and Program Development for U.S. Programs, the Drug Policy Alliance approaches policy reform issues "from the perspective that the War on Drugs does not address the

underlying issue and, in the long term, causes more harm than good." The Drug Policy Alliance works at the national level and this past year has been particularly active in New Mexico, California, Connecticut, and New Jersey.

The Drug Policy Alliance has played a leading role in promoting medical marijuana programs in several states, in developing needle exchange programs to minimize the risk that intravenous drug users will contract and spread diseases such as HIV/AIDS and hepatitis (with significant success in New Mexico), and in advocating for broader access to methadone treatment for people who are dependent on heroin.

The Fund for Drug Policy Reform is a funders' collaborative, and OSI is a major

contributor. The fund awards grants to groups throughout the country that are actively promoting new approaches to the nation's ongoing drug problem. In 2003, grantees included Students for a Sensible Drug Policy, a campus-based organization active in mounting public-education campaigns targeted at students and other youth. The Harm Reduction Coalition, another grantee, has been working with the Drug Policy Alliance to promote greater access to needle exchange programs. The Fund for Drug Policy Reform has also begun giving grants to groups working overseas, in particular to organizations in Latin America that are examining how the U.S.-led War on Drugs is affecting countries in Central and South America.



## JUVENILE JUSTICE

OSI supports policy advocacy groups that are working to improve juvenile justice policy and practice in the United States. These organizations strive to improve legal representation for young people caught up in the criminal justice system and to develop viable alternatives to prison. They include the **Youth Law Center**, which directs the Building Blocks for Youth initiative; the **W. Haywood**

**Burns Institute**, which brings together key players to reduce racial disparities in the juvenile justice system; the **Juvenile Law Center of Philadelphia**, which works to reverse zero-tolerance policies in the city's public schools; and the **Criminal Justice Reform Education Fund**, which works to abolish the death penalty for juveniles.

In 2003, OSI grantees scored a meaningful victory. The **Juvenile Justice Project of Louisiana** coordinated a massive campaign to shut down the controversial Tallulah Juvenile State Prison. It resulted in the state legislature's closure of the institution in June 2004. (For more information about the Tallulah campaign, please see page 17.)

## LESBIAN, GAY, BISEXUAL, AND TRANSGENDER RIGHTS

In recent years, OSI has provided support to a number of organizations working to protect and expand the rights of lesbian, gay, bisexual, and transgender (LGBT) people. In 2003, issues of LGBT rights exploded onto the national scene, and OSI's grantees played key roles in the national debate. In *Lawrence v. Texas*, a landmark ruling handed down in June, the U.S. Supreme Court

overturned state sodomy laws and affirmed the right of gay people to choose their own private relationships. The case was brought by the **Lambda Legal Defense Fund**, which had received an OSI grant earlier in the year.

In November, five months after the decision in *Lawrence*, the Supreme Judicial Court of Massachusetts ruled that denying


marriage licenses to same-sex couples violates the Massachusetts Constitution's guarantee that all people be treated equally under the law. OSI provided support to **Freedom to Marry**, a new national advocacy group working to win marriage equality nationwide, and collaborated with foundation partners on the launch of a national marriage funders' affinity group.

## THE SOROS JUSTICE FELLOWSHIPS

The Soros Justice Fellowships, which advance the justice work of U.S. Programs, are discussed in the Fellowships section on page 28.

# FELLOWSHIPS





Guided by the belief that social change rarely occurs without the singular vision and drive of one individual, OSI is committed to investing in individuals who act as agents for debate and change within their communities, their professional fields, and society.

## THE COMMUNITY FELLOWSHIPS PROGRAM

The Community Fellowships Program supports individuals who work to provide an array of on-the-ground services to traditionally underresourced neighborhoods and communities in Baltimore, Maryland, and New York City. Typically, each year, 10 fellows are chosen in Baltimore and 10 in New York, but in 2003 New York awarded 11 fellowships.

The program funded Baltimore fellow **Terry Hickey** during the late 1990s to develop a community law curriculum at Northwestern High School. The goal was to offer young people practical experience in addressing community issues, and Hickey's work led to

the creation of a new high school named Freedom Academy. Fellow **Tony Shore** converted an old library building into an arts center for the Washington Village Pigtown neighborhood. **Lauren Abramson** established the Community Conferencing Center, which emphasizes accountability, healing, and learning in response to harmful behavior. Abramson's program brings together youth, their families, and victims to repair harm and prevent future offenses, without relying on the juvenile justice system. The work of fellows like these has received widespread attention in Baltimore, and as a result, the fellowship program there is flourishing.

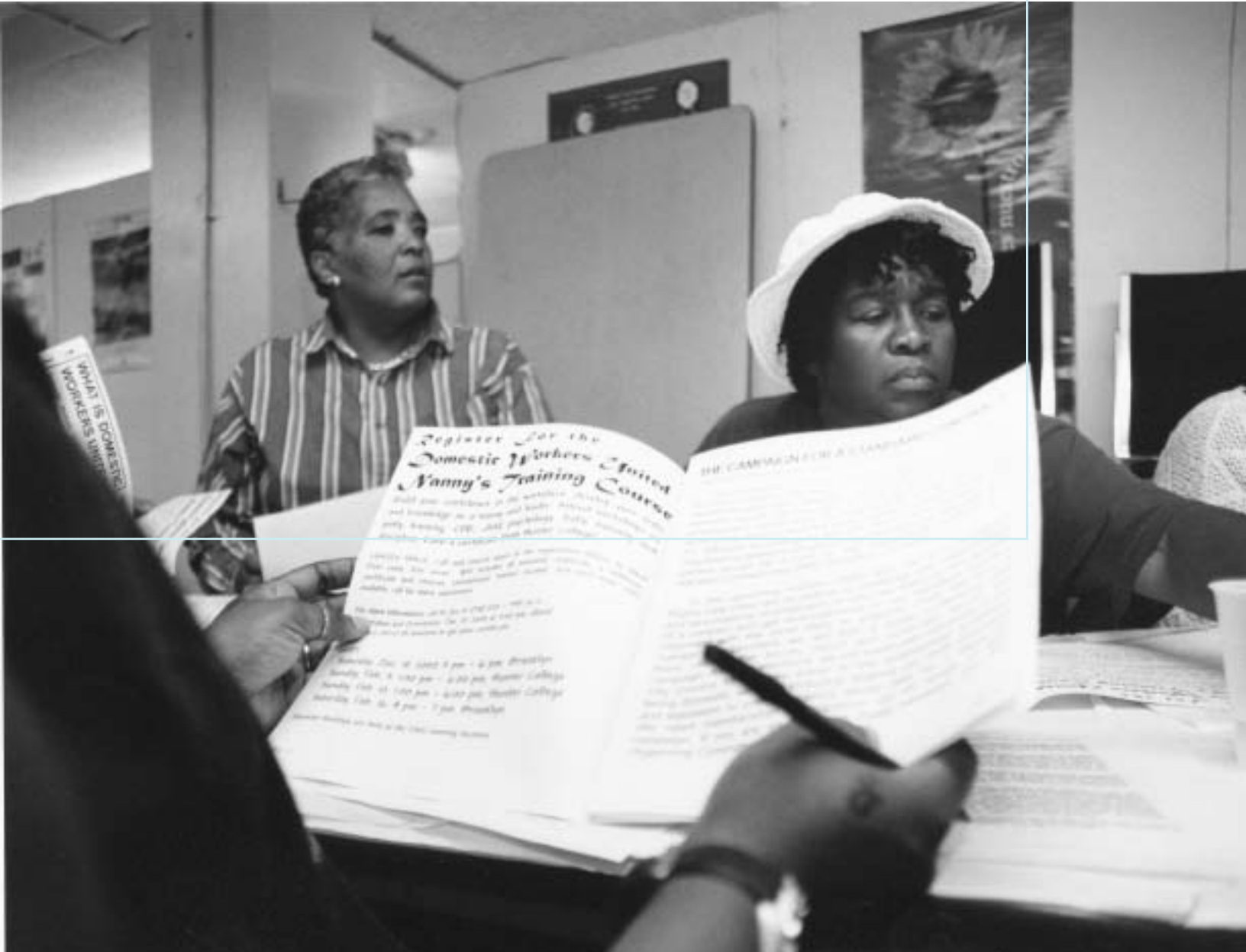
Many of the fellows in New York City are working on immigrants' issues. **Subhash Kateel** established Families for Freedom to organize those whose relatives were detained after 9/11. Others have been active in campaigning for the rights of domestic workers, many of whom are recently arrived immigrants. New York City fellow **Dean Spade** is active in promoting gay and transgender rights and set up the city's first transgender law project. **Mark Winston-Griffith** created a television talk-show series called *Talking Democracy* to stimulate public debate and civic participation within low-income communities.

