

TAKING
ACTION
AGAINST
INJUSTICE!

PUBLIC
JUSTICE
CENTER

Building a Just Society



THE FY20 ANNUAL REPORT
JULY 1, 2019–JUNE 30, 2020



REMEMBERING LEVERN BLACKMON

With deep sadness, we share that our colleague Levern Blackmon passed away on August 8, 2020. Levern assisted thousands of tenants fighting eviction and demanding safe housing conditions in his 24 years at the Public Justice Center, working as a certified paralegal and housing advocate. We are grateful to have worked with Levern, honored to have known him, and thankful for his friendship. Our thoughts are with his family.

Levern first came to the PJC in 1996 through the PJC's Tenant Advocacy Training Project, where he trained as a volunteer lay advocate and began representing tenants on the District Court's rent docket. A graduate of the Baltimore City Community College Paralegal Certification program, Levern continued as an AmeriCorps volunteer and was then hired as the PJC's Tenant Advocate/Case Manager. Over the years, Levern represented approximately 7,000 tenants and recovered tens of thousands of dollars for tenants from rent escrow accounts (tenants pay rent into rent escrow accounts with the court as a way to compel landlords to fix threats to health and safety). He also served as a paralegal for the PJC's Prisoners' Rights Project, meeting with detainees at the Baltimore City Detention Center and advocating for their access to adequate medical care. In recognition of his work, the Maryland Legal Services Corporation awarded Levern the 2005 William L. Marbury Outstanding Advocate Award, which is presented to a non-attorney who has demonstrated outstanding service representing the civil legal needs of low-income Marylanders or expanding access to justice.

Levern was a fierce advocate who loved his clients and always kept their interests front and center. He had an easy way of approaching people, talking with people, and above all, listening to people. The PJC regularly received calls from former clients expressing their appreciation for Levern.

We are inspired by Levern's kind, respectful, patient, knowledgeable, and resourceful approach to advocating on behalf of clients and his passion for and effectiveness in finding solutions to improve their lives. His wisdom and commitment have inspired and strengthened the advocacy of numerous PJC paralegals and attorneys, and we strive to live up to his example. Levern's contributions to the Public Justice Center, our clients' lives, and Baltimore's tenants are immeasurable. We miss him greatly.

We are inspired by Levern's kind, respectful, patient, knowledgeable, and resourceful approach to advocating on behalf of clients.



IN BALTIMORE, landlords used to be allowed to dump tenants' belongings on the streets when evicting them. The Public Justice Center successfully advocated for a law to stop this practice. Here's Levern, in 2007, on the right, with Keith Milligan, former PJC board president and volunteer, and Brother Frank O'Donnell, former director of the PJC's Tenant Advocacy Project and former board member.

REFLECTIONS

from the Executive Director and Board Chair

Dear Friends,

When we ended our fiscal year on June 30, 2020, the world felt as though it were in free fall. First, the COVID-19 pandemic upended our lives. Then, the violence against and murders of George Floyd, Breonna Taylor, and so many other Black people led to worldwide uprisings denouncing racism and police brutality. Both shown a glaring spotlight on the vast inequities in our country in all areas of life: education, housing, employment, health, safety, criminal "justice," and more.

The simultaneous public health, economic, and racial justice crises have forced us, as a society, to confront the systemic racism that has permeated every aspect of our society for more than 400 years. These crises have amplified the voices calling for change, demanding that we root out the racism embedded in our culture, laws, institutions, and relationships.

You joined us in responding to the call for justice—thank you! As clients, donors, volunteers, partners, and advocates, you recognized the essential role that lawyers, and the Public Justice Center in particular, have in solving entrenched inequities, and you supported us in taking action against injustice in this moment of national crisis and throughout the year. And you helped tenants, workers, students, parents, and communities win significant victories.

This annual report takes a closer look at how we achieve systemic change and the importance of the milestones we achieve on the path to a just society. Through examples from three of our projects, you will see how our current laws, policies, and systems create inequities; how lawyers can use legal tools—including collaboration, community lawyering, and legislative advocacy—to push for change; and how momentum builds over time and with broad coalitions calling out for justice.

Thank you again for joining us in building a just society!

John Nethercut, Esq.
Executive Director



Camille Blake Fall, Esq.
Chair, Board of Directors



TABLE OF CONTENTS

Building a Just Society: A Closer Look at How We Achieve Systemic Change	
Establishing an Eviction Right to Counsel	2
Stopping School Pushout of Young Students	4
Prohibiting Source of Income Discrimination for Renters	6
John P. Sarbanes Courage Awards	8
Outstanding Partner Awards	10
Taking Action Against Injustice: Milestones Achieved in FY20	
Appellate Advocacy Project	11
Access to Health and Public Benefits Project	14
Workplace Justice Project	15
Prisoners' Rights Project	16
Human Right to Housing Project	17
Education Stability Project	19
National Coalition for a Civil Right to Counsel	21
Addressing Racial and Economic Inequities Magnified by the COVID-19 Pandemic	23
Financials	25
Thank you to our donors, volunteers, and staff!	26



A Closer Look at How We Achieve Systemic Change

Establishing an Eviction Right to Counsel

Cleveland became the first city in the Midwest and the fourth city in the United States to establish a right to counsel in eviction cases. Passed unanimously by the Cleveland City Council in September 2019 after years of advocacy, the law entitles families at or below 100% of the federal poverty guidelines who have at least one child in the household to legal representation when facing eviction. The United Way of Greater Cleveland, which has been charged with overseeing implementation, is working with the Legal Aid Society of Cleveland on the rollout of the new right, which launched in July 2020.

Our Role

The National Coalition for a Civil Right to Counsel (NCCRC)—created and staffed by the Public Justice Center—supported the campaign by assisting legal services advocates while also providing critical information to lawmakers and other stakeholders in the following ways:

- Educating local policymakers and testifying at key committee hearings.
- Traveling with Cleveland policymakers and advocates to Washington, D.C. to learn about the structure, implementation, and expansion of the city’s Access to Justice Act from observation of court proceedings and conversations with legal services and court staff.
- Fostering connections between right to counsel advocates in Cleveland and organizers who successfully advocated for a right to counsel in New York, San Francisco, and Newark.
- Working with both Stout and advocates to come up with cost estimates for a

variety of different right to counsel models before the final model (families with children at 100% or below of the federal poverty level) was selected.

- Working with advocates on legislative language related to scope and implementation and responding to last-minute amendments to the legislation prior to passage.
- Providing input on the Case Western Reserve University study, which analyzed five years of eviction data from the Cleveland Housing Court and linked eviction filing records with administrative records to identify the impact of evictions on families, children, and the community.

Our Partners

Many partners were critical to the success of Cleveland’s eviction right to counsel campaign:

Case Western Reserve University
Cleveland Academy of Trial Attorneys

Cleveland City Council

Cleveland City Council President Kevin Kelley

Cleveland City Councilman Anthony Brancatelli

Cleveland Metropolitan Bar Association

Cleveland Municipal Housing Court

Housing Justice Alliance

Legal Aid Society of Cleveland

Sisters of Charity Foundation

Stout

United Way of Greater Cleveland

Evictions have devastating consequences for individuals and communities.

- Landlords in Cleveland file roughly 9,000 eviction cases annually. The eviction rate is 4.53%—nearly double the national average—according to data from The Eviction Lab.
- About 75% of landlords in Cleveland Housing Court appear with

“The launch of Right to Counsel Cleveland is a major step forward because it levels the playing field for families living in poverty and facing eviction with free legal counsel.

The legislation provides...essential advocates and resources to preserve the dignity and stability that a safe and secure home affords.”

—AUGIE NAPOLI, president and CEO, United Way of Greater Cleveland*

representation compared to just 1% to 2% of tenants, according to research by the Legal Aid Society of Cleveland. Unrepresented tenants are routinely evicted or pressured into agreements that benefit the landlord only, regardless of the facts or the strength of the tenants’ defense.

- Evictions cause poverty and drive homelessness, job loss, deteriorating mental and physical health, poor education outcomes, loss of child custody, poor credit scores, and loss of assets.
- Children of households in Cleveland with an eviction filing have a higher risk of lead poisoning and experience higher levels of school absenteeism following the filing, according to research from Case Western Reserve University and the Legal Aid Society of Cleveland.
- Eviction does not impact communities equally. Approximately 75% of people facing eviction are women, more than 70% of those women are Black, and 60% of eviction cases involve children, according

to the Case Western research.

A right to counsel in eviction cases benefits renters and their communities.

- Tenants fare significantly better with counsel, according to data from around the country. In New York City, 84% of tenants who have been represented through the city’s right to counsel program are remaining in their homes, while the figure is 67% in San Francisco. A study by Stout in Philadelphia concluded that 95% of tenants would avoid disruptive displacement with counsel, compared to only 22% of those without counsel.
- Providing a right to counsel in eviction cases saves jurisdictions money in the long run by avoiding costs related to use of homeless shelters, emergency medical care, and foster care, according to studies in multiple cities completed by Stout. The study in New York City—which spends over \$1 billion on homeless shelters every year—

concluded the City would save \$320 million annually with a right to counsel in evictions. In Philadelphia, the Stout study concluded that an investment of \$3.5 million in a right to counsel would save the city \$45 million.

