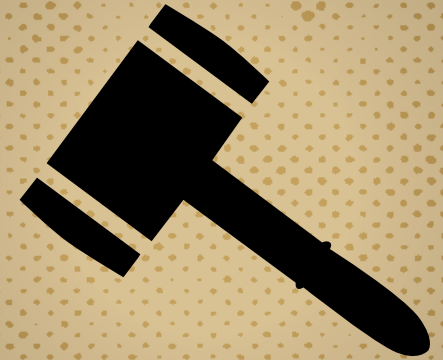


# THE TOOLS TO BUILD A JUST SOCIETY



FY2019 Report  
JULY 1, 2018-JUNE 30, 2019

PUBLIC **JUSTICE** CENTER  
Building a Just Society



The Public Justice Center pursues systemic change to build a just society. We use legal advocacy tools to pursue social justice, economic and race equity, and fundamental human rights for people who are struggling to provide for their basic needs.

YOU HELPED the Public Justice Center take significant steps toward a just society in the past year. Here are a few of the ways we are pursuing systemic change together:

## OUR IMPACT



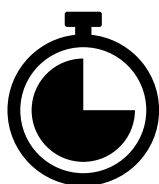
### 861 CASES

We provided legal advice, education, and representation in 861 cases, standing with tenants to prevent evictions and compel landlords to fix health and safety threats in their housing, representing workers to recover unpaid wages, helping students who are homeless access public schools, and representing students in resisting unwarranted suspensions and expulsions.



### \$1.5+ MILLION

Our representation of clients resulted in more than \$1.5 million in direct economic benefits for our clients.



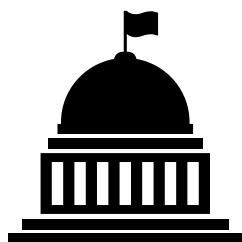
### 6,500 HOURS

Private law firms that co-counseled cases with the Public Justice Center provided over 6,500 hours of work valued at nearly \$2 million.



### 15,000+ PEOPLE

We reached more than 15,000 people through know-your-rights presentations, trainings, and outreach to tenants at rent court, low-wage workers at job and training sites, and students, parents and educators at homeless shelters, schools, and service centers.



### 83 BILLS

We advocated on 57 bills in the Maryland General Assembly and Baltimore City Council, and largely through the National Coalition for a Civil Right to Counsel, on another 26 bills in local governments and other states—with the goals of advancing economic justice and racial equity and securing a right to counsel in civil cases where basic needs are at stake.

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FROM THE EXECUTIVE DIRECTOR AND BOARD PRESIDENT

Dear Friends,

Thank you from the board and staff of the Public Justice Center for joining us in our pursuit of systemic change to build a just society. You have joined us in many ways—as clients, donors, volunteers, partners, or advocates. Together we walk this path.

What does the PJC mean by “systemic change”? And how does that inform our strategies and cases? We start with the recognition that injustice in our country has a long history, born of the genocide of the Native Americans, enslavement of Africans, and exploitation of the labor of all races that keeps people in poverty. These injustices are institutional and systemic.

Injustice is today enshrined in our laws, policies, and institutions that continue to produce unearned benefits for some and undeserved disadvantages for others, often based on race, class, gender, and sexual orientation. And injustice is pervasive, manifesting itself in where we live, how we are educated, how we sustain ourselves, and how we are treated in courts of law and by legislatures.

The Public Justice Center responds by strategically and flexibly using all the tools in the lawyer’s toolbox to challenge the laws, policies, and practices that continue to produce inequitable results. We match innovative solutions with legal strategies to address emerging problems. We take on issues that are important to our client communities in ways that we expect will effectively impact both individuals and entire communities of low-income people and people of color.

Throughout this report, you will read examples from each of our current projects (described on the right) of how you have helped us use legal tools to fight for economic justice, upend oppressive structures and systems, and address racial inequities.

Thank you again for your support!

John Nethercut, Esq.  
Executive Director

Emried D. Cole, Jr.  
President, Board of Directors

**HUMAN RIGHT TO HOUSING:** We stand with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing and their rights to fair and equal treatment by Maryland’s landlord-tenant laws, courts, and agencies. (Read more on pages 4, 8, 10, 12, 14, 15, and 17.)

**WORKPLACE JUSTICE:** We advance justice and equity in the workplace by defending and expanding the rights of vulnerable workers. (Read more on pages : 4, 9, 10, 15, and 16.)

**EDUCATION STABILITY:** We seek to advance racial equity in public education by combatting the overuse of exclusionary school discipline practices that disproportionately target Black and brown children and eliminating barriers to school enrollment and success facing homeless children and children in foster care. (Read more on pages 5, 13, and 14.)

**ACCESS TO HEALTH AND PUBLIC BENEFITS:** We advocate to protect and expand eligibility for healthcare coverage and access to appropriate, affordable, effective and culturally competent healthcare. (Read more on pages 10 and 13.)

**PRISONERS’ RIGHTS:** We aim to make pretrial detention rare, brief, and humane. (Read more on pages 5, 11, 16, and 17.)

**NATIONAL COALITION FOR A CIVIL RIGHT TO COUNSEL:** We lead a national coalition that seeks to establish the right to an attorney for low-income people in civil cases when basic needs are at stake, such as housing, child custody, or physical safety. (Read more on pages 5, 6, 9, 12, and 17.)

**APPELLATE ADVOCACY:** We advocate in appellate courts to influence the development of civil rights and poverty law. The project is staffed by the Francis D. Murnaghan, Jr. Appellate Advocacy Fellow. (Read more on pages 6 and 7.)

# TAKING ACTION AGAINST SOCIAL INJUSTICE: THE PUBLIC JUSTICE CENTER'S METHOD

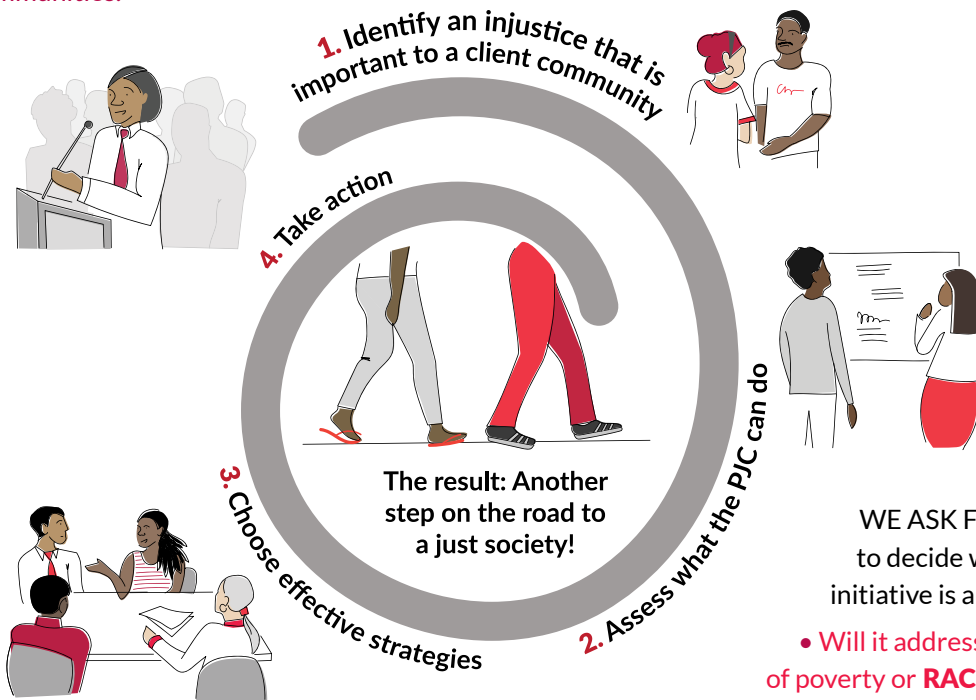
Building a just society requires focus, commitment, and use of all the tools in the lawyer's toolbox. We apply a four-step process to choose projects, cases, and strategies that will make a significant impact on issues that are important to our client communities.