## Protecting Domestic Workers' Rights

Domestic Workers United, a New York City organization representing immigrant nannies, housekeepers, and caregivers for the elderly, is running a campaign called *Dignity for Domestic Workers*. New York City Community Fellow **Ai-Jen Poo** assisted Domestic Workers United in its efforts to educate local lawmakers about the need for a law to protect the rights of domestic workers. "Domestic workers are among the most marginalized of workers," says Poo. "We're trying to change that."

In 2003, Domestic Workers United gained an important victory when the New York City Council enacted Local Law 96. The law requires employment agencies to provide workers with written statements informing them of their legal rights and describing job conditions. It also requires the agencies to provide each employer with a list of its legal obligations—including payment of at least minimum wage. The campaign is now working to win a standard contract for all domestic workers in the Greater New York area.

Urban Justice Center attorney **Tony Lu**, a New York City community fellow and founder of the Domestic Workers Justice Project, brings legal action to enforce the minimum wage and other labor standards. "As more of these cases get litigated, and as campaign work develops, it's been creating a shift in the way domestic workers are perceived in New York City," Lu says. "Domestic workers are slowly starting to fight for their rights, to demand respect and recognition in the workplace."



**Register for the Domestic Workers United Nanny's Training Course**

Build your confidence in the workplace. Develop your skills and knowledge in a hands-on body. Receive training, food, housing, CPE, and parking. 100% guaranteed. Course is available in both English and Spanish.

**ENGLISH ONLY - All will learn about the importance of being a Domestic Worker, how to get started, how to get a job, how to get a license, how to get a passport and more. (Available in both English and Spanish) - Call for more information.**

**ENGLISH ONLY - All will learn about the importance of being a Domestic Worker, how to get started, how to get a job, how to get a license, how to get a passport and more. (Available in both English and Spanish) - Call for more information.**

**Spanish Only - All will learn about the importance of being a Domestic Worker, how to get started, how to get a job, how to get a license, how to get a passport and more. (Available in both English and Spanish) - Call for more information.**

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## THE SOROS JUSTICE FELLOWSHIPS

The Soros Justice Fellowships support lawyers, community activists, academics, and journalists who are seeking to draw attention to and redress the effects of overly punitive incarceration policies at the national, state, and local levels. In 2003, OSI funded a total of 22 senior fellows, advocacy fellows, and media fellows.

The fellowship program focuses on OSI's criminal justice grantmaking priorities, which

include issues concerning the death penalty, indigent defense, the challenges facing people returning home from prison, and alternatives to incarceration. The fellowship program has also continually supported projects that relate to the detention of immigrants, drug policy, juvenile justice, and sentencing reform.

The Soros Justice Advocacy Fellowships were previously known as the Soros Justice Postgraduate Fellowships, but OSI renamed

them in 2003. "The emphasis is now on movement building and achieving systemic change," says Program Officer Kate Black. "We changed the name because we wanted to attract individuals from a broader, more diverse range of communities and disciplines who may not have graduate degrees, or any academic degrees at all." The Soros Justice Media Fellowships were also expanded to include book projects.



## Defending the Tulia 46

The saga of the 1999 drug arrests in Tulia, Texas, and the campaign to free more than three dozen wrongfully convicted men and women came to a head in 2003, gaining news coverage across the country. Of the many achievements attributable to the justice fellows in 2003, none was more significant than the legal victory achieved in Tulia.

Tulia is a small town in the Texas Panhandle. In 1999, 46 men and women were rounded up in a drug bust orchestrated by Tom Coleman, a white undercover officer. Forty of these people were African Americans, representing more than 10 percent of the town's African-American population. Despite a lack of physical evidence, 38 people were convicted and 25 sent to prison solely on the word of this officer.

Soros Justice Fellow **Vanita Gupta** worked tirelessly with the NAACP's Legal Defense and Education Fund to challenge these convictions. She traveled from New York to Tulia 16 times, beginning in November 2001. Journalist **Nate Blakeslee**, writing for the *Texas Observer*, investigated the arrests and convictions in Tulia and was the first to break the story. Now a Soros Justice Fellow, Blakeslee is writing a book about the incident.

The Tulia convictions were overturned in 2003. In August, Texas governor Rick Perry pardoned 35 people convicted of drug charges. "Tulia is a major story, and OSI's support of individuals working to address the many levels of injustice there has made a difference," says Kate Black, program officer for the Soros Justice Fellowships.

"Tulia's become a household icon for racial disparities and racism in the criminal justice system," says Gupta, who recently received the prestigious Reebok Human Rights Award for her work on the case. "But Tulia is the tip of the iceberg. Everything that allowed Tulia to develop, all those symptoms are present in the death penalty, drug policy, and the criminal justice system across the board. This isn't just an isolated case in the panhandle of Texas."

## Expanding Access to Care

In 2002 and 2003, **Gene Bishop, M.D.**, a Medicine as a Profession (MAP) Fellow and a physician with the University of Pennsylvania Health System, worked with the Philadelphia-based Pennsylvania Health Law Project (PHLP) to document how Medicaid’s managed-care organizations in Pennsylvania were violating both federal law and their state contracts by imposing limits on the kinds of medications available to Medicaid participants. PHLP also discovered that pharmacies were understaffed so severely that patients had trouble obtaining needed medications during holiday periods. Bishop reported that formulary problems were extraordinarily widespread throughout Pennsylvania’s Medicaid system: Two-thirds of the state’s managed-care formularies, for example, did not cover the medical regimens recommended by the Centers for Disease Control for treating sexually transmitted diseases. In 2003, as a result of Bishop’s work and her many meetings with community health providers, the Medicaid system in Pennsylvania began to offer nonformulary drugs to its clients.

Throughout the past year, MAP’s work centered on how best to fill the gaps in access to medical care. Bishop’s work is a prime example of this effort—but the holes in medical coverage are not limited to Medicaid. Other MAP fellows have worked on gaps in other types of healthcare coverage, in public housing and childcare, and in services available to low-income families who qualify for state-funded medical care but whose children do not receive dental coverage.