Next Steps

The United Way of Greater Cleveland created an implementation committee, and NCCRC staff accepted the invitation to serve on that committee. Recently the committee selected Stout to design and conduct a study of the results of Cleveland’s new right to counsel law. Advocates will also begin to push for funding from Cuyahoga County and for expansion of the right to counsel to all tenants up to 200% of the federal poverty level, including households with no children.

* Right to Counsel—Cleveland. (July 1, 2020). Right to Counsel—Cleveland Launches, Providing Free Legal Help to Low-Income Tenants Facing Eviction. Legal Aid Society of Cleveland. <https://lasclcv.org/07012020-2/>

October 2017

The Sisters of Charity Foundation funded a fellowship to launch an eviction right to counsel campaign in Cleveland; fellow Hazel Remesch worked with the Legal Aid Society of Cleveland to conduct research on providing legal aid to tenants facing eviction. The NCCRC began supporting this campaign right at the outset.

August 2017

New York City, NY passed eviction right to counsel legislation.

April 2018

NCCRC staff traveled with Cleveland policymakers and advocates to Washington, D.C. to learn about the structure, implementation, and expansion of the city’s Access to Justice Act.

December 2018

Newark, NJ passed eviction right to counsel legislation.

June 2018

San Francisco, CA passed eviction right to counsel legislation.

April 2019

Advocates, including the NCCRC, testified before Cleveland’s Development, Planning, and Sustainability Committee.

August 2019

The Cleveland City Council introduced an ordinance providing access to free legal representation for low-income residents facing eviction.

September 2019

The Cleveland City Council passed eviction right to counsel legislation.

October 2019

Cleveland Mayor Frank G. Jackson signed the bill.

November 2019

Philadelphia, PA passed eviction right to counsel legislation.

July 2020

Cleveland launched implementation of right to counsel.

BUILDING A JUST SOCIETY!

A Closer Look at How We Achieve Systemic Change

Stopping School Pushout of Young Students

Charles County Public Schools’ proposal to open a new alternative school for children in kindergarten through second grade who engage in challenging behavior would have removed our youngest learners from their classrooms and derailed their education just as it began. We joined a community-driven coalition led by the Charles County NAACP to oppose the operation of the so-called Fresh Start Academy and voice concerns about the school to district leadership and parents. Together, we argued that Fresh Start Academy would be a workaround to legal limitations on suspensions of the youngest students and students with disabilities and would deepen racial segregation in Charles County Public Schools.

While the school opened in fall 2019, the coalition’s advocacy helped lead to a restructuring of the Fresh Start Academy as a voluntary program, and only two students were enrolled—apparently with parental consent—during the 2019-20 school year.

Our Role

As a member of the coalition opposing the Fresh Start Academy, we:

- Amplified the legal concerns surrounding the original proposed structure of the Fresh Start Academy at a public hearing, in the press, in meetings with school district leadership, and through outreach to Charles County parents.
- Worked with lawmakers to secure a legal opinion from the Maryland Attorney General’s Office on the legality of the Fresh Start Academy.
- Collaborated with our partners to gather information on the operations of the Fresh Start Academy, educate parents whose children may be identified for enrollment at the school, and advocate on behalf of those families to ensure

their children are appropriately served in their home schools.

Our Partners

The coalition was led by the Charles County NAACP and included the following partners:

ACLU of Maryland

Advocates for Children and Youth

Coalition to Reform School Discipline

Council of Parent Attorneys and Advocates

Maryland Office of the Public Defender

Public Justice Center

School pushout—including suspension, expulsion, and transfers to alternative schools—is detrimental for students, especially those just starting school.

- Banishing five-, six-, and seven-year-old children to an alternative school when

they exhibit behavioral challenges sends a message that they do not belong in an academic setting, derailing their education just as it is beginning.

- The U.S. Departments of Education and Health & Human Services found that children suspended at an early age are ten times more likely to drop out of high school, experience academic failure and grade retention, and face incarceration than students who are not suspended.
- Establishment of an alternative elementary school was almost certain to deepen racial segregation in Charles County Public Schools. Even though only 55% of Charles County students in kindergarten through second grade are Black, Black students represent 83% of those who are suspended in that grade band, a pattern we know



“You are setting our children up for a lifetime of stigma by separating them from their peers, particularly at such a young age. We are sending the message that our children don’t

belong, that something is wrong with them.”

—CHANELL GAINES, a Black mother of three young sons, addressing the Charles County Board of Education*

from research is linked to implicit bias and structural racism.

Our advocacy in Charles County led to positive developments beyond the restructuring of the Fresh Start Academy.

- The Charles County NAACP-led coalition’s efforts to organize public stakeholders and exert pressure on Charles County Public Schools has put pressure on the district to adopt strategies for addressing behavioral challenges in young students that are both more inclusive and more effective than transfer to an alternative school.
- During the 2020 legislative session, a Charles County lawmaker introduced

legislation to shine a light on alternative schools throughout the state—who they enroll, the quality of education and services they provide, and the outcomes of the students who attend.

- Opposition to the Fresh Start Academy energized the coalition to expand its focus on other components of the school-to-prison pipeline in Charles County: school discipline policy and practices, school-based arrests and referrals to law enforcement, and related racial and disability-based disparities.

Next Steps

The coalition identified tasks necessary to achieve reform of school discipline policies in Charles County:

- review of school-based arrest data,
- analysis of the current memorandum of understanding between Charles County Public Schools and local police,
- analysis of the school system’s written discipline policies, and
- development of fact sheets on school police in Charles County Public Schools.

* Donna St. George. (September 26, 2019). An alternative school is opening for kids with behavior issues—some as young as 5. Washington Post. <https://wapo.st/3nHvj2N>

May 2017

Maryland banned suspension and expulsion of young students (grades pre-K through second), except under narrow circumstances. We advocated in support of the bill.

February 2019

The Charles County Board of Education adopted a budget that included funding for a new alternative school for children in kindergarten through second grade.

April 2019

We outlined concerns with the proposed alternative elementary school in a letter to the Board of Charles County Commissioners on behalf of the Maryland Coalition to Reform School Discipline.

May 2019

Along with the Charles County NAACP and ACLU of Maryland, we submitted comments and testified at the first public hearing.

May 2019

The Maryland Office of the Attorney General issued a letter explaining forced transfers to the Fresh Start Academy would be illegal, adopting our coalition’s arguments made at the public hearing.

July 2019

We met with school district leadership, including the superintendent and school board chair, to express our concerns and gather up-to-date information about the Fresh Start Academy.

August 2019

We launched a campaign to educate Charles County parents about the problems with Fresh Start Academy and how they can protect their children from involuntary transfer.

September 2019

The Washington Post* published an article on the Fresh Start Academy, quoting our attorneys and partners and effectively conveying the coalition’s concerns.

November 2019

Along with the Charles County NAACP and Maryland State Conference NAACP, we addressed the Legislative Black Caucus of Maryland about legal concerns with alternative schools for children in pre-K through second grade.

January-March 2020

Charles County Delegate Debra Davis introduced a bill in the Maryland General Assembly to require reporting and transparency about alternative schools. The Charles County NAACP, our attorneys, and students testified in support of the bill, providing the General Assembly with compelling evidence of the ways in which Maryland’s alternative schools often fail their students. Although the bill did not make it out of committee in the shortened 2020 legislative session, the lobbying effort educated lawmakers on this previously under-the-radar issue and laid the groundwork for future reform.



A Closer Look at How We Achieve Systemic Change

Prohibiting Source of Income Discrimination for Renters

After decades of advocacy, the Housing Opportunities Made Equal (HOME) Act is now law statewide! Introduced as SB 530/HB 231 in the 2020 Maryland General Assembly, the bill passed in March, just before the legislative session ended early due to COVID-19.

The HOME Act adds “source of income” to Maryland’s fair housing law. Now, in the same way that landlords may not discriminate based on race, gender, and other characteristics, landlords will no longer be able to turn away a potential tenant solely because of the tenant’s source of income. Too often, landlords have told potential tenants that they do not rent to people who use Housing Choice Vouchers or other public benefits to pay rent, contributing to concentrations of poverty, racially segregated housing, and homelessness. The HOME Act addresses this discrimination across Maryland and follows similar local laws enacted in Baltimore City, Baltimore County, and Anne Arundel County.

Our Role

As a member of the HOME Act Coalition, we:

- Co-led the organizing and legislative advocacy efforts to pass the HOME Act in Baltimore County and Baltimore City in 2019.
- Provided written and oral testimony in support of the HOME Act and recruited tenants who have experienced source of income discrimination, as well as landlords, to testify at House and Senate hearings.
- Educated lawmakers between Maryland General Assembly sessions on the harms of source of income discrimination, the economic and social benefits of enacting the HOME Act, and the misperceptions about acceptance of housing vouchers.

Our Partners

The HOME Act Coalition—co-led with the Homeless Persons Representation Project—consisted of 68 partners, including:

- People with lived experience of all forms of source of income discrimination
- Veterans and law enforcement organizations
- Housing developers and providers
- Labor organizations
- Faith leaders
- Community advocates
- Civil rights and housing advocates

Source of income discrimination perpetuates housing segregation.

