

THE BARBARA MCDOWELL AND GERALD S. HARTMAN FOUNDATION

SOCIAL JUSTICE THROUGH LEGAL ACTION

2020 YEAR-END SUMMARY REPORT

The Foundation's efforts to accomplish social justice in 2020 included:

Selection of Its 2021 Grant Recipients

The Foundation's [2021 grant recipients](#) each received \$50,000 for a total of \$200,000 in grant awards. The 2021 grantees and their funded cases, which were chosen from a record 104 applicants, were as follows (by clicking on each grantee's name you can read more about its funded case):

- [Asian Americans Advancing Justice](#) received a grant for its case challenging as an unconstitutional and racially discriminatory scheme the Trump administration's plan to collect and provide incomplete citizenship data to the states for purposes of redistricting.
- [Disability Rights New York](#) received a grant supporting its lawsuit seeking relief from the New York State Board of Elections for excluding New Yorkers with disabilities from their Absentee Ballot program.
- [Gender Justice](#) received a grant for a case brought by a Minnesota woman living in a rural community who was illegally denied access to pregnancy related healthcare in violation of the Minnesota's Human Rights Act based on sex.
- [National Center for Youth Law](#) received a grant for its class action lawsuit seeking to enforce constitutional protections for unaccompanied immigrant children in federal custody.

Receipt of 2020 Grantees' Six-Month and Year-End Reports

The Foundation received from its [2020 grantees](#) their six-month and year- end reports outlining their accomplishments stemming from their grant funded cases. The 2020 grantees and their cases were as follows (by clicking on each grantee's name you can read more about each funded case):

- [Fair Elections Center](#) – restoring voting rights to felons in Kentucky.
- [National Center for Law and Economic Justice](#) – ending unlawful police stops that impact minority communities.
- [National Veterans Legal Services Program](#) – precluding the discharge of military members without the disability retirement benefits to which they were entitled.
- [National Women's Law Center](#) – challenging the Department of Education's policy changes to sex discrimination claims in federally funded education programs.
- [North Carolina Prisoner Legal Services, Inc.](#) – limiting the use of solitary confinement in North Carolina state prisons.

Expansion of the Pro Bono High Impact Litigation Project

In order to coordinate additional high impact social justice cases on behalf of the poor and vulnerable, the Foundation expanded the [Pro Bono High Impact Litigation Project](#) in the following ways:

- Adding 21 new law firms to its national roster of partners willing to take on social justice litigation on a pro bono basis.
- Soliciting six additional high impact case proposals from nonprofit organizations across the country.
- Placing two cases under the expanded High Impact Project:
 - A partnership between [Capital Area Human Rights](#) and [Eversheds Sutherland LLP](#), on behalf of three young siblings who have been affected by the Migrant Protection Protocols ("Remain in Mexico" Policy).

- A partnership between [ArchCity Defenders](#) and [DLA Piper](#) on a class-action lawsuit on behalf of thousands of people who have been held in hellish conditions while incarcerated at the City of St. Louis' Medium Security Institution more commonly called the Workhouse jail over the past eight years.
- Recruiting seven [Foundation Fellows](#), typically attorneys from law firms or the government, willing to work on High Impact Cases on a volunteer basis.

Further, the High Impact Litigation Project reported in 2020 the following successes from cases initiated in previous years:

- A judge ruled in State Court against the State of North Carolina on behalf of individuals with intellectual/developmental disabilities residing in State institutions holding that the State must integrate those individuals into community-based settings. Partnering on the case are Faegre Drinker, Disability Rights North Carolina, and Jerry Hartman.
- After trial in a case that was filed in November 2017, a jury ruled that boys who were confined at the Iowa's Boys State Training School were subjected to abusive treatment. The trial court awarded fees on January 7, 2021. Partnering on the case are Ropes & Gray, Disability Rights Iowa, and Children's Rights.
- A federal judge certified a class action in a suit against the New York City Transit Authority involving the seizure of individuals' state tax refunds without due process for their violations of the City's transit rules. Partnering on the case are New Economy Project, National Center for Law and Economic Justice, Faegre Drinker, and Jerry Hartman.

Publication of Reports on the Foundation's Progress

The Foundation published this year [two reports](#) outlining its activities and their impact.

- The [Tenth Anniversary Special Report](#) gathered a sample of the Foundation's grant funded cases from its ten years of grantmaking and highlighted one or two cases in each issue area that the Foundation supports (A full listing of the results of all the Foundation's funded cases is shown on the Foundation's website at <https://www.mcdowellfoundation.org/results>).
- The [2019 Annual Report](#), the third Annual Report published by the Foundation since 2017, provides an overview on the Foundation's activities, announces and describes the 2020 grantees and their grant-funded cases, and includes the Foundation's financial reports.

Fundraising and Marketing Efforts

The Foundation in 2019 embarked on its first-ever fundraising campaign. While the COVID pandemic slowed considerably those efforts in 2020, there were still several positive fundraising developments:

- Raising \$19,575 in 2020 from a variety of donors, with contributions ranging from \$25 to \$5,000.
- Introducing the ability for donors to use Facebook to make contributions. Facebook, unlike PayPal, does not charge any fee to process donations.
- Creating the ability for donors to make contributions of stock to the Foundation.

The Foundation continued to expand its email marketing efforts by using the online service MailChimp, which hosts the Foundation's email contact list, allows for the creation of email marketing templates, and the creation and statistical tracking of email marketing campaigns.

Further, the Foundation's marketing efforts in 2020 included:

- Growing its email list to over 1,400 individuals including past and potential donors, grantees, grant applicants, law firms, board members, and other community stakeholders.
- Contracting with No Moss Brands, a marketing services company, to design several email templates for use in the Foundation's marketing efforts.
- Using MailChimp's platform, which integrates email campaigns with the Foundation's [Facebook](#) and [Twitter](#) pages, to send a combination of 25 emails, Facebook posts, and Tweets as part of the integrated marketing campaigns.
- Creating a [LinkedIn](#) page for the Foundation, which is linked, along with the Foundation's Facebook and Twitter pages, to the Foundation's website and its email template footers.

Recruitment of New Board Members

The Foundation announced after approval by the Board of Directors of the addition of two new members on Thursday, November 19, 2020:

- Joshua Hauser, a Management Consultant with JKD Consultants, Inc.

- Margaret Moran Zwisler, a retired Partner at Latham & Watkins.

Financial Results

The Foundation's portfolio began the year with \$1,225,044 that was down to \$1,023,095 at the end of March but rallied with the stock market to finish the year at \$1,138,949. This final figure includes withdrawals from the portfolio of \$200,000 in grant donations and \$41,088 in expenses and the addition of \$19,575 in donations.

The Foundation's new portfolio manager, Raffa Investments, took over management of the portfolio on June 26, 2020. Since then, the portfolio has gained 15.76%, or \$163,045, driven by the portfolio's equity holdings in United States and foreign stocks.

The portfolio has a conservative growth emphasis with an asset allocation target of 60% equities to 40% fixed income. The portfolio was in line with this target as of December 31, 2020, with a slight emphasis to equity given the stock rebound seen over the year.

Other Items of Note

- Based on feedback from the Board at the 2020 Annual Meeting the Foundation has been working on updating the application process. The draft 2022 grant application and grant application process will be circulated for feedback and any further changes recommended by the Board before being finalized.
- The Foundation began exploring the awarding of the Barbara McDowell Foundation Social Justice Award to an individual contributing to the attaining of social justice in the past year. The announcement of this award would be in conjunction with a fundraising event. There will be more about this project in the coming months.