In Massachusetts, MAP Fellow **Megan Sandel, M.D.**, has been acting as a liaison between the Boston Housing Authority (BHA) and residents. She has worked to improve the BHA’s transfer policy to accommodate health concerns—to ensure, for example, that people with asthma are promptly removed from an apartment if cockroaches, which can trigger asthma attacks, are found on the premises. **Patricia Flanagan, M.D.**, has been working with Rhode Island KIDS COUNT to improve that state’s services for disadvantaged infants and toddlers, especially those with teenage parents. Flanagan hopes that, among other outcomes, the state will expand access to high-quality early-childhood education programs and that teen parents will be directed to intensive family support programs.

Filling gaps in healthcare and other types of services, says Claudia Calhoun, MAP’s program manager, is particularly necessary now because there has been “a rolling-back of the safety-net healthcare services for people poor enough to qualify for Medicaid and for seniors on Medicare. These groups are vulnerable to losing a lot of their benefits.”

### THE SOROS ADVOCACY FELLOWSHIP FOR PHYSICIANS

The Soros Advocacy Fellowship for Physicians is an initiative of OSI’s Medicine as a Profession (MAP) program. (For more information, please see the Medicine as a Profession section, page 56.) The fellowship initiative supports doctors working in partnership with organizations to advocate for system- or policy-level change on behalf of communities and individuals whose needs are often overlooked. In the past year, many MAP fellows have worked on ways to maximize health coverage for traditionally under- or uninsured groups.





## THE SOROS REPRODUCTIVE HEALTH AND RIGHTS FELLOWSHIP

The Soros Reproductive Health and Rights Fellowship at Columbia University's Center for Population and Family Health began in 2002 with awards to eight fellows. This new program was designed to support the work of key intellectuals and to disseminate their ideas to a broader public audience through the publication of an edited volume of essays. The goal of this inaugural group was to identify the steps needed to realize the agendas of the 1994 U.N. Conference on Population and Development in Cairo and the 1995 Fourth World Conference on Women in Beijing.

In 2003, the fellows convened under the auspices of the Mailman School of Public Health at Columbia University and the Open Society Institute's Program on Reproductive Health and Rights. Their discussion focused on women's reproductive and sexual rights as human rights, and their views will be published in early 2005. The essays will address a range of global topics, such as female genital cutting in Egypt, strategies to protect women from a fundamentalist religious backlash through the reassertion of Sharia law in Nigeria, and complicity between church and state in restricting access to legal abortion in Mexico.

## Women's Rights as Human Rights

One of the first eight Soros Reproductive Health and Rights Fellows, **Martha Davis**—associate professor at Northeastern School of Law in Boston, Massachusetts, and former general counsel of the NOW Legal Defense and Education Fund—is studying the problems that impoverished women in Philadelphia face when seeking reproductive healthcare. An expert on women's rights, immigration law, employment discrimination, and poverty law, Davis is the author of the prizewinning book *Brutal Need: Lawyers and the Welfare Rights Movement*. Building on her work in Philadelphia, Davis lays the groundwork for a broad, long-term strategy to refocus the debate about low-income women's reproductive rights as a discussion of human rights in the United States. Her essay—to be published in a collection with the essays of seven other Reproductive Health and Rights Fellows—explores how city and state approaches to various reproductive rights issues differ from those standards established in international human rights laws. It also identifies opportunities for state and local activism on behalf of impoverished women to address issues such as child exclusion laws and abstinence-only programs.







OSI - **BALTIMORE**

OSI-Baltimore develops and supports a grantmaking program that fosters debate, empowers marginalized groups to help shape and monitor public policy, and strengthens communities and families through the development of fair, rational, and responsive public systems. Areas of interest include drug addiction treatment, criminal justice, workforce and economic development, community justice, education and youth development, high school urban debate, and community health and services. The office also sponsors the Community Fellowships Program.



## OSI-BALTIMORE

OSI-Baltimore works at the grassroots and policy levels to provide solutions to the entrenched problems—such as the high rates of drug addiction and unemployment—that affect the city. The office is governed by a Baltimore-based board of trustees, which draws on its diverse expertise and collective commitment to ensure that the city's most vulnerable residents are treated fairly and have access to the resources they need to participate fully in the life of the community.

The Baltimore office funds the fields of criminal justice, drug addiction treatment and drug policy, workforce and economic development, education and youth development, high school urban debate, and community justice. It also supports the Community Fellowships Program (page 26), which enables social entrepreneurs to address challenging issues affecting traditionally under-resourced neighborhoods.

OSI-Baltimore has played a key role in raising \$20 million to reform Baltimore's nine neighborhood high schools and establish six new schools called Innovation High Schools. For four years, it has

sponsored a citywide high school debate league. In recent years, OSI-Baltimore's Criminal Justice Program has funded the search for alternatives to the incarceration of youth, studies of racial disparities within the Maryland criminal justice system, an innovative mental health program that trains police officers to recognize mental illness and direct individuals to needed health services, and a forum series exploring the impact of schools' zero-tolerance discipline policies (which often push children into the juvenile justice system).

OSI-Baltimore also convenes city leaders in a series of dinner meetings to build relationships across the lines that have divided Baltimore in the past—notably, race, class, and geography. The Baltimore office focuses its resources exclusively on one city, which, according to Director Diana Morris, “allows us to understand the social, political, and economic dynamics that are at play. We use that understanding to develop a social change agenda and to identify organizations and public agencies that share our commitment to combating poverty and injustice.”





## Creating Better Jobs

During the past year, OSI-Baltimore has devoted much of its energy to two major initiatives: the establishment of the Baltimore Fund, a venture capital fund designed to create high-quality, skilled jobs, and the development of a transitional jobs program for people returning home from prison.

In 2002, OSI committed \$5 million to establish a capital fund that would help create new jobs in Baltimore. OSI-Baltimore recruited 14 other investors to help create a \$15-million fund, which became part of a \$50-million multistate fund managed by **The Reinvestment Fund**, a group that promotes socially and environmentally responsible development.

OSI and the other corporate, university, and foundation investors anticipate that this fund will invest in 8 to 10 Baltimore-based companies that will provide skilled jobs and family-supporting wages and benefits to city residents. This fund, says OSI-Baltimore's director, Diana Morris, "is seeking high-growth, labor-intensive companies that are overlooked by traditional venture capitalists. We want to stimulate the economy to benefit the unemployed and low-wage workers." Ultimately, this fund could help create as many as 1,000 jobs for low-income Baltimore residents.

"We have tremendous unemployment here—among residents who are actively seeking work and others who are too discouraged to look, as they have lost hope," Morris says. "The state as a whole is faring well, but there's a huge difference between the city rate [of unemployment] and the rate in surrounding counties. With concentrated poverty, we have neighborhoods where unemployment is forty percent. We need to create more jobs."

In 2003, the fund distributed its first investment in the Baltimore region, to a dredging company aptly named **Baltimore Dredges**. Initially, the company will create 40 jobs for welders, mechanics, painters, and machinists, and each job will pay from \$11 to \$14 per hour. The fund offers "a unique way to grow the demand side of the picture and increase the number of jobs available for city residents," says Patrice Cromwell, associate director of OSI-Baltimore. "The venture fund is going to be investing in manufacturing companies and health services, all labor-intensive companies in or near Baltimore City. We hope to have an impact on the local economy by increasing the number of companies

that come here and stay here,” Cromwell says. “Our goal is to create nine hundred to a thousand high-quality jobs over a five-year period and to improve the economic opportunities for city residents.”