WE TAKE ACTION in collaboration with clients and other advocacy organizations.

WE CONSIDER ALL THE LEGAL ADVOCACY TOOLS in our toolbox and determine the most effective strategy or combination of strategies:

- Representing clients in the courts or before government agencies
- Advocating for legislation, rules, and regulations
- Educating clients about their rights or the public about an injustice
- Collaborating with legal advocates, direct service providers, policy advocates, community organizing groups, and law firms

DRAWING ON INSIGHTS from clients, community groups, advocates, and internal discussions, we explore the common barriers people face and define an actionable focus.



WE ASK FOUR QUESTIONS to decide whether the case or initiative is a fit for us:

- Will it address a significant issue of poverty or **RACIAL INEQUITY** that is important to a client community?
- Will it effectively impact the problem and contribute to social justice?
- Will it support collaboration, empowerment, and synergy between our client communities and allies?
- Do we have the capacity to effectively undertake this action?

# A JUST SOCIETY IS PREDICATED ON ACHIEVEMENT OF RACIAL EQUITY.

We know that lawyers possess powerful tools to dismantle systemic barriers to racial equity. That is why it is imperative that we incorporate a racial equity lens in our projects, cases, and strategies.

We partnered with the Racial Justice Institute at the Shriver Center on Poverty Law and Baltimore Racial Justice Action (BRJA) to build our knowledge of institutional, cultural, and systemic racism and develop strategies to address racial equity in our work. BRJA facilitated a two-year training program for our staff, and we formed a Race Equity Team to coordinate, develop, and facilitate ongoing staff training and to keep racial equity at the center of our work.

We use all the tools in the lawyer toolbox to help people in power understand the impact of their decisions on people with low-incomes and communities of color.

- We educate the court system on racial equity in our arguments when representing clients and in amicus briefs filed in appellate cases.
- We infuse our oral and written testimony with evidence of racial disparities and aim to show how laws, rules, and regulations can advance (or hinder) racial equity.
- We empower our clients and the public with the knowledge to stand up for their own rights and the rights of communities of color.
- We partner with legal advocates, direct service providers, policy advocates, community organizing groups, and law firms that share our values and craft vision statements for our collective work that address racial equity.
- We actively seek out coalitions and social justice efforts led by people of color and explore how they believe we might be of assistance.

## RACIAL EQUITY:

The condition that would be achieved where outcomes are not predicted by race; if everyone got what they needed to have a fair chance (opportunity and access) at creating quality of life.

**DISPARATE IMPACT** occurs when policies, practices, rules, or other systems that appear to be neutral result in a disproportionate impact on people of color or other protected groups.

## HERE ARE THREE EXAMPLES OF HOW WE APPLY A RACIAL EQUITY LENS TO OUR WORK:

### Reducing Racial Discrimination in Rental Housing

Baltimore and the State of Maryland have a legacy of discriminatory lending and residential segregation that have made it harder for families of color to own homes, access good schools, and find good jobs close to home. Using a racial equity frame to show disparate impact, we joined allies in successfully advocating for a bill in Baltimore City that prohibits landlords from denying housing based on source of income.

### Pursuing Wage Theft Lawsuits in an Industry Disproportionally Employing People of Color

More than 30,000 Marylanders work as home care workers, an industry that is disproportionately made up of women and people of color and that, until 2015, lacked protections under the Fair Labor Standards Act (the law that sets the federal minimum wage and overtime pay rules). Home care workers still earn low wages (\$11-\$12 per hour) and are often misclassified as independent contractors, meaning they may not be paid fully for all their hours worked or provided worker's compensation, unemployment insurance, and other benefits. We represented home care workers in class and collective actions against offending employers to recover unpaid wages and show employers the cost of noncompliance.

### Changing School Discipline Practices with Disparate Impact for Black Students

Black students experience suspension and expulsion at significantly higher rates than their white peers. In the 2016-17 school year, Black students received 62% of suspensions and expulsions in Maryland, even though they comprised only 34% of the school population—and this disparity is not a product of measurable differences in behavior. We represented students at suspension or expulsion conferences, at school board appeals, and in state level appeals; identified a pattern of school pushout in Baltimore County; and worked with the school system to revise its school discipline policy.





**THANKS TO YOU,**  
we represent individuals and groups of people in the courts and in administrative hearings to get the individuals justice, to pressure institutions and industries to change their practices, and to enforce rights established by law.

Thanks to you, the Public Justice Center helped workers, tenants, students, and parents stand up for their rights.



## Litigation & Client Representation



### You helped workers recover unpaid wages.

We represented workers in federal and state courts, enabling them to stand up to wage theft, recover their unpaid wages, and send a message that bedrock wage laws cannot be violated with impunity. We focused on industries where wage theft is common and where people of color comprise a disproportionate part of the workforce, including restaurants, construction, home care, janitorial and cleaning services, and landscaping.

As a result, more than 70 workers settled lawsuits for unpaid wages for a total

exceeding \$1.5 million last year! Together, we held employers accountable for failing to pay overtime, travel time between work sites, minimum wage, and in some cases, any wages at all.

### You helped defend tenants' rights to habitable housing and prevent unjust evictions.

We defended renters facing eviction, demanded repair of unsafe housing conditions, and represented renters seeking systemic relief from predatory landlord practices.

AIESHA BEATY, SWIZETTE ANDERSON, SHARNETTE MORRIS, and 26 home care workers sued their employer for wage theft. The plaintiffs provided home care services to Medicaid recipients in and around Baltimore City, regularly working more than 40 hours per week (and sometimes more than 70 hours per week). They were not paid the required overtime rate of 1.5 times their regular rate. PJC Attorney Dave Rodwin helped the plaintiffs reach a settlement of more than \$365,000 with Trulife Health Services, LLC and one of its owners for their claims of unpaid overtime wages.