- Housing laws in the last century—including redlining, racially restrictive covenants, blockbusting, predatory lending, and disinvestment—have

segregated Marylanders along race and wealth lines, concentrating people of color in high-poverty neighborhoods far from job opportunities and high-performing schools.

- While 31% of Maryland’s population is Black, 68% of Housing Choice Vouchers holders in Maryland are Black. Thus, “source of income” discrimination against persons with vouchers has a detrimental, disparate impact on Black families in Maryland.
- Many senior citizens, low-wage workers, single mothers, people with disabilities, and veterans cannot afford even modest housing without a housing voucher or income from Social Security, Social Security Disability Insurance, or other public programs to supplement their income. Source of income

“I have one client who has been steadily trying without success for a year to find an apartment and will lose his voucher in the next month if he is unable to find a landlord who will rent to him. **I have seen other clients move into inappropriate apartments in unsafe neighborhoods just to avoid losing the voucher.**”

—CIERA DUNLAP, a case manager at Youth Empowered Society Drop-In Center, in testimony before the House Environment and Transportation Committee

discrimination keeps them from moving to the neighborhoods of their choice and forces them into a small number of neighborhoods, usually very poor, where landlords are willing to accept housing vouchers.

The HOME Act improves housing and economic opportunities for tens of thousands of Marylanders.

- The HOME Act will give families a fair chance to use their housing vouchers in their choice of neighborhoods, create

more mixed-income communities, increase availability of affordable housing, and deconcentrate poverty.

- Economic research indicates that children in low-income families who grow up alongside higher income families from a young age have better financial outcomes than their peers who grow up in predominately low-income neighborhoods. They are more likely to finish high school and college, and they make as much as \$300,000 more in lifetime earnings.

- Medical evidence shows that stable housing reduces the likelihood of adverse childhood experiences that impair children’s cognitive development and lead to lifetime physical and mental health problems, such as cardiovascular disease, depression, and anxiety.

Next Steps

The HOME Act Coalition will monitor implementation of the new law.

1991-2019

Montgomery County passed the first source of income discrimination law in Maryland and was followed by other local jurisdictions: Howard County, City of Frederick, Frederick County, City of Annapolis, and then in 2019, by Baltimore City, Baltimore County, and Anne Arundel County.

1997

The first bill to ban source of income discrimination throughout Maryland was introduced.

2003

The Public Justice Center joined the fight to end source of income discrimination in Maryland. A bill was introduced in the Maryland General Assembly almost every year thereafter.

2011

The HOME Act Coalition was formed, led by the Homeless Persons Representation Project and the Public Justice Center. The Coalition fought year by year in the Maryland General Assembly for a statewide prohibition against source of income discrimination.

January 2020

Delegate Brooke Lierman introduced House Bill 231, and Senate Judicial Proceedings Committee Chair William C. Smith, Jr. introduced Senate Bill 530.

February 2020

HOME Act Coalition members testified in support of the HOME Act at a hearing of the Environment and Transportation Committee.

March 2020

The HOME Act passed third readings in both the House and the Senate.

May 2020

The HOME Act was enacted as law and took effect on October 1, 2020.

COURAGE

The John P. Sarbanes Courage Awards

honor clients and others who exhibit tremendous courage in the face of injustice.

Troy Rose and his mother Brandy James fought **Caroline County Public Schools’ decision to push Troy out of school and won, setting a new standard for how school districts can interpret the reportable offense law.**

Troy Rose was an honor student, varsity athlete, class president, and community volunteer with an impeccable disciplinary history heading into his senior year at a Caroline County high school. He had plans to attend the University of Maryland, College Park to major in engineering after graduation.

Then, over the summer, he was arrested in another county on a charge that was ultimately resolved in the juvenile system with probation only. Caroline County Public Schools (CCPS) subsequently refused to admit him to school in September based on Maryland’s “reportable offense” law, which allows schools to alter students’ educational placements in response to information about an arrest in the community.

Relying on the fact of the arrest and charge alone, without any analysis of how it impacted the school community, CCPS unilaterally decided to transfer Troy to homebound instruction until his case was resolved.

Represented by the Public Justice Center, Troy appealed his case to the State Board of Education. On appeal, we asserted several challenges to CCPS’s removal decision. We argued that CCPS had no basis for concluding that the unproven allegations against Troy—relating to an incident that occurred in another county when school was out—had any impact on the safety of the CCPS community. Moreover, we argued, CCPS had not removed white students who had engaged in the same behavior of which Troy—who is Black—was accused. In January 2020, the State Board of Education ruled that the removal decision was unlawful. In its opinion, the Board explained that school districts cannot remove students based on reportable offense charges alone, where there is no evidence and analysis of how the charges threaten the safety of other students or school staff. The decision sets precedent for students throughout the state, preventing schools from kicking them out if they face an arrest in the community in the absence of any safety justification. Troy ultimately returned to school, improved his grades which had fallen during the period of removal, and graduated, while CCPS dropped the reportable offense removal from his school records.

Troy and his mother are committed to using their experience to advance justice for other children in Maryland. In February 2020, Ms. James testified in the General Assembly in favor of a bill that would have amended the current

reportable offense legislation, sharing her son’s experience and the academic and psychological harm he suffered as a result of the prolonged removal from school.

Josephine Murdock stood up to her landlord over unsafe housing conditions and advocated for fellow renters.

When Josephine Murdock discovered a gas leak in her apartment, she reported it to her landlord. He did nothing, so she filed a complaint in court. For six months, she fought her landlord over the unsafe conditions in her own apartment and the homes of four other tenants who were too afraid to file their own complaints. The landlord tried to intimidate Ms. Murdock and the other tenants with notices to vacate and threats to their safety. He changed the company under which the apartment building was incorporated and swore under penalty of law in court that he was not the owner. The court dismissed Ms. Murdock’s complaints.

After months of fighting to be heard, Ms. Murdock contacted the Public Justice Center for representation. Another three months and multiple hearings later, we proved to the courts that there was a gas leak, but Ms. Murdock’s landlord continued to lie and threaten to evict her. It took nine months, but she prevailed. Her escrow funds were returned to her, and the landlord fixed the gas leak. He then appealed, under a company name



Brandy James (center) testified along with PJC attorney Renuka Rege (left) for a bill that would have amended Maryland’s reportable offense law.



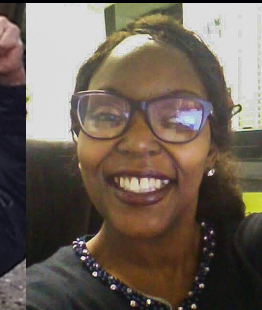
Josephine Murdock fought her landlord over unsafe conditions in her own apartment and the homes of four other tenants.



Tisha Guthrie advocated for affordable housing in Baltimore City and against source of income discrimination in Maryland.



Tiffany Ralph raises her fist in solidarity with fellow residents fighting for safe and affordable housing.



Latashia Pettiford stood up for her right to safe and healthy housing in court and strengthened renters’ rights in Maryland.

he had sworn he did not own, and lost, yet he continued to threaten her. Ms. Murdock, already a strong advocate for her neighbors, began sharing her story—most recently on a nationwide webinar—as part of the Public Justice Center’s call for reform of Baltimore City’s landlord-tenant court.

Tisha Guthrie and Tiffany Ralph advocated for fair, safe, and affordable housing in Baltimore City and the state of Maryland.

Tisha Guthrie and Tiffany Ralph are relentless advocates for racial and housing justice. Ms. Guthrie is a founding member and treasurer of the Bolton House Residents Association, a group formed to fight the substandard housing conditions in their west Baltimore apartment building—including ceiling leaks; infestations of mold, rodents, and insects; chronic elevator outages; and a broken heating system. She has also taken up the fight for safe, affordable housing statewide. She is shaping the annual investment of millions of dollars in permanently affordable housing as a member of Baltimore City’s Affordable Housing Trust Fund Commission, and she testified before the Baltimore City Council and the Maryland General Assembly in support of bills that helped end housing discrimination based on source of income.

Ms. Ralph—also a resident of Bolton House and the secretary of the Bolton House Residents Association—has inspired other residents in the building to mount fierce campaigns to preserve their affordable housing from proposed redevelopment of the site that would displace residents and to hold their landlord accountable for the serious conditions of disrepair that threaten residents’ health and safety. She is an active member of Baltimore Renters United and has raised her voice in support of a right to counsel in eviction cases.

Latashia Pettiford challenged her landlord over unsafe housing conditions and strengthened tenants’ rights across Maryland.

Latashia Pettiford told her landlord about the leaking ceiling, mold, faulty electrical wiring, and heat that did not work, and her landlord did nothing. She spent a significant amount of money maintaining heat without a working furnace, replacing clothing lost to mold, paying for repairs to the apartment, and replacing most of her family’s belongings after the faulty wiring sparked a fire. She stopped paying the rent to induce the landlord to make repairs, but instead of fixing the unsafe conditions, the management company sued her in Baltimore’s eviction court.