OSI also established a transitional jobs program for people returning home from prison. OSI-Baltimore collaborated with the Mayor’s Office on Employment Development to submit a proposal to the National League of Cities. As a result, Baltimore was chosen as one of 10 cities nationwide to receive technical assistance in establishing a transitional jobs program. During the past year, OSI-Baltimore has helped lead the effort to develop and launch the program.

Although the idea for the Transitional Jobs Project grew out of OSI-Baltimore’s Criminal Justice Program, which gave a \$150,000 supporting grant, the success of the initiative also relied on the expertise of the OSI-Baltimore Workforce and Economic Development Program and the Drug Addiction Treatment Program. The Transitional Jobs Project is grounded in several public-private partnerships, which include key public agencies responsible for workforce, corrections, and social services. “By working on a range of interconnected fields,” Morris says, “we’re able to bring all of the relevant players to the table to get to the heart of complex problems.”

The entity selected to administer the program is Project Bridge, a consortium of four organizations—**Goodwill, Catholic Charities, Second Chance**, and the **Center for Fathers, Families and Workforce Development**. This consortium, in turn, relies on OSI and other private money and public financing.

By the end of 2004, Project Bridge hopes to move 100 formerly incarcerated people into the transitional jobs program. Participants are paid a full week’s wage, at a rate slightly above the minimum wage, but they only work part-time. When they are not working, they are engaged in other activities critical to their transition—receiving drug addiction treatment, reporting to parole officers, or getting additional job training. The workers are organized into work crews and learn critical employment skills while on the job. Individuals over the age of 21 are eligible to participate in the program.





## THE EDUCATION BEAT

# Big-time TV exposure for debaters undisputed

**Walbrook:** A '60 Minutes' segment on the high school's team is watched by 9.7 million viewers.

By MIKE BOWLER  
SUN STAFF

**T**he CBS news program *60 Minutes* was up against Hillary Clinton on Sunday evening, so the program's audience for the Walbrook Academy debate team was only 9.7 million.

*Only?* It's an astonishing figure. Nearly 10 million souls watched Walbrook high school debater Regina Summers, who had graduated earlier in the day, show how quick she is on her feet. Confidently, she told Lesley Stahl that she planned to be a Supreme Court justice.

Another star was Eric Beale, a special-education student who two years ago "couldn't read past three or four sentences," according to Walbrook debate coach Angelo W. Brooks.

Beale also graduated Sunday, no longer branded "special" unless you're referring to his newfound skills in research and argumentation, the twin pillars of debate.

"Sure, I took a chance, but he committed, and so did I," said Brooks, 35, a soft-spoken city cop assigned to Walbrook Uniform Services Academy.

Nine-point-seven million viewers. Not 20 inches in *The Sun* or 100 seconds on WJZ. This was a full 12 minutes, directly following Martha Stewart. An icon in TV news. And when Stahl announced near the end of the Walbrook segment that private grants supporting the 17-school Baltimore Urban Debate League were expiring, the response surprised even a CBS spokesman.

Brooks' voice mail jammed within minutes. He fielded 80 calls at Walbrook on Monday. Two Hollywood movie produc-

tion companies contacted CBS. A man in Florida said he would donate \$5,000, but only if he would never be asked for more. Someone donated a podium.

As I watched the segment (resisting the urge to join the Hillary voyeurs), I thought back to my days of high school debate. Not much has changed. There are still two-

member teams and policy questions to argue.

We debate in the academy. In the academy, the land was won by substantial services.

I remember the nervous judges on the agony of the debate. I remember the agony of the debate. I remember the agony of the debate.

One team in the late 1950s. I remember the agony of the debate. I remember the agony of the debate.

days to dig up 100 good quotations and inscribe them on note cards. With computers, debaters can find and transcribe hundreds of quotations in a few minutes.

Wade, who helped establish the Baltimore league four years ago, is known as the mother of urban debate. Nearly two decades ago, she noticed that Atlanta and other cities were ringed by private high schools and suburban public schools with thriving debate teams. Why not leagues in the cities? she thought. In short order, some of Atlanta's inner-city schools were putting a whipping on private-school debate teams.

Seventeen years later, with mighty

assists from universities such as Emory and Towson, and seed money from George Soros' Open Society Institute, about 3,000 kids participate at 242 urban schools across the land.

"Who would have thought that an activity with a geeky, conservative stereotype would have such a powerful effect?" said

**"Nearly 10 million souls watched Walbrook high school debater Regina Summers, who had graduated earlier in the day, show how quick she is on her feet...."**

**"...With mighty assists from universities such as Emory and Towson, and seed money from George Soros' Open Society Institute, about 3,000 kids participate at 242 urban schools across the land."**

said. "I've done education stories before, and we're careful not to say that this or that is the final solution. What I saw [at Walbrook] was just remarkable, if only because in debate you don't win all the time."

For the Walbrook team members, their families, Brooks, Baron and 70 others who gathered at Towson on Sunday evening to watch *60 Minutes*, the win was complete. "There were lots of teary eyes," said Baron. "Some parents hadn't seen the side of their kids brought out in the story."

They saw it along with 9.7 million others. Give or take.





## Expanding Access to Treatment

OSI-Baltimore has continued to lead the way in expanding access to drug addiction treatment in the city. It has pushed for the creation of greater treatment capacity and the delivery of methadone treatment within the city jail. It has also campaigned for administrative changes in local zoning regulations to ease restrictions on the siting of drug treatment centers.

In October 2002, the Food and Drug Administration approved the use of a medication called buprenorphine for the treatment of heroin addiction. Unlike methadone, which must be delivered to patients in specialized clinics, buprenorphine can be prescribed by any doctor who has completed the eight-hour training course. Currently, no doctor or single group practice can prescribe buprenorphine to more than 30 patients at any one time.

OSI-Baltimore has been at the forefront of the efforts to encourage buprenorphine treatment. It awarded a grant to the **MedChi Foundation**, Maryland's medical society, to work with physicians to expand access to buprenorphine. OSI-Baltimore also provides funds to the **Mid-Atlantic Association of Community Health Centers** to help federally qualified health centers plan for the new treatment so that individuals without private health insurance can also receive it. To date, two health centers in Baltimore—**Health Care for the Homeless** and **Family Health Centers of Baltimore**—have received OSI grants to start buprenorphine treatment. Five of the six centers in the city intend to integrate the treatment into the services they provide.

“This is the first time in the United States since 1914 that physicians can prescribe an effective opioid medication for the treatment of heroin addiction from their offices,” says Robert Schwartz, director of OSI-Baltimore’s Drug Addiction Treatment Program. “The approval of buprenorphine builds increased treatment capacity without the increased infrastructure costs associated with the opening of new treatment clinics. It’s an excellent way to expand access to treatment.”

## Creating Stronger Schools

Another major achievement for OSI-Baltimore in 2003 was progress in its five-year effort to support reform of the city's troubled high school system. OSI grants allow the **Fund for Educational Excellence** to create new schools, called Innovation High Schools, and to divide large schools into smaller and more personalized and rigorous learning communities. "Small is good if you personalize the school environment—if you get to know your students and make a connection with them," says Jane Sundius, director of OSI-Baltimore's Education and Youth Development Program. To date, two comprehensive schools have each been split into four smaller schools, and planning for the restructuring of a third is under way. Two Innovation High Schools opened in 2003.