**We represented tenants facing eviction in 755 cases in Baltimore City, and we obtained a significant, successful benefit for clients in 96% of the cases—including reduction in rent due to the landlord because of conditions of disrepair on the property or illegal charges.**

The Public Justice Center and co-counsel also are pursuing two class action lawsuits against certain Maryland landlords alleging that they charge tenants excessive and illegal fees, regularly misapply tenants' payments to the fees, and then deem the next rent payment late.

## You helped represent students facing school pushout.

We provided legal representation to students who were “pushed out” of school by suspensions, expulsions, and forced transfers—disciplinary practices that disproportionately affect Black and brown children. The Public Justice Center and our partners in the Maryland Suspension Representation Project—Disability Rights Maryland, the Maryland Office of the Public Defender, and the Youth, Education and Justice Clinic at the University of Maryland School of Law—represented students at suspension or expulsion conferences, at school board appeals, and in state level appeals.

Together, **we achieved significant victories for 32 students in Maryland**, including avoiding expulsions, reversing suspensions, avoiding juvenile justice involvement, securing comparable educational services for expelled students, and obtaining a state agency decision requiring school staff training on the appropriate use of physical restraint.



## You helped secure a civil right to counsel for low-income New Jersey parents.

As the coordinator of the National Coalition for a Civil Right to Counsel (NCCRC), we provided technical support to ten cases implicating basic human needs in federal and state courts around the country. Our assistance included strategic guidance, input on merit briefs, and oral argument preparation. Last year, **in New Jersey, we assisted local attorneys in a groundbreaking case that established, for the first time anywhere, the right to counsel for low-income parents who face loss of**

JEWEL, a 9th grader, was suspended when a friend grabbed her pepper spray and tested it for fun in a school locker room. No one was seriously hurt, but the school took a zero-tolerance approach, kicking her out for bringing a “weapon” to campus—even though Jewel explained that she only had the pepper spray to protect herself during her daily commute through an unsafe neighborhood. PJC Attorney Renuka Rege successfully represented her at a school suspension conference. “Thank God Ms. Renuka was there,” said Jewel’s mother, Terryce Elliott, explaining that school officials’ “whole attitude changed” when they learned Jewel had an attorney. As a result of the PJC’s representation, Jewel was permitted to return to school immediately.

**driving privileges due to the inability to pay child support.** The court found that a driver’s license suspension is a consequence significant enough to merit appointed counsel for low-income defendants not just in criminal cases, but in civil cases as well.



The National Coalition for a Civil Right to Counsel (NCCRC), created and staffed by the Public Justice Center, is an association of individuals and organizations committed to encouraging, supporting, and coordinating advocacy to expand recognition and implementation of a right to counsel for low-income people in civil cases that involve basic human needs, such as shelter, safety, sustenance, health, and child custody.

## You helped fight for improvements in health care and facilities for people detained in jail awaiting trial in Baltimore City.

**We continued to press aggressively for the overhaul of the Baltimore City Detention Center’s health care system and major improvements to facilities, including accommodations for people with disabilities**, required in the 2016 settlement agreement in *Duvall vs. Hogan*. We filed a motion in October 2018 to enforce the agreement after years of slow progress, which resulted in achievement of partial compliance on some of the safety and sanitation requirements. In May, the court granted an extension of the settlement agreement, and we will continue to push the Governor and the Maryland General Assembly to achieve constitutional conditions in pretrial detention in Baltimore City by 2022, the new timeframe mandated by the court.



**WE AIM TO ESTABLISH** legal precedent by directly representing clients in cases that have been appealed from a trial court to an appellate court and on cases that could affect the development of civil rights and poverty law. We also file friend-of-the-court briefs (“amicus briefs”) in appeals to help judges understand the impact of their decisions on people with low-incomes and communities of color.

**THANKS TO YOU,** the Public Justice Center has used the tool of appellate advocacy to influence decisions related to workers’ rights, police accountability, civil right to counsel, eviction, tenants’ rights, debt collection, and more.

## Appellate Advocacy

**You helped advocate for a civil right to counsel for low-income parents and defendants facing incarceration.**

We assisted in appellate litigation in ten basic human needs cases in federal and state courts around the country through our National Coalition for a Civil Right to Counsel (NCCRC). Our assistance included authoring and filing amicus briefs, recruitment of other amici, and facilitation of calls among advocates to coordinate strategy. Two notable victories include: the New Jersey Superior Court established a right to counsel for parents in administrative proceedings to determine parental abuse or neglect, and a Pennsylvania appellate court held

that defendants facing incarceration for failure to pay fees or fines have a right to appointed counsel.

**You helped make Baltimore City safer for residents, especially in communities of color.**

A PJC amicus brief authored by 2017-18 Fellow K’Shaani Smith helped secure an appellate decision this year to hold police accountable for their conduct and condemn the practice of including gag order provisions in settlement agreements with civil rights plaintiffs. Ashley Overbey Underwood sued the city after being beaten by Baltimore City police officers responding to her report

of having been burglarized; the case was settled and included an agreement that prohibited her from ever speaking about the incident. The City withheld half of her settlement when she defended herself in the comments section of a *Baltimore Sun* article that included a disparaging statement from the then City Solicitor.

Represented by the ACLU of Maryland and Crowell & Moring, Ms. Underwood and the *Baltimore Brew* sued the City over its gag order policy. The case was dismissed, and then appealed. **The U.S. Court of Appeals for the Fourth Circuit agreed with our amicus brief, which argued that such gag orders inhibit police accountability and allow for the continuation of police violence against Black residents, particularly Black women, in Baltimore.**





## The Francis D. Murnaghan, Jr. Appellate Advocacy Fellowship

### You helped fight racial discrimination in employment.

**We used direct representation in the appellate courts to fight racial discrimination on the job.** We are representing Robel Bing in an active case on appeal in the U.S. Court of Appeals for the Fourth Circuit. Mr. Bing was hired, then fired on his first day when his new supervisor saw he was Black, Googled him (an act contrary to established procedure at the company), and fired him for being named as a witness in an investigation in a *Baltimore Sun* article.

In our opening brief, authored by 2018-19 Murnaghan Fellow Ejaz Baluch, we argued that the discriminatory internet search was conducted because the supervisor wanted to find a pretext to fire Mr. Bing or because implicit bias against Blacks caused the supervisor to

Google him—and if in fact the company does have a standard practice of allowing supervisors to Google employees, that practice has a disparate impact on people of color. As we go to press, 2019-20 Fellow Dena Robinson is preparing for oral argument (a rare occurrence in this court) in early December.

The Francis D. Murnaghan Jr. Appellate Advocacy Fellowship allows a recent law graduate who has completed a judicial clerkship to spend a year engaging in appellate advocacy in the areas of civil rights and poverty law at the Public Justice Center.



2017-18 Fellow K'Shaani Smith and 2018-19 Fellow Ejaz Baluch advanced social, economic, and racial justice through appellate advocacy.