Even with representation from the Public Justice Center at two hearings, the District Court ignored Ms. Pettiford’s defense

that the landlord had not addressed the unsafe conditions. The judge at the second hearing threatened to order her family out of their home by midnight if she argued the conditions were so dire. The judge then issued a “consent” judgment for the unpaid rent without Ms. Pettiford’s consent while still not requiring the landlord to make any repairs. A consent judgment can only be based on an agreement by both parties that settles the issues, but Ms. Pettiford did not consent to the landlord’s accusation that she owed the alleged amount.

Ms. Pettiford and the Public Justice Center appealed the ruling to the Court of Appeals of Maryland, and the Court ruled in her favor, holding that: 1) Tenants may withhold rent if the landlord refuses to fix threats to health and safety and may seek a reduction in the rent; 2) Tenants have the right to raise defenses to an eviction based on the landlord’s failure to maintain a habitable property; and 3) Courts cannot enter a consent judgment when the tenant has not consented. Ms. Pettiford’s victory gave her the stability to move into a new home on her own timeline, and it sent a message to judges who too often issue consent agreements based on a tenant’s admission to not paying some rent, even when the landlord is not providing a safe place to live.

THE OUTSTANDING PARTNER AWARDS

go to individuals and organizations whose work makes a difference
for our clients and the issues we work on.



Louis Ebert helped workers stand up to wage theft and race discrimination as pro bono co-counsel.

Louis J. Ebert, now Pro-Bono Chair at Rosenberg Martin Greenberg, co-counseled a wage theft and race discrimination case with the Public Justice Center, helping six workers recover over \$90,000. In *Pineda Leiva et al. v. GBC Towson East LLC, et. al.*, former Latinx employees of Gino's Burgers & Chicken restaurant chain alleged that Gino's and its owners subjected them to wage theft and a racially hostile work environment. The former employees claimed that Gino's required Latinx employees to work long hours in the "back of the house", then failed to pay them for all hours worked, made unlawful deductions from their paychecks, and denied them legally required overtime wages. The workers also claimed that Gino's owners, particularly Scott Autry, harassed and intimidated Latinx workers who attempted to assert their right to receive wages earned, subjecting them to racial slurs and verbal and physical threats.

Mr. Ebert led Rosenberg Martin Greenberg's pro bono participation in the case, first helping to negotiate an

agreement with one defendant, then using his business law experience to tenaciously advocate for the workers when Mr. Autry declared bankruptcy in an apparent attempt to shield himself from liability. Mr. Ebert committed himself to ensuring justice for these workers and used his knowledge and skills to their benefit. He has since offered valuable expertise to the Public Justice Center in collection and bankruptcy matters related to other cases. Of his pro bono participation in this case, Mr. Ebert said: "Representing individuals whose rights have been taken from them in such an egregious manner and assisting an organization committed to defending those rights is the right thing to do."



Members of the Charles County NAACP and PJC attorney Monisha Cherayil presented to the Legislative Black Caucus of Maryland in November 2019.

The Charles County NAACP led the coalition that stopped Charles County Public Schools from involuntarily transferring students in kindergarten through second grade to an alternative school.

The Charles County NAACP brought together a coalition of legal and

community advocates in spring 2019 to oppose Charles County Public Schools' proposal to operate Fresh Start Academy, an alternative school for children in kindergarten, first, and second grades who engage in challenging behaviors. The Charles County NAACP and its partners, including the Public Justice Center, opposed the plans for three reasons: 1) The school would push young children out of school, making it more likely they would have contact with the juvenile or criminal system when they get older; 2) Assignment of students to the school could violate the state law prohibiting suspension of students in grades pre-K through second and federal laws governing the education of students with disabilities and prohibiting race-based segregation of students; and 3) Operation of the school would increase racial and disability-based segregation in Charles County Public Schools.

The Charles County NAACP led a multi-faceted campaign that included providing written and oral testimony opposing Charles County Public Schools' plans at public hearings, meeting with school district leadership, conducting a parent education campaign, presenting to Maryland's Legislative Black Caucus, and testifying in favor of a bill introduced in the 2020 Maryland General Assembly that would require reporting and transparency around alternative schools in Maryland. The coalition's advocacy resulted in a restructuring of the Fresh Start Academy as a voluntary program and drew statewide attention to the problem of school pushout and the need to reform school discipline policies.



MILESTONES ACHIEVED IN FY20

Thank you to the clients, donors, volunteers, partners, and advocates who supported us in taking action against injustice. Together, we helped tenants, workers, students, parents, and communities achieve the significant milestones on the path to a just society described in this annual report.

APPELLATE ADVOCACY PROJECT

We advocate in appellate courts to influence the development of civil rights and poverty law. We represent individuals whose cases can reform the law and write friend-of-the-court briefs (also known as amicus briefs) in appeals to help judges understand the impact of their decisions on people with low incomes and communities of color. The project is staffed by the Francis D. Murnaghan, Jr. Appellate Advocacy Fellow.

You helped hold the Baltimore City Police Department accountable for its officers' misconduct.

Police misconduct can have serious—even deadly—consequences, affecting entire communities, making policing more difficult, and deepening distrust between the police and Maryland's Black and brown communities, which bear the brunt of police misconduct and are routinely silenced when they attempt to report misconduct. A police department with a reputation for unfairness cannot promote justice or combat crime effectively; yet a culture resistant to accountability persists throughout much of the Baltimore City Police Department.

In an important victory for police accountability, the Court of Appeals of Maryland unanimously ruled that Baltimore City and the Baltimore City Police Department (BCPD) are not shielded

from liability for the misconduct of officers in the BCPD's Gun Trace Task Force (GTTF), an elite plainclothes unit who harassed, assaulted, and wrongly arrested Baltimore residents. In this case, BCPD tried to avoid paying \$64,000 in settlement money to two men by arguing that the officers were not acting within the scope of their employment when they committed their crimes. The Court disagreed.

The Court's decision reflects an amicus brief written by 2019-20 Murnaghan Fellow Dena Robinson, joined by the ACLU of Maryland, Baltimore Legal Action Team, and the Youth, Education, and Justice Clinic at the University of Maryland School of Law. Our brief in *BCPD v. Potts* asserted that Baltimore City was attempting to shirk responsibility for the BCPD's toxic culture of policing and that holding the BCPD and the City government liable would be the best way to ensure that the police department takes responsibility for rooting out officer misconduct and promoting the systemic changes necessary to correct departmental culture and repair community-police relations. While the decision does not create a bright-line rule to govern all GTTF cases, it still sends a strong message that the police department should be held accountable for its officers' actions.

You helped protect low-income consumers from unfair, abusive, and deceptive practices.

Because of Maryland’s racialized history, Black and Latinx workers have lower median incomes than white workers and are more likely to be living paycheck to paycheck, making them more vulnerable to unfair, deceptive, and predatory practices. Black and Latinx families are more frequently targeted for risky financial products (such as payday lending and “cash now” schemes), and debt collectors disproportionately file suits in jurisdictions with larger concentrations of low-income individuals.

We secured rulings in three cases before the Court of Appeals of Maryland that strengthen consumer protections for debt collection practices and the accountability of companies and industries that scam consumers.

In *Andrews & Lawrence Professional Services, LLC v. Mills*, the Court of Appeals ruled that lawyers and law firms that collect debts on behalf of their clients are required to follow the laws that govern debt collectors and cannot hide behind the “professional services” exemption in the Maryland Consumer Protection Act. We represented David and Tammy Mills along with co-counsel Dickinson Law Firm in an appeal that challenged the misleading and illegal practices of the law firm hired by their homeowners association to collect “overdue” fees—a combination of disputed fines and fees, legal costs, and legitimate fees. The Millses brought claims under the Maryland Consumer Protection Act and the Maryland Consumer Debt Collection Act. 2018-19 Murnaghan Fellow Ejaz Baluch, Jr. argued the case in September 2019.

In *Goshen Run Homeowners Association, Inc. v. Cumanda Cisneros*, the Court of Appeals ruled that homeowners associations can no longer use confessed judgments to collect their debts. Confessed judgments are a tool to quickly recover debts if there is a breach or default; creditors can get an immediate judgment in court and begin collecting, and the debtor receives notice after the judgment has been entered and has 30 days to challenge. The Maryland General Assembly outlawed the use of confessed judgments for consumer debts, yet some homeowners associations have continued to try to use them to collect debt from homeowners. 2018-19 Murnaghan Fellow Ejaz Baluch, Jr. filed an amicus brief in July 2019. The brief—joined by the CASH

Campaign of Maryland, Maryland Consumer Rights Coalition, and Public Justice (formerly Trial Lawyers for Public Justice, a national organization with no relationship to the Public Justice Center)—argued that this outlawed practice cannot be used to collect homeowners association debt and described the devastating impact that confessed judgment actions have on low-income consumers and consumers of color and their ability to sustain homeownership.

In *Linton v. Consumer Protection Division*, the Court of Appeals upheld the Maryland Consumer Protection Division’s authority to go after companies who cheat people out of compensation for lead poisoning. This case concerned the unscrupulous practices of Access Funding—the “leader” in an industry that targets Baltimore residents who won compensation in lead poisoning lawsuits to transfer their settlement rights in exchange for “cash now” payments. The case challenged a settlement agreement between Access Funding and 100 Maryland tort victims (mostly young adults between the ages of 18 and 26), which transferred their settlement rights to Access Funding for minimal compensation (only 4% of the losses plaintiffs had suffered), settled their class action claims, *and* settled the claims brought in separate cases by the Consumer Protection Division and the federal Consumer Financial Protection Bureau.