The aim of OSI's reforms is to raise educational achievement—in particular, the poor reading levels that many high school students demonstrate—and to reduce truancy, suspension, expulsion, and dropout rates.







# YOUTH



OSI's Youth Initiatives program aims to develop the analytical, research, and self-expression skills that young people need to think critically about their world and to engage actively in our democracy. The two main components of the program are youth media and urban debate. OSI also advances opportunities and resources for youth through education initiatives for school reform and after-school programs.

# INITIATIVES

## YOUTH INITIATIVES

Even before the events of 9/11, an array of civil liberties was being undermined by policies generated by fear. This fear was not only fear of terrorism but also of crime, gangs, and societal disorder. Youth have often borne the brunt of excessively punitive policies framed as measures to protect and safeguard individuals and communities.

Young people are particularly at risk of being stopped and searched, of being arrested and subsequently incarcerated, and of being harassed, even inside their own schools, by overeager police.

Because of this climate, the work of Youth Initiatives is particularly important. The program helps young people, especially those from low-income and minority communities, find legitimate means of expressing their concerns and perspectives. It seeks to bring young people into the heart of the democratic process by giving them a role in framing issues that affect their lives. It also seeks to inform the public about young people's lives and challenges, in order to counter the many negative images of youth seen on the nightly news and in the morning papers.

One of the ways in which Youth Initiatives supports young people is through the funding of organizations and youth-generated media projects that promote positive images by and about young people—in print and on video, radio, and the Internet. Through the years,

groups such as the Berkeley, California-based **Youth Radio** have received George Foster Peabody Awards, duPont-Columbia Awards, and other prestigious journalism awards in recognition of the quality of their reports and commentaries, which air on National Public Radio and local radio stations and are posted on websites like CNN.com.

**Global Action Project**, another OSI grantee, coordinates the well-attended Urban Visionaries Festival, held annually at New York's Museum of Television & Radio. The festival showcases selected films and documentaries from New York City's vibrant youth media organizations. The event, which attracted 1,300 people in 2003, has been so successful that the museum is thinking of hosting a screening at its sister museum in Los Angeles. This past year, themes of the showcased work included the sexual harassment of young women, the struggles of refugee and immigrant youth, and racial profiling, particularly during the period following 9/11. The festival presented "the very best work put out by New York City youth," says Diana Coryat, president of the Global Action Project.

Youth Initiatives also supports high school debate leagues in cities throughout the country. These leagues, which are designed to develop essential skills in young people, are often developed as partnerships between school districts and universities. Through the

years, OSI has sponsored 14 high school urban debate leagues.

To further advance opportunities for youth, OSI funds school reform initiatives and after-school programs. In partnership with the Carnegie Corporation and the Bill and Melinda Gates Foundation, it funds the New Century High School Initiative to create a large number of small high schools in New York City. Each foundation committed \$10 million over five years. The grantee is **New Visions for Public Schools**, an organization that is coordinating high school redesign in consultation with the Department of Education, staff from the Chancellor's Office, the Council of Supervisors and Administrators (the trade union for school principals), the United Federation of Teachers, and students and parents. To date, 28 schools have been created as part of this program, which is entering its fourth year. (For more information about OSI's school reform efforts, please see the OSI-Baltimore section, page 42.)

The goal of **The After-School Corporation** (TASC), another OSI grantee, is to provide free after-school programs to all families. This private-public partnership runs 150 after-school sites throughout New York City. OSI also provides funding for technical assistance to link these facilities with other state and private funding sources and to connect with groups that work to promote after-school activities.



## Fostering Debate

Formal debate training is one of OSI's strategies for developing the critical-thinking and analytical skills that are so vital to the democratic participation of young people. In 2003, OSI funded leagues in Washington, D.C.; Kansas City, Missouri; Baltimore; Los Angeles and the Bay Area; Providence; and Seattle. OSI also funded the creation of the Chicago-based **National Association of Urban Debate Leagues** (NAUDL) as an umbrella organization to provide technical assistance and networking opportunities for urban debate.

In 2003, student debaters from Weeqauhic High School, one of the schools in the **Jersey Urban Debate League**, won the New Jersey Junior Varsity State Debate Championship. Students from the Institute for Collaborative Education and the Manhattan Center for Science and Math, both participating schools in the **New York Urban Debate League**, won New York State's novice and varsity championships.



At the National Forensic League Championships, a debater from Central High, a school in the **Kansas City Debate League**, placed 10th out of 840 competitors. “The urban leagues have transformed who debates,” says Les Lynn, executive director of the National Association of Urban Debate Leagues. “A lot more [participants] are now minority students and students from urban public schools.”

During the past several years, the urban debate leagues sponsored by Youth Initiatives in cities across the country have played a critical role in encouraging young people from low-income and minority communities to develop their academic and political potential. Teachers provide most of the coaching, but, as reported by the CBS television program *60 Minutes*, a police officer coached one debate team at the Walbrook Uniform Service Academy in Baltimore, training students on the finer points of public speaking.

Youth Initiatives has also provided grants to resource centers, such as **The Bronx Defenders** and the Brooklyn-based **Sesame Flyers**. These centers provide computers, work space in which young people can practice debating skills, and written materials that debaters need to research their arguments.

The purpose of the debating leagues goes beyond honing public speaking skills and promoting discussion. The leagues also help many participants access higher education. “By participating in debate and gaining essential critical-thinking and analytical skills, these students may, for the first time, realize that college is an option for them,” explains Erlin Ibreck, director of the Youth Initiatives program.

Last year, the leagues attracted 4,000 new urban debaters, exposing many of these youth to new ideas and new opportunities. “It builds self-confidence,” Ibreck says. “Some of the high school urban debate students are courted by colleges that want them for their college debate teams.” The National Association of Urban Debate Leagues, which has become a flagship organization, will continue to foster and support debate leagues in the future.







# STRATEGIC OPPORTUNITIES FUND

## STRATEGIC OPPORTUNITIES FUND

The year 2003 was a transition year for U.S. Programs, with a decline in the overall grantmaking budget and a realignment of funding priorities. Although grantmaking concluded in the Program on Reproductive Health and Rights, Governance and Public Policy, and the Project on Death in America, the OSI Board of Trustees approved the creation of a rapid-response mechanism to address policy crises and opportunities as they arise. In 2003, the resulting Strategic Opportunities Fund awarded grants to address pressing open society challenges in the following areas: federal judicial nominations, the impact of tax and budget cuts on states and localities, healthcare reform, immigrant civic participation, media policy reform, science policy, women's civic participation, voter engagement and mobilization, and journalism.

To assist organizations in the monitoring of the federal judicial nominations process and in the analysis and exposition of trends resulting from the current administration's practices, OSI awarded grants to the **Leadership Conference on Civil Rights**, the **National Senior Citizens Law Center**, the **Brennan Center for Justice**, the **Center for Investigative Reporting**, and the **Alliance for Justice**.

OSI awarded several grants for the

monitoring of media and the support of progressive investigative journalism. A grant was awarded to the **Columbia School of Journalism** to support their nonpartisan website, The Campaign Desk ([www.campaigndesk.org](http://www.campaigndesk.org)), which is monitoring coverage of the 2004 presidential election. Grants were also awarded to the *Washington Monthly* and the *American Prospect* magazines.