**THANKS TO YOU**, we present know-your-rights trainings and materials to tenants, workers, students, parents, and advocates and offer know-your-rights and other resources on our website. We keep fellow advocates up to-date on developments in the field. We also educate journalists and the general public to build public support for advocacy campaigns.

## Education & Outreach

### You helped renters facing eviction know their rights.

We educated Baltimore City tenants on their rights and responsibilities through the *Stand Up for Your Rights* video shown at rent court and available on our website. The comprehensive video explains the form landlords use to file a failure to pay rent complaint, what landlords need to prove to the court, how to dispute non-payment of rent (including an explanation of what rent is and is not), how to request rent escrow for health or safety violations,

and what renters can do to prevent eviction if they lose in court.

**We empowered tenants with the information they need to enforce their rights**—to safe and healthy housing, to a written lease, to complaint without retaliation, and more—by conducting know-your-rights presentations in English and Spanish. We targeted vulnerable and underserved populations in partnership

with organizations including Baltimore Renters United, Bolton House Tenants Association, Feria Latina 2019, Maryland Volunteer Lawyers Service, Our Revolution, and Tahirih Justice Center. A Facebook Live interview produced by Somos Baltimore Latino reached more than 5,000 people and resulted in an increase in requests for legal assistance by Spanish speakers.



## You helped workers know their rights to fair pay for time worked and to earned sick and safe leave.

We partnered with workforce development nonprofits and agencies around the state to present know-your-rights information to employees and job-seekers and offered know-your-rights resources in English and Spanish on wage theft.

With the Working Matters Coalition, we conducted trainings and developed and shared several tools to help workers understand their rights to earned sick and safe leave under the Maryland

Healthy Working Families Act. Resources include:

- Information and forms for filing a complaint
- Answers to frequently asked questions about the law
- Blog posts
- Facebook Live Q&A sessions and recordings in English and Spanish
- Train-the-trainer workshops to help workers and employers understand their rights
- An online leave calculator.

THE WORKING MATTERS website features this calculator that enables employees to estimate how much earned sick and safe leave they have earned. Covered employees earn one hour of leave for every 30 hours worked.

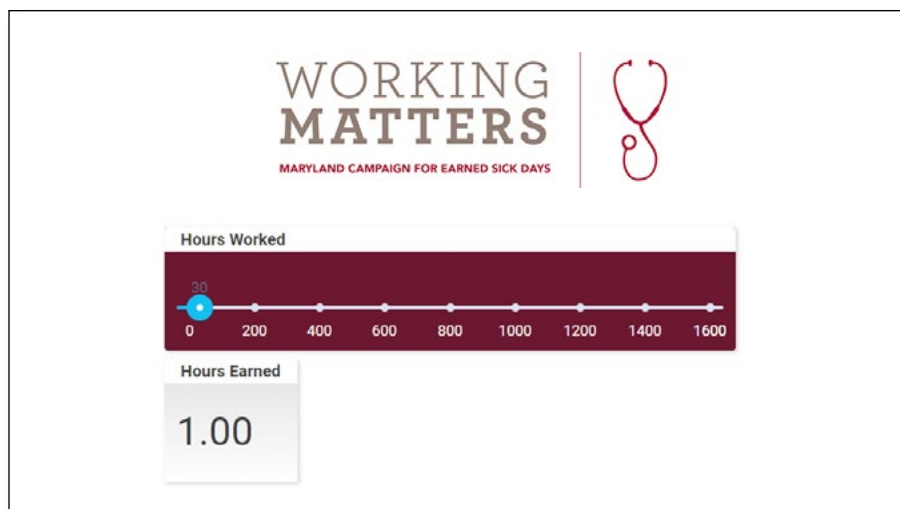


THE NCCRC convened more than 50 attorneys and tenant advocates from around the country for an education and strategy session on leveraging right to counsel in eviction case victories in New York City, San Francisco, and Newark.

## You helped promote a civil right to counsel for low-income people in cases where basic needs are at stake.

We advanced the cause for a right to counsel in states and local jurisdictions by spreading the word about the momentum around the country. Our National Coalition for a Civil Right to Counsel (NCCRC) maintains [www.civilrighttocounsel.org](http://www.civilrighttocounsel.org) as the primary national clearinghouse for information on the status of right to counsel laws for every type of civil case in every state. We tracked more than 100 right to counsel bills filed during the 2019 state and federal legislative sessions and reported on successful litigation in states nationwide.

The NCCRC also helped journalists understand how local right to counsel efforts fit into a larger, coordinated national effort; wrote and distributed law review articles responding to civil right to counsel decisions and trends; and gave dozens of presentations at conferences (such as the Housing Justice Network Conference, the Equal Justice Conference, and the National Legal Aid & Defender Association Conference), meetings, and convenings across the country.





## WE WORK IN COALITION

with legal advocates, direct service providers, policy advocates, community organizing groups, and law firms to advocate for laws, file lawsuits, and provide know-your-rights training. We contribute our legal knowledge and skills to support initiatives identified by the community and that enhance the community's power.

**THANKS TO YOU,** the Public Justice Center advanced community goals for health equity, access to earned sick and safe leave, pretrial justice, and affordable housing using the legal advocacy tool of collaboration and community lawyering.



# Collaboration & Community Lawyering

## You helped identify community priorities for health equity advocacy.

We engaged community members, local and national health rights advocates, clinicians, and others in a six-month scan of the rapidly changing health rights advocacy landscape, gathering participants' personal experiences accessing healthcare and knowledge of gaps in healthcare and advocacy capacity. All of these perspectives helped us develop advocacy priorities centered on race and health equity designed to reflect community needs.

Our advocacy priorities are to:

- Expand access to dental care to improve oral health outcomes for low-income adults
- Eliminate disparities and racism in maternal healthcare for Black women
- Address racial disparities in access to Hepatitis C medication

- Ensure healthcare providers and state agencies provide language services for people with Limited English Proficiency
- Expand access to culturally competent mental health services for low-income people and people of color
- Monitor changes to the healthcare and public benefits landscape on the federal and state levels
- Protect Medical Assistance, the Maryland Children's Health Insurance Program and other public benefits programs

## You helped secure \$20 million annually for the Affordable Housing Trust Fund.

As a coordinating member of the Fair Development Roundtable, we joined community residents, organizers such as the United Workers, advocates, and faith leaders in the drive for public investment in permanently affordable housing—a three-year advocacy effort that, in fall 2018, resulted in the creation

and funding of the Affordable Housing Trust Fund. We co-authored *Community + Land + Trust: Tools for Development without Displacement*, joined in rallies at City Hall, testified in hearings, and helped negotiate the agreement with Baltimore City.

**The City's investment, building up to \$20 million annually, could create and preserve over 4,000 permanently affordable rental and homeowner opportunities,** as well as provide fair housing, eviction prevention, and housing counseling services to over 10,600 families; rehabilitate 1,600 vacant properties; support six community land trusts; and employ thousands of City residents in construction and other development-related jobs.