Murnaghan Fellows Ejaz Baluch, Jr. (2018-19) and Dena Robinson (2019-20) filed multiple amicus briefs that addressed the problems with a settlement-only class in the early stages of litigation, the importance of the Consumer Protection Division’s ability to enforce civil law, the cognitive impact of childhood lead paint poisoning on adults, and the reasons the courts should consider cognitive impairments and other vulnerabilities of plaintiffs when approving settlement agreements in class action lawsuits. The Court of Appeals’ decision ultimately held that a settlement between parties in a private case could not preclude the Maryland Consumer Protection Division from pursuing public remedies against Access Funding. We are glad that our arguments helped vindicate consumers’ rights to both public enforcement and fair and effective use of class actions in getting justice for others.



The Francis D. Murnaghan, Jr.
Appellate Advocacy Fellowship

The Francis D. Murnaghan, Jr. Appellate Advocacy Fellowship celebrated 20 years of partnering with the Public Justice Center to staff the Appellate Advocacy Project. This annual fellowship is awarded to a lawyer who has served as a judicial clerk and is committed to working in public interest law.

In the 20th year of the Fellowship, 2018-19 Fellow Ejaz Baluch, Jr. and 2019-20 Fellow Dena Robinson advanced social, economic, and racial justice by:

- Arguing a racial discrimination in employment case before the U.S. Court of Appeals for the Fourth Circuit.
- Filing an amicus brief joined by North Carolina Advocates for Justice that challenged the qualified immunity of police officers in a case alleging brutal police violence. The resulting unpublished opinion from the U.S. Court of Appeals for the Fourth Circuit held that the alleged minor offenses did not warrant the level of force officers displayed and that the qualified immunity doctrine did not shield the officers in this case.
- Filing an amicus brief with Paralyzed Veterans of America in the U.S. Court of Appeals for the Second Circuit, arguing that landlords are liable for failing to address tenant-on-tenant harassment.
- Submitting written testimony with PJC attorneys Ashley Black and Tyra Robinson to support the successful HB 1444 (the CROWN Act), which banned discrimination based on hair texture and hair styles.
- Submitting written testimony with PJC attorney Tyra Robinson in favor of HB 1561, which would have prohibited actions with a discriminatory effect, regardless of intent, in certain housing transactions.
- Achieving the appellate victories described in this report.

On March 3, family, friends, and former clerks of Judge Francis D. Murnaghan, Jr.; former Murnaghan Fellows; students at the University of Maryland Francis King Carey School of Law; and supporters of the Murnaghan Appellate Advocacy Fellowship celebrated the life and legacy of Judge Murnaghan at *Focus on Justice in 2020: A Symposium on Expanding Access to Justice and the Legacy of Judge Francis D. Murnaghan, Jr.*, hosted in partnership with the University of Maryland Law Journal of Race, Religion, Gender & Class.



2019-20 Fellow Dena Robinson and 2016-17 Fellow Anthony May discuss the role of the Murnaghan Appellate Advocacy Fellowship in expanding access to justice.



2003-04 Fellow and Co-Chair of the Murnaghan Appellate Advocacy Fellowship Board Joshua Auerbach thanks 2018-19 Fellow Ejaz Baluch, Jr. for his accomplishments.

ACCESS TO HEALTH AND PUBLIC BENEFITS PROJECT

We advocate to protect and expand eligibility for healthcare coverage and access to appropriate, affordable, effective and culturally competent healthcare. We seek to eliminate racial and ethnic disparities in health outcomes and access to benefits.

Black women die in childbirth at three to four times the rate of white women in the United States, regardless of income and education. In Maryland, the Black maternal mortality rate is four times the white rate. The gap is growing in Maryland, with maternal mortality increasing for Black women by 11.9%, even as it decreased for white women by 35.4%. And there are many more near misses than deaths.

You helped grow a coalition to advocate for reduced pregnancy and infant health disparities in Maryland's Black, Brown, and immigrant communities.

We co-founded the Reproductive Health Equity Alliance of Maryland (RHEAM) shortly after the 2019 legislative session to advocate for increased access to doula services. Doulas provide information, advocacy, and support for pregnant women during pregnancy and birth and after delivery, including to women who have experienced miscarriages and abortions. This maternal health intervention has been found to improve health outcomes for both women and their infants. In the last year, the coalition has grown from six to fifteen members. RHEAM members include maternal health advocates, doulas, infant and maternal health policy organizations, and researchers. RHEAM also established two advocacy priorities: 1) expanding access to community-based doulas and other care coordinators, and 2) requiring implicit and racial bias training for clinicians.



You helped pass two laws that will improve maternal healthcare for women of color.

We successfully advocated for two bills in the 2020 Maryland General Assembly that will help address racial disparities in maternal mortality. HB 286 will strengthen the Maryland Maternal Mortality Review Stakeholder Group—which is

tasked with providing recommendations on reducing racial disparities to the Maryland Maternal Mortality Review Program—by requiring the group to include families and women who have experienced near maternal death, a maternal death, or other challenges during pregnancy as well as stakeholders who reflect the racial and ethnic diversity of women most impacted by maternal deaths. The law also requires the Secretary of Health to seek input and recruitment support from specific community-based organizations and advocacy organizations focusing on perinatal care.

HB 837 will require the Cultural and Linguistic Health Care Professional Competency Program to establish and provide an evidence-based implicit bias training program for perinatal healthcare clinicians. This is important because racial bias often leads to healthcare providers ignoring Black women's concerns and delivering a lower quality of care. Provider bias adds to the accumulated stress Black women experience from racist insults and discrimination in many areas of life, such as work, housing, and police encounters. The physical toll of this stress is known as weathering and can lead to pregnancy-related complications and maternal mortality. Implicit bias training can help clinicians become more aware of their own biases and enable them to take the steps needed to correct dangerous assumptions in providing care to women of color.

You helped open the door to expanded access to doula care.

We drafted legislation and led advocacy with the Reproductive Health Equity Alliance of Maryland (RHEAM) for a bill that would have created a Doula Technical Assistance Advisory Group to study issues concerning doula Medicaid and private insurance reimbursement as well as voluntary doula certification for Maryland. The bill was unopposed and had the support of people from a range of professions, including nurses, nurse midwives, OBGYNs, doulas, women with lived experience receiving doula support, the Maryland Hospital Association, and other advocates working in the infant and maternal health sphere. Unfortunately, due to the spread of COVID-19, the 2020 legislative session ended before SB 914/HB 1067 passed.

We worked with leadership in the Senate Finance Committee, the House Health and Government Operations Committees, and the Maryland Department of Health to establish and convene the Doula Technical Assistance Advisory Group without legislation. We anticipate that the group will begin meeting in 2021.

WORKPLACE JUSTICE PROJECT

We advance justice and equity in the workplace by defending and expanding the rights of workers. We promote worker power through know-your-rights education, litigation to combat wage theft and other workplace violations, and policy advocacy to expand the rights of low-wage workers. We work with community partners and focus on industries where wage theft is common and where people of color comprise a disproportionate part of the workforce.

You helped workers stand up for their rights to be paid timely and fully.

Concentrated in low-wage jobs, Black workers face minimum wage violations triple those of white workers, according to the National Employment Law Project. Wage theft—failing to pay workers the full wages to which they are legally entitled—can exacerbate the already wide pay gap between workers of color and white workers. A 2019 report from the Economic Policy Institute showed that the wage gap between Hispanic and white workers has barely moved since 2000 (12.3% in 2000 vs. 11.8% in 2018) and has worsened between Black and white workers (10.2% in 2000 vs. 16.2% in 2018).

Wage theft cheats workers out of hard-earned wages and keeps wages across an industry low by forcing law-abiding employers to compete with those who fail to pay minimum and overtime wages. Combatting wage theft demands that employers pay earned wages timely and fully, pay additional damages when they do not, and reform pay policies to ensure that they pay employees what they earn.

We represented hundreds of workers in wage theft and racial discrimination cases targeting high-violation industries, including home care, construction and home remodeling, restaurants, janitorial services, and landscaping. Progress of our ongoing litigation included:

- We settled one case—recovering over \$16,000 for two workers—after verifying that the home care agency was in the process of compensating approximately 100 other workers for unpaid overtime wages and verifying the employer's shift in compensation practices to comply with state and federal wage laws.
- Following unlawful retaliatory terminations of two workers who filed a lawsuit to recover unpaid wages from their employer, we sought and secured a temporary restraining order requiring the reinstatement of the fired workers, which the Court then extended for the duration of the lawsuit. This court action helped show other workers considering joining the lawsuit that they will be protected from retaliation if they do.

- In a home care wage theft case, the Court granted our motion to conditionally certify the Fair Labor Standards Act collective action, requiring the defendants to disclose the names and contact information of all the home care workers employed during the prior three years so that we could notify the former employees of the lawsuit and give them the option to join.
- A client in a wage theft and discrimination case against Homefix Custom Remodeling, Kym Thornton, was featured in a *Bloomberg Businessweek* article, titled "How the American Worker Got Fleeced," which focused on how employers have held down wages, cut benefits, and ignored workers' rights.