The Strategic Opportunities Fund also awarded grants to research groups evaluating the impact of federal tax cuts on state and local budgets and the ability of local governments to provide needed services. Grantees in this area include the **Economic Analysis and Research Network**, the **Institute for America's Future**, and the **Fair Taxes For All Coalition**.

The Strategic Opportunities Fund was established to ensure flexibility so that OSI can continue to identify opportunities for rapid response. OSI also intends to keep the Strategic Opportunities Fund available to undertake short-term initiatives, provide continuing support for the infrastructure of grassroots advocacy and policy, promote new voices, and augment previous investments in individual fellows. In 2004, U.S. Programs staff will develop guidelines for exploring funding opportunities in these categories and will entertain requests for funding by invitation only.



OSI - **WASHINGTON**

## OSI-WASHINGTON

OSI-Washington's policy and advocacy activities complement the work of OSI's U.S. Programs and the international work of OSI and the Soros foundations network. Through public education, nonpartisan analysis and research, and comparable advocacy efforts, the Washington office addresses violations of civil liberties and issues relating to public health, including HIV/AIDS policy and funding. It also promotes criminal and civil justice reform and cooperative global engagement in U.S. foreign policy, human rights, women's rights, and democracy. "We view our role as helping to leverage the unique assets of the Open Society Institute and its grantees," says Stephen Rickard, who is acting director of the Washington office during Director Morton Halperin's leave of absence. "We work to accomplish the goals of OSI by educating the public and policymakers and through effective and timely advocacy."

## Opening Public Debate on Foreign Policy

With the events of 2003—including the war in Iraq and a new national security strategy that emphasizes preemption and unilateral action—the defense of multilateral institutions and the mechanisms of cooperative global engagement has become increasingly important. OSI-Washington has worked on many fronts to encourage a public debate about these issues and to educate both policymakers and the public about the need for global cooperation.

In partnership with the United Nations Foundation and the Rockefeller Brothers Fund, the Washington office organized more than 1,000 nationwide town hall debates entitled *The People Speak: America Debates Its Role in the World*. OSI-Washington's Cooperative Global Engagement Project helped sponsor a national student summit, gathering youth leaders from 14 major grassroots organizations to discuss HIV/AIDS, economic justice, global health promotion, and multilateralism. It also sponsored a World Affairs Council speakers' tour that sent







four prominent public figures around the country to discuss topics such as global trade, human rights, and the International Criminal Court. The project also helped form a group of donors interested in promoting cooperative global engagement.

“Few issues better illustrate the need for cooperative action than global health pandemics,” says Stephen Rickard, OSI-Washington’s acting director. The Washington office has actively supported OSI’s public health programs and the grantees working in the areas of HIV/AIDS and tuberculosis, harm reduction, and palliative care. It tracked and reported developments in Washington and worked closely with other organizations to promote constructive approaches to these issues.

Even prior to the events of 9/11, civil liberties advocates and those working for criminal justice reform faced difficult challenges. Those challenges have intensified, and OSI-Washington has worked closely with other organizations, including numerous OSI grantees, to help protect and restore civil liberties and promote criminal justice reform. The Washington office helped organize the Justice Roundtable, bringing together leading groups working on these issues, and facilitated an ongoing dialogue with the Department of Homeland Security. OSI-Washington staff testified before the ABA Justice Kennedy Commission and helped organize the effort to focus attention on the problems faced by people returning home from prison. Working with other OSI programs, OSI-Washington also helped bring together experts and grassroots organizations for a conference called *State Strategies for Criminal Justice Reform*. The Washington office also launched a major campaign to draw greater attention to the work of the Department of Justice. One feature of the *Watching Justice* campaign is its website, [www.watchingjustice.org](http://www.watchingjustice.org). The site is designed to provide researchers, policymakers, and the nonprofit community with a long-term review of the policies of the Department of Justice and other justice-related executive-branch departments and agencies by presenting analyses made by OSI grantees and others.

# MEDICINE AS A PROFESSION



## MEDICINE AS A PROFESSION

The Medicine as a Profession (MAP) program strives to foster a sense of professionalism within the medical profession and supports efforts by physicians to improve the quality, distribution, and accessibility of healthcare in the United States. MAP currently operates the Soros Advocacy Fellowship for Physicians, which supports doctors in developing or enhancing their advocacy skills through collaborations with advocacy organizations. (For more information on the fellowship program, please see the Fellowships section, page 30.) Although MAP is scheduled to close at the end of 2004, fellowships will be awarded through 2005.

From 2000 to 2003, MAP also operated the Soros Service Program for Community Health, which supported medical students working with community-based healthcare organizations. In 2003, community-based organizations in New York and Baltimore hosted 23 medical students and formed two consortia to assume responsibility for the program after OSI support ends. The two new organizations, **Baltimore REACH** in Maryland and **Doctors for Healthy**

**Communities** in New York, have taken over all the recruitment, administration, and teaching and will be independently hosting their first group of medical students in 2004.

MAP also supports the newly created, independent **Institute for Medicine as a Profession (IMAP)** at Columbia University. IMAP aims to set forth a vision for professionalism in the twenty-first century and to promote that vision through research and policy initiatives. A variety of projects are already under way, one of which is the *Annual Report on Medicine as a Profession*, which will include a quantitative survey of physicians on key aspects of professionalism and essays on issues crucial to professionalism. IMAP is also working with the American Board of Internal Medicine to explore physicians' conflicts of interest and with the American Legacy Foundation to analyze past and present relationships between the tobacco industry and the medical profession. Another project will examine the potential role of physicians as agents of social change, looking first at South Africa and Brazil.



PROJECT ON **DEATH** IN  
**AMERICA**

## PROJECT ON DEATH IN AMERICA

At the end of 2003, the Project on Death in America (PDIA) closed as an OSI program, but during its nine years of grantmaking, it helped lay a strong foundation for the field of palliative care. Through funding initiatives in professional and public education, the arts, research, clinical care, and public policy, PDIA distributed \$45 million in grants to organizations and individuals working to improve care for dying patients and their families. PDIA and its grantees have helped build and shape this important and growing field and have helped place improved care for the dying on the public agenda.

From the start, PDIA understood that it was essential to change the culture of medicine in hospitals and nursing homes, where almost 80 percent of Americans die. PDIA created the Faculty Scholars Program, the Social Work Leadership Initiative, and the Nursing Leadership Academy to identify and support outstand-

ing clinical and academic leaders who could change the medical culture by working from the inside. PDIA's board envisioned a national network of role-model healthcare professionals—nurses, physicians, and social workers—who would serve as champions of palliative care in their institutions. More than half of PDIA's funds were used to support professional education initiatives.

“PDIA invested heavily in the academic faculty and clinician leaders who would spearhead change,” says Director Kathleen Foley. “These individuals are changing both attitudes and practice in their academic medical centers, hospices, hospitals, and schools of medicine, nursing, and social work.” PDIA grantees throughout the United States will continue to advocate for the compassionate, skilled care of patients and families as they mentor, teach, and lead future generations of healthcare professionals.

## Passing the Torch

The Project on Death in America's advisory board knew in advance that PDIA would end its grantmaking program in 2003. “The fact that the project was not going to continue indefinitely kept us focused on our goal of working to make changes at the bedside within the healthcare system—so that the work would continue beyond us,” says Director Kathleen Foley. Throughout its final year, the board devoted a great deal of energy to developing a fruitful exit strategy to further ensure that the work would continue.