## You helped ensure workers' access to earned sick and safe leave.

We worked with partners to found and lead the Working Matters Coalition's successful efforts to ensure that Maryland





THE WORKING MATTERS COALITION was honored by the Women's Law Center for its advocacy to pass earned sick and safe leave legislation in Maryland. Attorneys Sally Dworak-Fisher and Sulma Guzmán accepted the award on behalf of the Public Justice Center.



WORKING MATTERS is a coalition of more than 160 organizations committed to advancing the right to earned sick and safe leave in Maryland.

workers do not have to choose between their health and safety and their job. For six years, Working Matters advocated for the right for Maryland workers to earn paid sick and safe leave. The Maryland Healthy Working Families Act took effect in February 2018, enabling **an estimated 488,000 Marylanders to earn paid leave and at least another 205,000 to earn unpaid leave.**

Our work did not end there: Working Matters has been monitoring implementation of the new law and

creating educational resources to make sure that workers can access earned sick and safe leave. And we successfully resisted four bills introduced in the 2019 legislative session that would have weakened the Healthy Working Families Act.

## You helped defend the rights of people facing unwarranted detention.

**We pursued an alternative system of pretrial justice in Maryland as a member of the Coalition for a Safe and Just Maryland.** The Coalition authored op-eds, held press conferences, gathered anecdotal evidence of people's experiences with the bail industry, educated people about their rights with bail bonds, and supported unsuccessful legislation to eliminate fees for GPS monitors for low-



JOHN TENNEY MASON, A 72-YEAR-OLD RETIRED PHOTOJOURNALIST, was one of the 65 people unlawfully arrested at Afrotation, a peaceful protest calling attention to police mistreatment of African-Americans. He created this photo montage on the one year anniversary of the arrest.

income pretrial defendants—all with the goals of keeping people out of jail while still presumed innocent and reducing or eliminating money bail.

We sought policy change in the Baltimore City Police Department (BCPD) by representing Baltimore Bloc and other protesters in a case over unlawful arrests and harsh detention. The lawsuit, filed in July 2017 with co-counsel Covington & Burling LLP, sought to hold BCPD accountable for unlawfully arresting and

detaining 65 people at a peaceful protest calling attention to police mistreatment of African-Americans. Under the settlement approved this year, BCPD has agreed to significant policy reforms to respect rights to free speech and protest and to improve treatment of people in police custody. **The settlement is a small step toward achieving Bloc's and other community activists' goals of creating a safer Baltimore.**



## WHEN THE LAW DOES NOT FAIRLY PROTECT OUR CLIENTS, WE ADVOCATE TO CHANGE THE LAW!

We advocate for state, local, and federal laws that strengthen the rights of workers, tenants, students, healthcare consumers, and others living in poverty or subject to unfair practices.

THANKS TO YOU, the Public Justice Center helped establish new laws to advance the rights of tenants, keep kids in school, and reduce racial disparities in access to healthcare using the tool of legislative advocacy.

# Legislative Advocacy

## You helped build the national movement for a civil right to counsel for low-income tenants facing eviction.

We supported advocates from around the country in urging state and local lawmakers to guarantee counsel to low-income tenants facing eviction, with the messaging focused on issues of basic justice, tenant empowerment, fundamental fairness, and cost savings. **Our National Coalition for a Civil Right to Counsel (NCCRC) backed efforts in 21 jurisdictions around the country to explore or advance a right to counsel in eviction cases—including Boulder, Chicago, Cleveland, Connecticut, Detroit, Los Angeles, Massachusetts, Minnesota, Philadelphia, and Rhode Island—by assisting with bill language, providing input on successful strategies in other**

jurisdictions, helping to develop data in support of the right, and helping to build intra-city or intra-state coalitions.

## You helped advocate for state and local legislation that is fair for tenants.

We advocated successfully in Baltimore City for a bill that prohibits landlords from denying housing based on source of income, including any lawful source of income from employment, government or private assistance, alimony, child support, inheritance, or gifts. The Public Justice Center worked with the Homeless Persons Representation Project and a broad coalition of advocates to pass this legislation; **the ban on source of income discrimination is a step forward in addressing redlining, racism, and housing discrimination in Baltimore City.**



SONITA WONG of Disability Rights Maryland (left) and SHERRELL AUSTIN, a Public Justice Center client (right), testified about the difficulties of being sued in rent court for repair charges and inflated late fees their landlords deemed rent. Our bill that would have defined rent as the fixed, periodic amount a tenant pays for their home was, unfortunately, withdrawn after the first hearing.

At the state level, **we defeated a bill that would have put tenants at higher risk of eviction for non-payment of rent—even if they had paid on time.** The unsuccessful bill would have authorized landlords to classify certain charges—such as excessive or incorrect utility fees or maintenance and repair costs (even if the tenant had played no part in the damage)—as “additional rent” in a written lease and then use the rent court’s expedited eviction process to collect. The Public Justice Center opposed this bill by educating lawmakers about rampant abuses in rent court.





PJC ATTORNEY MONISHA CHERAYIL—along with fellow advocates from the ACLU of Maryland, Advocates for Children and Youth, and Maryland Coalition to Reform School Discipline and several Maryland students— testified in support of bills that would help schools move away from ineffective and harmful discipline practices and implement restorative approaches that have been shown to improve student behavior and school climate.

**You helped ensure that school discipline will become more fair, equitable, appropriate, and designed to keep kids in school and on track to graduate.**

**We worked in partnership with the Maryland Coalition to Reform School Discipline to win two initial successes on the path to dismantling the school-to-prison pipeline in Maryland.** One bill legislates a definition of restorative approaches (strategies to promote and preserve positive relationships in schools, such as peer mediation and community conferencing); requires

that discipline be rehabilitative and not punitive; requires that Maryland State Department of Education (MSDE) provide technical assistance and training if requested by local educational agencies; and requires that MSDE report annually to the General Assembly on restorative approaches and discipline. The second bill allows the Maryland Longitudinal Data System Center to analyze data on the long-term impact of using exclusionary discipline practices and involving the juvenile justice system.

**You helped pass bills intended to reduce maternal mortality and regulate costs of prescription drugs in Maryland.**

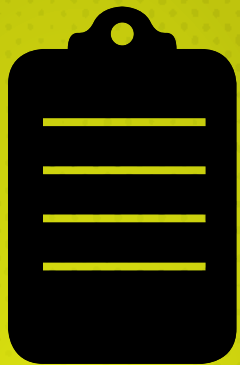


GOVERNOR LARRY HOGAN signed into law two bills to reduce maternal mortality surrounded by PJC Attorney Ashley Black and advocates from Advocates for Children and Youth, the Baltimore City Health Department, Baltimore Community Doula, the Family League of Baltimore, and MOMCares.