You helped strengthen Maryland's Equal Pay for Equal Work law.

Women of all races earn just 82 cents for every \$1 earned by men of all races. Women of color, transgender women, and immigrant women experience the compounding negative effects of multiple biases on their earnings. Black women earn only about 62 cents for every \$1 earned by white men, while Latinx women earn only 54 cents per \$1, according to the Center for American Progress.

We successfully advocated for a bill that will fix a gap in the 2016 Equal Pay for Equal Work law by protecting employees who ask about their own wages in the same ways the law already protects employees who ask about a coworker's wages—by prohibiting employers from punishing such inquiries. The original law included protection from retaliation only for employees inquiring about another employee's wages. Under the revised Equal Pay for Equal Work law, employees are now also protected from retaliation, such as termination, for asking about their own compensation. The change will enable employees to ask—without fear—about their compensation for time worked, for a raise in wage rate to match the pay of male coworkers, or other questions to determine whether they are receiving equal pay for equal work.

You helped defend Maryland's sick and safe leave law.

Workers of color are disproportionately employed in industries that tend not to offer earned sick and safe leave. Only 59% of Black workers have access to paid sick leave, compared to 67% of white workers, according to a 2020 report from the Economic Policy Institute.

Once again, we successfully fought efforts in the 2020 legislative session to weaken the 2018 Maryland Healthy Working Families Act, including bills seeking exemptions for school district substitutes and seasonal workers. While we did our best to expand sick leave as the pandemic hit, our efforts did not gain traction with Maryland legislators.



PJC attorneys David Rodwin and Sally Dworak-Fisher educated lawmakers in the U.S. House and Senate on the pervasiveness of wage theft and provided recommendations to enhance enforcement of existing wage laws.

You helped amplify our call for strengthening protection for workers at the national level.

Wage theft—failing to pay workers the full wages to which they are legally entitled—is very common, especially in low-wage jobs. Worse yet, occupational segregation and policies that push people of color and women into under-valued work mean that immigrants, people of color, and women are the most likely to suffer.

We testified before a U.S. House subcommittee in September 2019 to educate lawmakers about the continued importance of the bedrock wage protections for employees under the Fair Labor Standards Act (FLSA) and the need to prevent erosion of those protections—leveraging expertise gained from the PJC’s litigation against numerous companies for wage theft and misclassification of employees as independent contractors, a pernicious form of wage theft.

Our testimony included the extent of the problem of business misclassification of employees as independent contractors and the harms it causes workers and businesses that follow the law. When workers are misclassified as independent contractors, they are denied critical protections, such as the right to minimum wage, overtime pay, and workers’ compensation benefits. The practice also undermines fair competition among employers, putting downward pressure on wages and putting law-abiding employers at a disadvantage. Our testimony also supported the Payroll Fraud Prevention Act, which would require businesses to properly classify their workers, keep records of those classifications, and pay increased penalties for misclassification.

We returned to Washington, D.C. in October 2019 to talk with Senate staff about the devastating impact of wage theft on low-wage workers, who are cheated out of more than \$15 billion in minimum wages each year nationally. We shared recommendations to enhance enforcement of existing wage laws so that employers cannot get away with stealing their employees’ wages. Our advocacy amplifies the voices of workers around the country seeking fair and full pay for their hours worked.

PRISONERS’ RIGHTS PROJECT

We aim to make pretrial detention rare, brief, and humane; eliminate unnecessary arrests and detentions that disrupt and destabilize families and communities; and end pretrial practices that have a disparate impact on people and communities of color.

You helped call for police reform and accountability in Maryland.

Systemic racism and implicit bias are deeply embedded in the culture and practices of police departments in the United States, resulting in officers disproportionately using force in low-income communities and against communities of color. Black and Latinx individuals are 50% likelier to experience use of force during a police encounter, and an unarmed Black man is more than 7 times as likely to be fatally shot by a police officer as an unarmed white man.

We worked with a coalition of more than 60 grassroots, community, and advocacy groups from across the state and survivors of police violence to develop a legislative strategy in response to strong, renewed demands from the public for police reform and accountability. Led by the ACLU of Maryland, the coalition has been pushing for an amendment of the Maryland Public Information Act to allow disclosure of police discipline records for several years. The coalition gained momentum for broader police reform and accountability in the wake of local and nationwide protests following the murder of George Floyd in police custody.

The coalition identified and urges the passage of five critical police reforms:

- Allow investigations into all police misconduct to be disclosed under the Maryland Public Information Act
- Create statutory limits on the use of force by law enforcement
- Repeal the Law Enforcement Officers’ Bill of Rights
- Give the people of Baltimore City the ability to govern the Baltimore City Police Department
- Take law enforcement out of schools

Our attorneys joined work groups related to limiting the use of force by law enforcement and the removal of law enforcement from our children’s schools, and we will work with the coalition to introduce bills supporting these reforms in the 2021 Maryland General Assembly.

HUMAN RIGHT TO HOUSING PROJECT

We stand with tenants to protect and expand their right to safe, habitable, affordable, and non-discriminatory housing and their right to fair and equal treatment by Maryland’s landlord-tenant laws, courts, and agencies. We defend renters facing eviction, demand repair of unsafe housing conditions, and represent renters seeking systemic relief from predatory landlord practices. We advocate to change the law regarding evictions and to demand the development of equitable and sustainable affordable housing.

You helped prevent unjust evictions.

Baltimore’s eviction rate is one of the highest in the nation at 5.3% (almost 2.5 times the national average). Each year, landlords evict an average of 6,500 Baltimore families for purportedly failing to pay rent.

We defended renters facing eviction in 711 cases in Baltimore City in FY20, and we obtained a significant benefit for clients in 96% of cases—including preventing eviction, reducing the rent because of conditions of disrepair, requiring landlords to repair unsafe housing conditions, and obtaining additional time for tenants to vacate the property and find new housing.

In March 2020, a Baltimore City tenant and the PJC scored a major victory over a negligent landlord in the Court of Appeals of Maryland that will benefit renters throughout the state. The case began last year after Latashia Pettiford withheld rent because her landlord refused to repair unsafe conditions, including a lack of heat in the middle of winter. In two hearings, judges dismissed her arguments and one even threatened immediate eviction if she argued that the conditions were so dire. The second judge issued a “consent” judgment for the unpaid rent, even though Ms. Pettiford made it clear she did not consent to the landlord’s accusation that she owed the alleged amount. The Court of Appeals of Maryland ruled in *Pettiford v. Next Generation Trust Service* that tenants have the right to seek a reduction in the rent and withhold rent if the landlord fails to fix unsafe conditions and that the Court may not unilaterally issue a consent judgment when no agreement has been reached between the parties. (Read about Ms. Pettiford’s courage in her fight for justice on page 9.)

You helped prohibit housing discrimination based on a tenant’s source of income in Baltimore County.

Source of income discrimination limits where people can live, perpetuating inequity and concentrating poverty. Nearly 60% of Baltimore County residents using federal housing vouchers to afford rent live in just 7 of Baltimore County’s 40 zip codes, according to a Baltimore Sun article detailing the challenges of finding a landlord who will accept a housing voucher.

We co-led a coalition over the last four years to pass the Housing Opportunities Made Equal (HOME) Act in Baltimore County, critical civil rights legislation that will stop landlords from discriminating based on a tenant’s source of income, including federal housing vouchers. Coalition members included Homeless Persons Representation Project, Disability Rights Maryland, ACLU of Maryland, Maryland Legal Aid, Baltimore County NAACP, League of Women Voters of Baltimore County, and many other allies.

The law, which opens up fair housing opportunities throughout Baltimore County, stems from a requirement of the 2016 agreement the county entered with the U.S. Department of Housing and Urban Development to settle a federal housing discrimination complaint brought by the Baltimore County NAACP, housing advocates, and three county residents. The HOME Act was first introduced three years ago and failed. Coalition members continued pushing Baltimore County lawmakers, educating them on the economic and social benefits of prohibiting source of income discrimination, and addressing the misperceptions around the acceptance of housing vouchers. As a result of our advocacy and new County leadership, when Baltimore County Executive Johnny Olszewski re-introduced the bill in November 2019, it passed. The HOME Act is foundational to our ongoing efforts to remedy decades of discrimination in Baltimore County housing policy that created and perpetuated racial and economic segregation. Passage of the HOME Act in Baltimore County was an important milestone in our advocacy to prohibit source of income discrimination statewide. (Read more about the Maryland HOME Act on page 6.)



PJC attorney Matt Hill attended the signing of Baltimore County’s HOME Act in November 2019 along with fellow housing advocates.



Members of the Baltimore Right to Water Coalition—including PJC attorney Zafar Shah—rallied for reforms to Baltimore City’s water billing practices.
Photo: Jackie Filson / Food & Water Action

You helped advocate to make water and sewer bills more affordable and equitable for renters in Baltimore City.

As water rates have risen in recent years to pay for improvements to keep our water clean, the burden of price increases has fallen most heavily on low-income households, who—when unable to pay their bills—face cut-off of their water service and eviction.