The board and staff reviewed the program's funding strategies, goals, and individual initiatives. They also hosted roundtable discussions and individual meetings, consulting palliative care leaders—including former board members, grantees, organizations, associations, and experts in the field—and other funders. The overwhelming consensus was that the project's exit strategy should be consistent with PDIA's long-standing focus on professional development for healthcare professionals in palliative care. This effort would require strengthening the

capacity of existing professional associations to affect health policy, financing, education, research, and clinical training.

PDIA also recognized the importance of encouraging other funders to include palliative care on their funding agendas. “During our years as grantmakers, our strategy was to make the issue of death and dying more transparent,” Foley says, “to highlight it as an area deserving of study, as a medical specialty that needed more systematic research, and as a focus for health funding and policy. Now we need to take this issue to an even broader community of funders, with the hope that the work we supported will eventually be fully integrated into the American healthcare system and culture.”

In keeping with its exit strategy, PDIA chose to make final grant awards that would enhance the organizational capacity and sustainability of the following organizations: the **American Academy of Hospice and Palliative Medicine**, the **National Hospice and Palliative Care Organization**, the **American Board of Hospice and Palliative Medicine**, the **Hospice Palliative Care Nursing Association**, the **Social Work Summit**, **Harvard Medical School’s Program in Palliative Care Education and Practice**, and **Grantmakers Concerned with Care at the End of Life**.

“We must all look toward the day when compassionate and skilled end-of-life care becomes so much a part of the fabric of American communities and the American healthcare system that we don’t need to request it—it is simply offered when needed,” Foley says. “We are closer to that day. Much has already been accomplished, but much more needs to be done.”





When Bob Wessenberg was laid off, the family lost its health insurance and could no longer afford healthcare for Sheila, who is battling breast cancer. Overwhelmed by financial loss and terminal illness, the Wessenberg family faced bankruptcy. "Healthcare has to be changed. There is no reason why anybody should be shoved into homelessness and helplessness just to survive," says Sheila.



PROGRAM ON

# REPRODUCTIVE HEALTH AND RIGHTS



## PROGRAM ON REPRODUCTIVE HEALTH AND RIGHTS

The Program on Reproductive Health and Rights has worked to build public awareness, to improve policy advocacy, and to support necessary litigation concerning reproductive rights issues. It has also funded model service innovations that promise long-term benefits to public health and offer the possibility of reconciling political extremes on these issues. The program closed in 2003, but throughout its six years—and especially during its final year—it leveraged its grantmaking through membership in the Funders Network in Reproductive Health and Rights, an association of more than 70 foundations, many of them representing families or individuals.

In recent years, thanks in part to OSI funding, the national debate about reproduc-

tive rights has broadened beyond fractious debates on abortion to include emergency contraception and new methods of early pregnancy termination, such as Mifeprex, the early abortion pill. OSI has provided money to **Planned Parenthood Federation** health centers throughout the country (to Maryland and Arizona, in particular, through targeted grants) so they can train doctors, nurses, and attending personnel and also educate the public about these important new medical developments. As a result, early interventions have increased dramatically, with a corresponding decline in later, surgical procedures.

Through its grants to groups such as the **Medical and Health Research Association of New York City**, OSI has also helped incorpo-

rate emergency contraception and early abortion into the services of comprehensive neighborhood health centers, public hospitals catering to low-income and immigrant patients, and the private practices of family physicians. These are important first steps in reinstating reproductive healthcare in the field of primary medicine.

To counter an increasingly conservative political and judicial climate for reproductive rights, OSI also made grants to the **National Women's Law Center** and the **National Partnership for Women and Families**, two Washington-based advocacy groups that worked with other reproductive health and women's organizations in the *Joint Emergency Campaign for Choice*.

## Expanding Access to Emergency Contraception

Last year, Congress succeeded in passing legislation to ban a much-talked-about but rarely practiced abortion procedure provocatively labeled by its opponents as “partial birth abortion.” Lawyers for the **Planned Parenthood Federation**, the **Center for Reproductive Rights**, and the **American Civil Liberties Union**—all OSI grantees—enjoined the legislation on the grounds that its loose provisions threaten all constitutionally protected abortions and fail to provide a required medical exception for bans on late procedures. Just as quickly, however, political and public attention shifted to disputes over efforts to expand access to emergency contraception, commonly referred to as the morning-after pill.

Because of the political controversies surrounding this new product, private pharmaceutical companies were initially reluctant to enter the market, and social investors have stepped in to provide funding for its development and distribution.

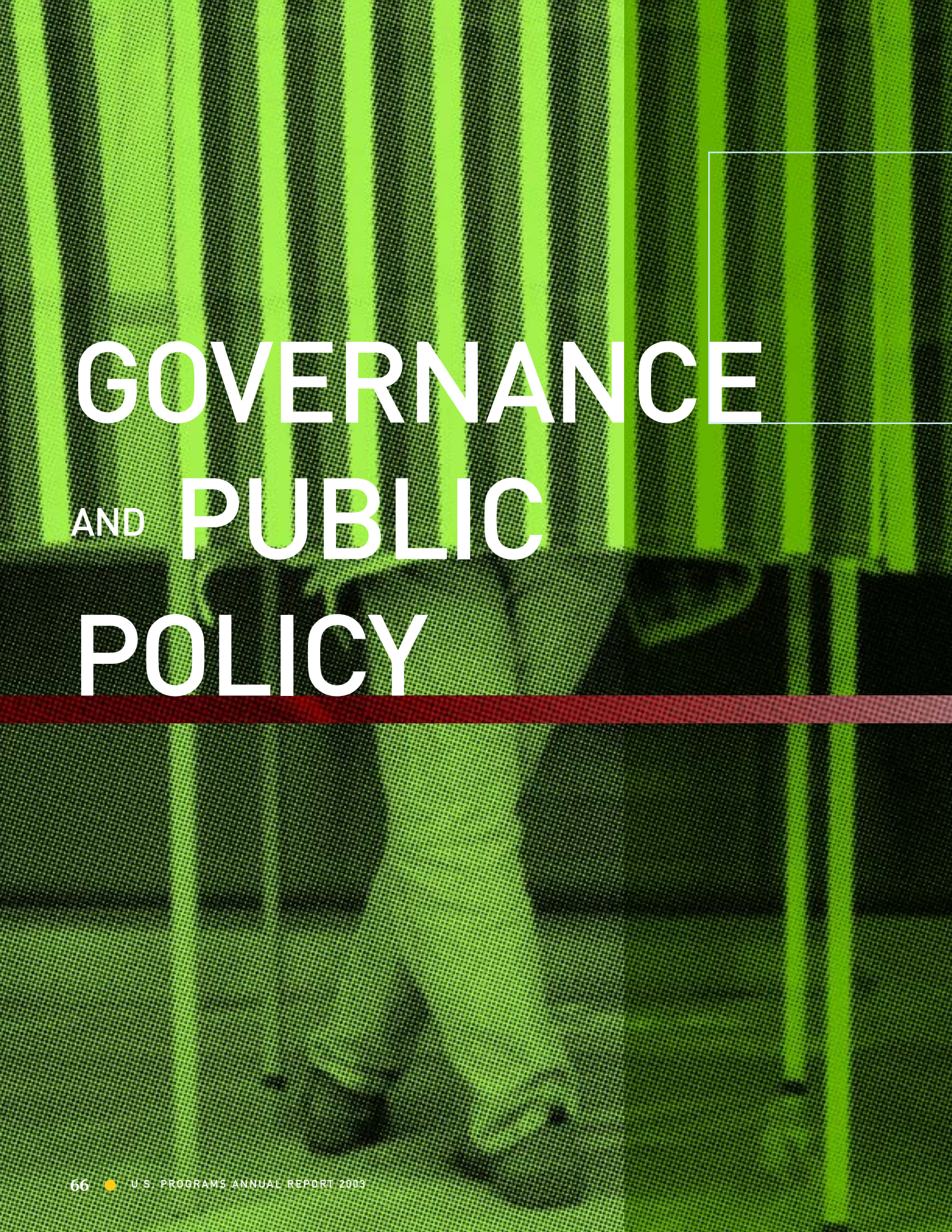
In recent years, OSI's economic development investment pool has provided \$1.5 million to the **Women's Capital Corporation**, distributor