**We succeeded in helping to pass three bills aimed at improving healthcare and reducing racial health disparities in Maryland.** Two bills will improve the collection, analysis, and reporting of data on racial disparities in maternal mortality and allow counties to establish local maternal mortality review teams. State- and county-level reviews of data will uncover trends in maternal deaths, including racial inequities, and help develop strategies for prevention.

The third bill establishes the Prescription Drug Affordability Board to protect residents from the high cost of prescription drugs and requires the board to collect data on affordability challenges. The Board, with approval from the Legislative Policy Committee, will be authorized to set an upper limit for prescription drugs that the state,

county and local governments purchase. Without a means to control the increasing costs of prescription drugs, many Marylanders are left unable to follow the treatment recommendations of their physicians and may be at risk of further health complications. This lifesaving legislation makes Maryland the first state in the nation to form a Prescription Drug Affordability Board— a step toward improving health outcomes and maintaining good health for many Marylanders, especially for low-income, under-insured and uninsured consumers with chronic medical conditions.



Government agencies regulate many of the benefits, programs, and rights that affect our clients. **WE ADVOCATE TO INFLUENCE HOW THE RULES AND REGULATIONS GOVERNMENT AGENCIES CREATE ARE IMPLEMENTED AND ENFORCED** to ensure the government fairly applies laws and programs.

**THANKS TO YOU**, the Public Justice Center improved conditions for Baltimore City renters, changed a school system's policy on discipline, and held Baltimore City and the State of Maryland accountable for conditions in the City's jails using administrative advocacy.



## Administrative Advocacy

### You helped make renting safer and healthier for Baltimore City residents.

We collaborated with partners in the Baltimore Renters United coalition and the Baltimore City Department of Housing & Community Development (HCD) to implement and enforce a new law to prevent dangerous living conditions in all rental housing in Baltimore City. **Baltimore City now requires small rental properties of one-to-two units to pass inspection and to obtain a license.** That's 50 percent of the City's rental market and the sector that produces a majority of dangerous code violations, such as no heat, mold, and rodents.

Since the new law went into effect in January 2019, we have communicated with HCD about enforcement challenges before the district court—a strategy that led to an HCD training for district court judges detailing the application process

and clarifying misconceptions. We also worked closely with the Sheriff's Office to flag unlicensed properties where a scheduled eviction was pending, an effort that led to the cancellation of an eviction and investigation of the property owner.

### You helped reform the Baltimore County Public Schools' discipline policy, keeping kids from being pushed out of school.

We advocated with Disability Rights Maryland for Baltimore County Public Schools to revise its school discipline policy—a policy that violated the law by giving school officials free reign to exclude students by forcing them to transfer to alternative schools, even in response to minor behavioral infractions and where the circumstances did not justify such a significant disruption to students' education. We spoke out at school board



PJC Attorney Renuka Rege testified before the Maryland State Board of Education in January 2019 to advocate advancing educational equity for all students. She called on the state to build on its progress in reforming school discipline: "Exclusionary discipline has been shown time and again to be both ineffective and harmful. Let's not retreat to overreliance on suspension and expulsion."

hearings, community meetings, and in the press on the urgent need for reform. After more than a year of advocacy, **the School Board voted to adopt a new discipline policy that includes a prohibition on the use of forced transfers to alternative schools to get around restrictions on suspensions and expulsions**, as well as other changes we recommended. This is a critical first step to keeping Baltimore County's kids in school, and we will continue our advocacy to be sure the new policy is implemented in practice.



# AWARDS

## Awards for Courage and Partnership

The **John P. Sarbanes Courage Awards** honor clients and others who exhibit tremendous courage in the face of injustice.

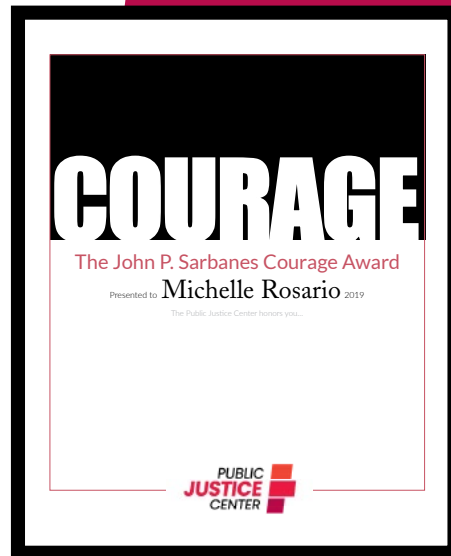
### Michelle Rosario stood up to her landlord over unsafe housing conditions and advocated for fellow renters.

Michelle Rosario was facing homelessness last fall when a community healthcare group placed her in an eastside apartment building. A month later, she withheld her rent because of leaks, mold, and insufficient heating, and her landlord sued to evict her. At rent court, she met a Public Justice Center attorney, and we successfully raised a rent escrow defense. Unfortunately, her health worsened, and she was unable to pay into the court's escrow account. When we sought reduction of the rent because of the conditions of the property and because her landlord was unlicensed, the court decided against her. Ms. Rosario had the wherewithal to keep fighting. She appealed and—with our representation—she won.

She proved to be a natural advocate, rallying her fellow renters in the building not to accept unhealthy living conditions or threats from the landlord. Together, they stood up for their rights and were featured in a *Baltimore Sun* report on the City's implementation of the new rental license law. The landlord, facing fines for code violations and criminal charges for fraud, gave all the tenants 60 days to leave the building so it could be shut down. For weeks, Ms. Rosario worked with the City to find new housing while standing her ground against attempted intimidation by her landlord. We award her the John P. Sarbanes Courage Award for her relentless advocacy for safe housing for herself and her neighbors.

### You helped take a stronger stand for workers' rights to earned sick and safe leave.

We monitored the Maryland Department of Labor's implementation and enforcement of the Healthy Working Families Act with our partners in the Working Matters Coalition. We advocated with the Department of Labor to adopt changes to their FAQs and model policies. For example, we advocated to change agency language suggesting an employee must complete a waiting period prior to use of leave to clarify that an employer may require a waiting period. We encouraged the state to interpret the law broadly, hold businesses accountable for complying with the law, and take a strong stand for workers' right to earned sick and safe leave. And we provided advice or answers to other legal practitioners, elected officials, and the public about the Healthy Working Families Act.



## Baltimore Bloc and nine others stood up to the Baltimore City Police Department for their unlawful arrest during a peaceful protest.

Baltimore Bloc and nine individuals filed a lawsuit in July 2017 seeking to hold the Baltimore City Police Department (BPD) accountable for unlawfully arresting and detaining 65 people at Bloc's peaceful Afrotation protest calling attention to police mistreatment of African-Americans in Baltimore and nationwide. Protesters, bystanders, Artscape visitors, and legal observers, among others, were arrested while attempting to comply with police orders to leave an I-83 ramp that was closed for the annual outdoor arts festival. The plaintiffs alleged that they were handcuffed for six to eighteen hours, held in deplorable conditions, and charged without legal justification for the purpose of retaliating against Bloc's advocacy for police reform.