Over the past three years, we advocated as a member of the Baltimore Right to Water Coalition to reform the city’s billing practices, and in November 2019, the Baltimore City Council passed the Water Accountability and Equity Act.

The new law benefits renters in four ways:

1. Renters will have direct access to the Water-for-All Discount Program without having to rely on the assistance of their landlords in the application process. The program will bring down charges, thereby reducing housing cost burden and decreasing the risk of eviction.
2. Any renter whose landlord demands payment for water/sewer service must have a written lease that makes this obligation clear and a copy of the Department of Public Works’ (DPW) water bill, delivered timely either by DPW or by the landlord. For renters in multi-unit buildings, leases will also spell out exactly how shared costs will be calculated.
3. If a renter needs copies of new or prior bills, consumption history, or any other records about service to the property, they can directly request and receive that information from DPW, without having to secure permission or intervention from the property owner.
4. When a renter believes the water/sewer bill is inaccurate, they can engage the new Office of Water-Customer Advocacy and Appeals, without resort to or delay by the landlord. Tenants will benefit from neutral investigation, problem-solving, and resource-sharing, as well as protection from service cut-off.

Unfortunately, in early July 2020, Mayor Bernard C. “Jack” Young signed an executive order to indefinitely block implementation of the Water Accountability and Equity Act. This attempt to ignore the new law is unconscionable when water bills are already unaffordable for the bottom fifth of income earners in nearly every part of Baltimore City. Through continued advocacy, the PJC and our allies are pressing the City Council and incoming

administration to take swift action by the end of the year so that key tenant protections become effective in early 2021.

You helped increase public funding for permanently affordable housing in Black and low-income communities.

Baltimore City’s history of racial zoning, redlining neighborhoods, racially restrictive covenants, blockbusting, urban “renewal”, predatory lending, and disinvestment has led to significant racial and economic disparities. For example, there is an 18% gap between Black and white households in homeownership rates, according to the Racial Wealth Divide in Baltimore report by Prosperity Now.

We worked closely with members of the Fair Development Roundtable to advocate for the Baltimore City Department of Housing and Community Development to adopt spending priorities that will begin to close the racial gap in homeownership and increase the availability of permanently affordable, community-controlled housing.

The Public Justice Center joined fellow members of the Fair Development Roundtable at a rally in July 2019 to release the report *Fair Development, Race Equity and Baltimore’s Affordable Housing Trust Fund*, which outlined proposals for allocation of money in the trust fund and criteria for housing development. Leaders from the Fair Development Roundtable and other stakeholders met with the Baltimore City Department of Housing and Community Development to develop a proposed spending plan that would maximize the effectiveness and equity of the Trust Fund.

In January 2020, the Affordable Housing Trust Fund Commission voted to approve the proposed spending priorities, which will direct the largest share of the funds toward community land trusts (nearly 25% in FY20, increasing to 39% in FY22). Community land trusts keep properties affordable and in the hands of the community by putting the homes, not the land they occupy, on the market and allowing only people with low incomes to buy or rent. The trust retains ownership of the land under the building. This is a significant victory in the campaign to create community-controlled, permanently affordable housing in Black and low-income communities.

You helped build momentum for an eviction right to counsel in Baltimore City (#RightToCounselBmore).

Evictions cause poverty and drive homelessness, job loss, deteriorating health, poor education outcomes, poor credit scores, and loss of assets; evictions also increase the risk of children being placed in foster care. The racial disparities in eviction rates make eviction a civil rights issue linked to the legacy of segregation and discriminatory housing practices directed against people of color.

Together with fellow members of the Baltimore Renters United coalition, we laid the groundwork for introducing an eviction right to counsel bill in Baltimore City in October 2020. In May 2020, we announced the release of two reports from Dr. Timothy Thomas of the Urban Displacement Project at the University of California, Berkeley and Stout about racial disparities in evictions in Baltimore and the predicted impact of establishing an eviction right to counsel in the city. That same month, we hosted a mayoral candidates’ forum, a legislative briefing, and a press conference to share the findings of the reports, including:

- While 96% of landlords are represented in eviction cases, only 1% of tenants are represented.
- Approximately 80% of renters could raise a defense in eviction cases, but only 8% successfully raise a defense without representation.
- An estimated 92% of represented tenants would avoid disruptive displacement with a right to counsel in Baltimore City.
- The number of Black women evicted is 3.9 times higher (296% more) than the number of white men evicted.
- An annual investment of \$5.7 million in a right to counsel for Baltimore tenants facing eviction would yield \$35.6 million in benefits or costs avoided to the City and State.

Guaranteeing a right to counsel in eviction cases will level out the imbalance of power between landlords and tenants, address racial disparities, ensure many families can avoid disruptive displacement in eviction, and save Baltimore City and the State of Maryland money over time.

EDUCATION STABILITY PROJECT
We seek to advance racial equity in public education by combatting the overuse of practices like suspension, expulsion, and school-based arrest that disproportionately target Black and brown children. We also seek to eliminate barriers to school enrollment and success facing homeless children and children in foster care.

Schools suspend and expel Black students at significantly higher rates than white students—even when they engage in the same behaviors as white students. Even though they comprised only 34% of the student population in Maryland schools, Black students received 59% of suspensions and expulsions during the 2018-19 school year.

Every school suspension decreases the odds by 20% that a student graduates on time, according to a National Research Council report on juvenile justice reform.

You helped represent students facing suspension, expulsion, and other disciplinary removals from school.

We provided legal representation to students facing school pushout at suspension or expulsion conferences, at school board appeals, and in state level appeals. We achieved positive outcomes for 28 students in Maryland, including avoiding suspensions or expulsions, returning students to school before the end of their suspensions or expulsions, having suspensions or expulsions removed from students’ records, linking students to special education services, and obtaining compensatory education services for students during their suspensions or expulsions.

We evaluated and placed an additional 25 student discipline cases with 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.

You helped combat the excessive and racially disproportionate use of suspension and expulsion in Prince George’s County Public Schools.

We partnered with Disability Rights Maryland, National Center for Youth Law, NAACP Legal Defense Fund, and the Office of the Public Defender to pressure Prince George’s County Public Schools to address troubling patterns in discipline practices identified through our representation of students. Students are routinely suspended for attendance-related offenses, and students with disabilities are suspended for disability-related behavior instead of receiving special education services they need. There are also widespread violations of procedures governing suspension and expulsion of students as well as failure to provide students with adequate education during the period of suspension or expulsion.

We met with school district leaders in July 2019 and followed up the meeting with a letter reiterating our concerns and proposing specific solutions in the areas of policy revision, community engagement, staff training, and improved programming. Throughout the fall, we met with students and their families, and in December, we worked with a grassroots special education advocacy group to host a listening session to better understand the nature of the problem. In the spring and summer of 2020, in coordination with Disability Rights Maryland and the Office of the Public Defender, we filed a series of special education complaints on behalf of our clients with the Maryland State Department of Education (MSDE)

to demonstrate the systemic nature of the school district’s violation of the rights of students with disabilities and request that MSDE order districtwide corrective action.

As a result of this advocacy, Prince George’s County Public Schools is beginning to make changes, such as revising their Student Code of Conduct to prohibit out-of-school suspension for offenses like “disrespect” and “disruption”, and the MSDE issued favorable letters of finding in response to the initial round of administrative complaints, concluding that similar violations had occurred in each case and ordering school-wide training in each school.

You helped advance advocacy to reform school discipline policies and practices in Kent County Public Schools.

We joined with the Kent County Social Action Committee for Racial Justice to reform school discipline policies and practices in Kent County Public Schools because of our shared concern about the practice of sending students for prolonged or indefinite periods—often repeatedly—to the Kent Alternative Program (KAP) for any minor infraction.

Together, we filed a Maryland Public Information Act (MPIA) request for data on students placed at KAP, school system policies and procedures on KAP and school discipline generally, and documentation of the quality of education at KAP. The data provided in response to the MPIA request revealed myriad problematic policies and practices regarding the school system’s use of the KAP. Before the COVID-19 pandemic sent students home for the school year, we had begun to connect with youth who have been sent to KAP, so that their experiences can inform our work with the Kent County Social Action Committee for Racial Justice to develop a strategy for systemic change in Kent County Public Schools.

You helped challenge school districts’ systematic removal, with minimal process, of students arrested for or charged with certain “reportable” criminal offenses.

Maryland law currently affords school districts broad discretion to remove any student from school, with minimal process, if the student has been arrested for or charged with a wide range of criminal offenses, so-called “reportable offenses.”

We pursued cases, along with our partners at Disability Rights Maryland and the Office of the Public Defender, in which school districts violated the basic procedural requirements of Maryland’s reportable offense law, capitalized on loopholes in the law to remove students for long periods for offenses that had no impact on the school community, or used the reportable

offense process as a workaround to the more protective student discipline regulations. We also gathered information and data on reportable offense practices from every school district in Maryland and conducted a 50-state survey of reportable offense statutes. Our investigation confirmed the patterns we identified by representing individual students: compared to many other states, Maryland schools more frequently use reportable offenses to deprive students of their education with little due process.