of the Plan B morning-after pill—part of the \$12 million the company has raised to bring its product to market. In April 2003, the company submitted a 15,000-page application to the Food and Drug Administration (FDA) seeking over-the-counter (OTC) access for Plan B, which is currently sold only by prescription. Research supporting this application was conducted under an OSI grant to the **University of California at San Francisco**. In December, two advisory committees to the FDA voted overwhelmingly in favor of the OTC status, which would dramatically increase access to the drug. In May 2004, the FDA's acting commissioner overruled the staff and advisory board's recommendation and failed to approve the OTC status. Meanwhile, Plan B has been sold to Barr Laboratories, and OSI's investment is being repaid.

OSI has provided grants to local Planned Parenthood groups and other organizations seeking to make emergency contraception more widely available. It has also supported public education initiatives in connection with legislation at the state level to mandate pharmacy access, regardless of the outcome of the FDA ruling. In California, a grant to the state's **Pharmacy Access Partnership** has supported the education and training of more than 1,000 pharmacists. All the major chain drugstores, with the exception of Wal-Mart, are participating in the California program. Officials at the partnership say that women appreciate the convenience and that there's no evidence of "any difference in outcome between physician-administered and pharmacist-administered emergency contraception."

Grantees are also working to improve emergency contraception access in New York and other states. With funding from OSI, the **Institute for Reproductive Health Access**, a project of **NARAL Pro-Choice New York** in partnership with the Association for Reproductive Health Professionals, has launched a Rural Provider Project to facilitate access to emergency contraception in rural counties in Texas, Michigan, and New York. So far, they have identified more than 60 emergency contraception providers in 25 counties and are working to ensure that pharmacies in these counties stock and fill prescriptions for the products. "We need expanded access," says Destiny Lopez, assistant director of the Institute for Reproductive Health Access, "and the sure way to do this is through pharmacies." At the same time, NARAL Pro-Choice New York and the New York chapter of the American College of Obstetrics and Gynecology are leading a public education campaign to support the provision of emergency contraception over-the-counter in New York.

"Emergency contraception is an extraordinary and important public health intervention," says Ellen Chesler, director of OSI's Program on Reproductive Health and Rights, "and it has the unique ability to divide conservatives, many of whom understand that, if widely distributed, it can prevent half the abortions in this country. So it has become important for its symbolic value as well as its actual value."



# GOVERNANCE AND PUBLIC POLICY

## GOVERNANCE AND PUBLIC POLICY

One of the priorities of Governance and Public Policy, which closed in 2003, was to help various organizations protect the McCain-Feingold campaign finance reforms against legal challenge. To this end, the program sought to emphasize the importance of reform by spotlighting specific examples of how money buys political access. OSI gave a grant to the **Brennan Center for Justice** to develop a factual record about money in politics—for the court and for the public—to demonstrate that soft money is used to promote candidates.

In addition to supporting limits on the role of money in politics, the program also tried to open up the political process by providing more resources to candidates through public financing at the state level. Through the **Piper Fund** and other grantees, OSI supported advocates for public financing in states where the idea of public financing has already taken hold, such as Arizona, and in others that are beginning to consider it, such as Connecticut. In past years, the program has also actively promoted the public funding of state races by providing grants to groups such as **North Carolina's Voter Education Foundation** and **Democracy South**.

As part of its political reform efforts, the program supported groups working at the state level to encourage deeper engagement by citizens and to promote policies, such as fair tax systems, that support working families. In 2003, the state groups organized under the **State Fiscal Analysis Initiative** were particularly critical as they helped states deal with fiscal crises and avoid the most drastic cuts in services to needy families.

## Cleaning Up the Election Process

Governance and Public Policy's efforts to open up elections through public financing bore fruit in the past several years. Arizona and Maine passed public financing bills in 1998, and, in the past two elections, more than half the candidates for the state legislature have accepted public funds and agreed to abide by the spending limits attached to the funding. In Maine, the law has proved noncontroversial. In Arizona, it has had to be defended by organizations such as the Clean Elections Institute, Inc., against conservative attempts to undermine it.

In Arizona, candidates who prove they have widespread state support by collecting a certain number of five-dollar donations become eligible for enough public funds to run their campaign. If their opponents opt out of the public funding system, the law allows those candidates working with public financing to receive additional public funds so as to remain competitive. In 2002, Democrat Janet Napolitano, who ran with public funding and spending limits, was elected governor. "She held what they called five-dollar parties on Indian reservations, in poor parts of Phoenix, and in Latino rural parts of the state," says Governance and Public Policy's director, Mark Schmitt. "It was a very empowering campaign. Public financing makes people feel involved in politics in a way they haven't before." In the wake of the introduction of public financing, voter turnout in both the primaries and the general election increased by approximately 25 percent.

In 2002, opponents of Arizona's public financing law attempted to put a repeal initiative on the ballot. Community activists, working in conjunction with Arizona senator John McCain, blocked this move. In 2003, organizations funded by the **Piper Fund** counterattacked. The Clean Elections Institute launched a public education drive to prevent a similar initiative from getting on the ballot in 2004. "We're doing more training on the law and reaching out to other organizations that traditionally have not been active in the elections process," says Barbara Lubin, executive director of the Clean Elections Institute.

## U.S. PROGRAMS 2003

# EXPENDITURES

U.S. Justice Fund <sup>1</sup> .....	\$17,729,000
NYC Community Fellowships .....	1,095,000
OSI-Baltimore.....	6,027,000
Youth Initiatives .....	5,697,000
After-School Program .....	22,629,000
OSI-Washington .....	2,654,000
Medicine as a Profession <sup>2</sup> .....	9,771,000
Project on Death in America .....	4,643,000
Program on Reproductive Health and Rights ....	2,330,000
Governance and Public Policy .....	993,000
Other U.S. Initiatives <sup>3</sup> .....	15,741,000
<b>Total U.S. Programs .....</b>	<b>\$89,309,000</b>

1 The Criminal Justice Initiative and the Program on Law and Society have been merged into the U.S. Justice Fund. Their combined spending is shown here.

2 The Medicine as a Profession program's spending increased in 2003 to cover a grant establishing the Institute on Medicine as a Profession at Columbia University.

3 Other U.S. initiatives include Drug Policy Reform, Civil Liberties, Immigrants' Rights, Strategic Opportunities Fund, U.S. Programs Director's Office, and Communications.



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