Their goal for the lawsuit was policy change—and they achieved it! BPD agreed to significant policy and protocol changes. The new policies prohibit indiscriminate “kettling” of protestors and require officers to issue multiple clear, documented warnings to disperse and give a reasonable opportunity for compliance before initiating arrests. The policies also acknowledge that not all acts of civil disobedience warrant arrest, require officers to use de-escalation practices, and bar lengthy and harsh detention conditions. The federal judge overseeing the U.S. Department of Justice's efforts to achieve reform at BPD publicly thanked Baltimore Bloc and the nine plaintiffs for their effective pursuit of meaningful change in their case.

We award the John P. Sarbanes Courage Award to Christopher Comeau, Penny Dobson, Ralikh Hayes, Evan Mahone, John Tenney Mason, Georgia McCandlish, Tre Murphy, Brendan Orsinger, David Pontious, and Baltimore Bloc for standing up for their rights to free speech and protest and against mistreatment of people in police custody. We honor these individuals, many brought together solely by the adversity of

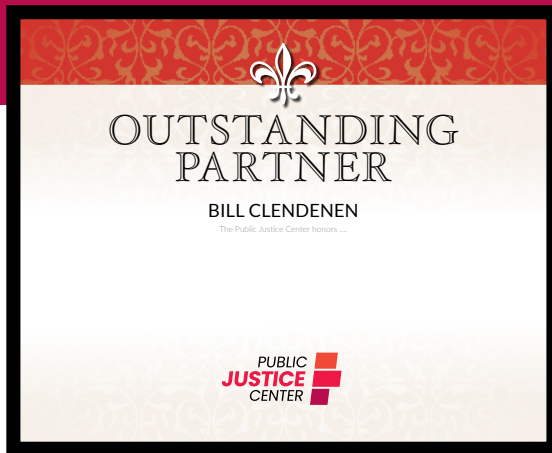
their experience during Afrotation, for working collectively to pursue Bloc's goal of real change at BPD.

## Pamela Holden and Stephanie Williams stood up to their employer for wage theft and retaliation for filing a lawsuit.

Pamela Holden is a home care worker who cares for older people and people with disabilities so that they can remain in their homes and communities. In March, she and one of her former co-workers filed a lawsuit to recover unpaid wages from their employer, Bwell Healthcare, Inc., with representation from the Public Justice Center. The lawsuit sought compensation for themselves and the many other current and former Bwell employees who were misclassified as independent contractors and not paid for overtime or travel time between clients' homes. When another worker joined the class action lawsuit, the owners of Bwell fired anyone they thought was connected to the lawsuit—including Ms. Holden and

her sister, Stephanie Williams, who at that point had no connection to the suit other than her relation to Ms. Holden—in an attempt to intimidate other potential plaintiffs.

The intimidation did not work. Ms. Williams not only joined the lawsuit, she and Ms. Holden asked the court for a temporary restraining order (TRO) against Bwell and its owners requiring that they be immediately reinstated. In the hearing, Ms. Holden gave passionate testimony about why she was fired and the devastating impact of her termination on her life. With our help, the court granted the TRO, which restored the jobs of Ms. Holden and Ms. Williams and prohibited Bwell from retaliating against them or any other home care workers for participation or interest in the lawsuit and from communicating with their employees about the lawsuit. We award Ms. Holden and Ms. Williams the John P. Sarbanes Courage Award for their bravery in their ongoing fight for their own rights and the rights of their fellow workers to be compensated fully and fairly for their hard work.



The **Outstanding Partner Awards** go to individuals and organizations whose work makes a difference for our clients and the issues we work on.

## Bill Clendenen built momentum for the right to counsel in civil cases.

Bill Clendenen has been a passionate and committed advocate and leader for expanding the right to counsel in Connecticut civil cases, first as President of the Connecticut Bar Association and then in a private capacity. As Bar President, he helped establish a legislative task force to study the impact of the right to counsel, and that effort led to two positive outcomes: a report recommending establishment of a right to counsel in eviction and domestic violence cases and the creation of a pilot project to provide counsel in the domestic violence context. Mr. Clendenen has also helped secure funding for the National Coalition for a Civil Right to Counsel, allowing us to expand our efforts on the national level.

## Terrel Askew and the United Workers organized Baltimore residents for development without displacement.

Terrel Askew and the United Workers led the grassroots organizing effort for system change around housing and fair development in Baltimore City. He and other organizers from United Workers were fearless and persistent in lifting up the experiences of Baltimore residents and speaking truth to power in the three-year effort that helped lead to the creation and funding of the Affordable Housing Trust Fund. In conjunction with the Fair Development Roundtable, United Workers has executed on its vision for development that prioritizes human needs and rights over profits; the organization and Mr. Askew have been an inspiration to the Public Justice Center and our partners in the Fair Development Roundtable.

## Covington & Burling co-counseled the Baltimore *Bloc v. BPD* case, securing rights for protestors and people in police custody.

Covington & Burling secured sweeping policy changes and substantial damages for the nine individual plaintiffs in the civil rights and police misconduct case, *Baltimore Bloc, et al v. Baltimore City Police Department, et al*—while hewing close to our mission in how they co-counseled

the case with us. They never scrimped on the resources and staffing needed to litigate this case. They agreed at the beginning of the case to limit the constitutional claims to the state constitution to keep the case in state court, even though this meant they would not be entitled to an award of attorney fees under federal law. And they readily agreed to waive their usual contingency fee, significantly increasing the amount of damages paid to each plaintiff.

## Jews United for Justice advocated tirelessly for renters' rights in Baltimore City.

Jews United for Justice (JUFJ) advanced year-round efforts to advocate for safe housing and fair treatment for renters in Baltimore City and aligned their goals with the priorities of renters and renter-led organizations. Members of JUFJ's Economic Justice Committee volunteered to work on our study of the rent court process four years ago, which led to our *Justice Diverted* report and a strong partnership between our organizations. For the past three years, JUFJ members have walked the halls in Annapolis supporting our bills to reform rent court and fighting bad bills intended to curtail tenants' rights. JUFJ members have attended meetings with legislators, testified in bill hearings, made phone calls and sent emails to legislators, and organized district meetings to educate legislators on the need for due process in rent court and fairness in the rental market.

# FY2019 Income & Expenses

We are grateful for your continued and strong support! Your generosity this year put the Public Justice Center in a strong financial position and afforded us the flexibility to sustain our work. Unrestricted contributions (from individuals, law firms, and private foundations) remained steady while restricted contributions and grants grew slightly. Attorney fees more than doubled; these are fees earned by the Public Justice Center as the result of court orders or settlements in which the laws we were enforcing, primarily wage theft, require that the losing defendant pay the winning plaintiff's attorney fees.

The Board approved a net income of (\$290,572) for FY19—a deficit budget— and we were pleased to have closed most of that gap by finishing with a (\$34,103) deficit. We ended the year with more than \$1.2 million in unrestricted net assets (“reserves”). This reserve allows us to ride out fluctuations in contributions and grants and pursue new opportunities to fulfill our mission.

Strong advocacy is possible only with a strong base of support, and we are thankful for the people and the organizations who make our work possible. Thank you!



The Standards for Excellence evaluate principles of honesty, integrity, fairness, respect, trust, responsibility, and accountability in nonprofit program operations, governance, human resources, financial management, and fundraising. The Public Justice Center was re-certified by Maryland Nonprofits in August 2019.

This financial summary was prepared from end of year (June 30, 2019) financial statements prior to completion of the annual independent audit. The audited financial statements will be available in the Financials and Annual Reports section of our website (under About) in December 2019.

The Public Justice Center is a 501(c)(3) nonprofit organization incorporated in the State of Maryland. All contributions are tax-deductible to the fullest extent of the law. Copies of current financial statements are available upon request by contacting the Public Justice Center at One North Charles Street, Suite 200, Baltimore, MD 21201 or by telephone at 410-625-9409. Documents and information submitted to the State of Maryland under the Maryland Charitable Solicitations Act are available from the Office of the Secretary of State, Annapolis, MD 21401 for the cost of copying and postage.

## INCOME

Interest and Other	\$12,300
Attorney Fees Earned	\$274,456
Murnaghan Fellowship	\$103,425
Individual Donations	\$199,186
Law Firm Donations	\$55,650
Government Grants	\$230,000
Unrestricted Foundation Grants	\$72,500
Restricted Foundation Grants	\$1,342,175

**TOTAL INCOME**  
\$2,289,692

## EXPENSES

— Personnel  
\$1,866,390

— Non-personnel  
\$457,405

**TOTAL EXPENSES**  
\$2,323,795



*"Everyone deserves an honest day's pay for an honest day's work, but too often, that's not what people get. We applaud our clients for taking a stand against their employer's abuses, to win a measure of justice not only for themselves but for other Maryland workers."*

—Monisha Cherayil, Attorney, Public Justice Center

# THANKS TO YOU!

## Thank you to our donors!

Thank you to the many individuals and organizations who made gifts between July 1, 2018 and June 30, 2019. Together, we are building a just society!

In addition to the donors listed by name, we recognize and acknowledge those who make contributions through workplace giving campaigns, AmazonSmile, Facebook, or other special campaigns. We might not know your names, but we are thankful for your support of our work!

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## Sustain Our Fight for Justice Year-Round

Our loyal monthly donors give us the resources to use all the tools in the lawyer toolbox to pursue economic justice and racial equity. Your monthly gift will make a meaningful difference for workers, tenants, students, and parents standing up for their rights with you and the Public Justice Center by their side.

As a monthly donor, you will enjoy:

- automatic monthly payments from your credit card to the Public Justice Center;
- an annual giving statement by mail (i.e. one receipt for tax purposes);
- the ability to increase, decrease, or stop your donation at any time; and
- the knowledge that your donation is being put to work effectively and strategically to pursue systemic change.

Become a monthly donor at [www.publicjustice.org](http://www.publicjustice.org) or contact Erin Brock by phone at 410-625-9409 x242 or by email at [brocke@publicjustice.org](mailto:brocke@publicjustice.org).



*"I would pay my rent, and if I was late, I would pay a 5% late fee, but the fees kept adding up. One time I paid the rent, and they sent back my check telling me that I needed to pay an additional \$150 in fees or they wouldn't take my rent. I work full-time and made regular payments, but they kept taking me to court for eviction and piling on the fees. I just want to keep my family safe and stable."*

—Tenae Smith, one of the plaintiffs in the class action lawsuit against a Maryland landlord

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## Give at Work to Fight Poverty and Inequity

Join us in building a just society through your workplace giving campaign with a one-time gift or through payroll deduction. You can designate the Public Justice Center through one of the three workplace giving campaigns below, if your employer participates.

### United Way of Central Maryland #6393

### Maryland Charity Campaign #521412226

### Combined Federal Campaign #40003

Some companies offer other workplace giving options; check with your company's Human Resources department to find out how you can give to the Public Justice Center through your paycheck. If your employer does not offer workplace giving, you can still support the Public Justice Center regularly. Make a monthly donation at [www.publicjustice.org](http://www.publicjustice.org)

*"Because we've relied on exclusionary discipline like suspension and expulsion for so long, many people, whenever they see a conflict or behavior problem in the schools they will default to that as being the only solution and the only approach that we can tackle this."* — Renuka Rege, Attorney, Public Justice Center

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Continue supporting social justice beyond your lifetime with a bequest in your will. A bequest can allow you to make a donation that demonstrates your lifetime commitment to systemic change, a donation that may be larger than you could afford now. Regardless of size, a bequest to the Public Justice Center is a lasting and meaningful gift to future generations.

Bequests to non-profit organizations, like the Public Justice Center, take a variety of forms, including:

- **Specific:** a bequest of a specific dollar amount, particular securities, or other designated property;
- **Percentage:** a bequest of a percentage of the estate as valued before or after payment to beneficiaries;
- **Residual:** a bequest of the remainder of the estate, including real property, after payments to beneficiaries;
- **Contingent:** a bequest that takes effect only in the event of the death of one or more of the named beneficiaries;
- **Testamentary Trust:** a bequest that creates a trust from which beneficiaries are paid during their lifetimes and the balance of which is paid on the deaths of the trust beneficiaries.

To notify us that you have included the Public Justice Center in your will or to get more information about creating a legacy in your will, contact Kathleen Elliott by phone at 410-625-9409 x239 or by email at [elliottk@publicjustice.org](mailto:elliottk@publicjustice.org)

*A bequest or other significant gift to an organization such as the Public Justice Center should always be made in consultation with a qualified estate planning attorney, a certified tax specialist, your family, and the nonprofit you wish to name in your will.*



*“Workers are often scared to come forward and complain when an employer is stealing their wages. I am glad that we did, so that we could recover the wages we are owed and hopefully help make sure that this restaurant and others pay their employees correctly.” —Erick Rivera, one of the plaintiffs in a collective action lawsuit against a local restaurant chain*

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*“Adding small but improper fees to the rent of tenants living paycheck to paycheck, then misallocating rent payments to those fees in order to generate more fees, is a scheme that preys on working-class tenants.”* —Andrew D. Freeman of Brown, Goldstein & Levy, LLP, co-counsel in a lawsuit against a Maryland landlord

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**"Baltimore needs investment. We need to invest in our neighborhoods and our communities in a way that doesn't displace residents. One cornerstone is to make sure we have permanently affordable housing."**

—Matt Hill, Attorney, Public Justice Center

**As a PJC supporter, you helped secure \$20 million annually for the Affordable Housing Trust Fund. We used the legal advocacy tool of collaboration and community lawyering to get the job done.**

Read more on page 10.



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