Our work this year has paved the way for reform in future years. We helped introduce and support legislation in the 2020 session of the Maryland General Assembly to reform the legal framework governing how law enforcement reports arrests to school districts and how school districts can respond—a first step toward changing Maryland’s laws. And, we received a landmark, favorable ruling from the State Board of Education in an appeal in an individual reportable offense case against Caroline County Public Schools: the State Board decided that school districts cannot remove a student from school simply because the student has been arrested for a reportable offense, firmly rejecting the harmful and un-nuanced approach many districts have taken to date. (Read about Troy Rose’s courage in his fight for justice on page 8.)

You helped amplify students’ and families’ call to remove police from schools.

We supported student and family-led school police reform campaigns in Prince George’s County, Montgomery County, Howard County, and beyond as a leader within the Coalition to Reform School Discipline. Our attorneys reviewed and analyzed Maryland’s school-based arrest data, conducted academic and policy research, drafted fact sheets, prepared testimony before school boards, and helped to organize town hall meetings on the harmful impacts of stationing uniformed police in schools. Our work in support of grassroots advocacy efforts is informed by substantial research demonstrating that that the regular presence of police in schools criminalizes students for minor behaviors—dramatically increasing arrest rates for run-of-the-mill fistfights or disruption—without addressing serious safety threats.

These years-long advocacy efforts gained momentum following the killing of George Floyd and the subsequent nationwide protests condemning police violence against Black people. School districts around the country have taken the bold and necessary step of removing law enforcement from schools, and we will continue to advocate alongside students, families, and our partners in the Coalition to Reform School Discipline for school districts in Maryland to take the same bold step in the 2020-21 school year.

NATIONAL COALITION FOR A CIVIL RIGHT TO COUNSEL (NCCRC)

We lead a national coalition that seeks to establish the right to an attorney for low-income people in civil cases where basic needs are at stake, such as housing, child custody, or physical safety. The NCCRC is the only entity in the country dedicated solely to establishing the right to counsel in civil cases in order to provide access to justice, fundamental fairness, racial equity, and protection of the rule of law—with more than 500 allies in 40 states, including civil legal aid organizations, the private bar, public interest law firms, academia, bar associations, access to justice commissions, nonprofit organizations, and community organizing groups.

The World Justice Project’s 2020 Rule of Law Index—to which we were an expert contributor—scored 128 countries as to access to and affordability of civil justice. The United States came in at 108th.

In eviction proceedings, on average, landlords are represented more than 90% of the time, compared to less than 10% for tenants. Tenants who lack an attorney are routinely evicted regardless of the facts or strength of any legal defenses.

You helped build public and judicial awareness of the need for a civil right to counsel.

We built public awareness of the need for a civil right to counsel through the media. We were quoted and mentioned in publications around the country throughout the year, including:

- A December 2019 article in *Next City* examined NCCRC-supported efforts in the five cities that have enacted a right to counsel in eviction cases and asked in its headline: “Is Tenants’ Right to Counsel On Its Way to Becoming Standard Practice?”
- A *Wall Street Journal* article from December 2019 covered the growing eviction right to counsel movement as a response to rising housing costs and homelessness. The article featured the work of The Legal Aid Society of Cleveland and the NCCRC to enact legislation for a right to counsel in eviction cases in Cleveland in October 2019.
- A January 2020 story in the *Indiana Lawyer* looked at a recent report from the Pew Charitable Trusts outlining the number of civil legal problems faced by Americans across the income spectrum—47% of Americans had a civil legal problem in the past year—and discussed a civil right to counsel as part of the solution. The article cited data on recent legislative victories pulled from the NCCRC’s website.
- An in-depth story in June 2020 in *The New Republic* looked at the civil right to counsel movement and its relationship to the development of civil legal aid in general.
- As a result of our work to measure the scale of the eviction crisis and to identify the increased due process issues resulting from

the COVID-19 pandemic, we were quoted in *The New York Times*, *Bloomberg Business*, *CNBC*, *ABC News*, *CNN*, *Washington Post*, *The Guardian*, *Fast Company*, and *Agence France-Presse*.

We also authored an article titled “Appointment of Counsel for Civil Litigants: A Judicial Path to Ensuring Fair and Ethical Administration of Justice” that was published in a special access to justice issue of *Court Review*, one of the primary publications for state trial court judges. The article describes the need and justification for appointment of counsel in some civil cases and the laws that require or authorize state trial court judges to appoint counsel where needed.

You helped expand the right to counsel in civil cases through technical assistance for litigation.

We provided technical assistance for litigation in three successful appellate cases that resulted in broader rights to counsel: for children in delinquency hearings in Washington, D.C.; for parents facing administrative abuse and neglect cases in New Jersey; and for people facing incarceration for an inability to pay fees and fines resulting from family court cases in Pennsylvania.

We signed on to an amicus brief by the National Juvenile Defender Center in a case that questioned whether the mandatory right to counsel for children in delinquency proceedings under Washington, D.C.’s Criminal Justice Act extended to administrative proceedings for children committed by a judge to the custody of the Department of Youth Rehabilitation Services. The D.C. Court of Appeals extended the right to counsel for delinquent children to proceedings outside the delinquency court. It rejected the government’s argument that the proceedings were analogous to post-conviction proceedings where adult prisoners lack a right to counsel because the court maintains jurisdiction over a child’s case for the entirety of their commitment to Department of Youth Rehabilitation Services custody.

The New Jersey Superior Court (Appellate Division) held that parents are entitled to counsel in parental abuse/neglect cases whether the State chooses to use a judicial or administrative forum. The court determined that, while parental rights are not directly threatened in administrative proceedings (as in judicial proceedings), determinations made in administrative hearings implicate “consequences of magnitude”—such as a permanent inclusion in the Child Abuse Registry, which can affect the parent’s ability to obtain certain types of employment and subject a parent to a termination of parental rights action. We gave input to counsel for the parent on briefing the case and contributed to an amicus brief filed by the ACLU of New Jersey.

Relying on a 2018 NCCRC-assisted victory regarding the constitutional right to counsel when a person faces incarceration

for inability to pay criminal fines and fees, a Pennsylvania appellate court ruled that the right to counsel also attaches in a family law context where incarceration is at stake. We collaborated with the ACLU of Pennsylvania on an amicus brief in the case.

You helped establish an eviction right to counsel in jurisdictions around the country.

The eviction right to counsel movement is growing rapidly, and we assisted activists and advocates in more than a dozen cities and states with local campaigns. We provided strategic advice, assisted with the development of coalitions within cities and states, advised on the collection and production of cost/benefit and outcomes data, shared research and best practices from successful campaigns, and helped local jurisdictions develop public awareness campaigns and implementation plans.

In November 2019, we co-hosted a webinar with the Right to Counsel NYC Coalition that highlighted the essential role of community-based tenant organizing in eviction right to counsel campaigns in New York City as well as San Francisco and Newark. The Right to Counsel NYC Coalition also released an organizing toolkit to help jurisdictions initiate eviction right to counsel campaigns; the toolkit includes model legislative language that we helped develop.

Local jurisdictions around the country achieved significant milestones in their eviction right to counsel campaigns:

- Philadelphia passed a right to counsel law in November 2019. The law entitles tenants whose gross income is at or below 200% of the federal poverty level—including renters in Housing Authority properties—to legal representation when facing eviction.
- In December 2019, the Santa Monica City Council passed an ordinance declaring an intent to pass a right to counsel for tenants facing eviction.
- In response to organizing efforts by the Los Angeles Renters Right to Counsel Coalition, the Los Angeles City Council voted in December 2019 to add \$9 million to its eviction defense fund, bringing the total allocated for tenant representation to \$23.5 million. The Coalition issued an open letter applauding the additional investment and renewing calls to codify a right to counsel for tenants.
- Baltimore Renters United led a coalition of renters, organizers, and advocates—including the Public Justice Center—in announcing the release of two reports examining the costs and benefits of an eviction right to counsel in Baltimore and the disparate impact of evictions on people of color. The reports, released in May 2020, laid the groundwork for the introduction of eviction right to counsel legislation in Baltimore in October 2020.

In addition, in 2019, members of Congress began expressing interest in expanding tenant representation and reached out to us for technical assistance. Over the past year, bills receiving our input have been filed by Reps. DeLauro (CT), Pressley (MA), and Clyburn (SC), as well as Sen. Merkeley (OR). There was also a bipartisan civil right to counsel resolution with 25 co-sponsors that was introduced in the House.



Renters and advocates rallied in Los Angeles to call on the Los Angeles City Council to enact a right to counsel in eviction cases. Photo: Los Angeles Right to Counsel Coalition

You helped demonstrate the effectiveness of an eviction right to counsel and expand the right in New York City.

Evidence of the positive effects of a systemic right to counsel can be seen in New York City, one of the only cities that has had a right to counsel long enough to have collected empirical data. In February, the Community Services Counsel released a report on the impact of the existing right to counsel. Findings included:

- Although New York City has not yet fully rolled out its new right, 84% of those receiving counsel have remained in their homes.
- The zip codes with a right to counsel have seen a 35% drop in the number of court filings for eviction and an eviction rate that is five times lower than the zip codes without counsel.
- The report also shared data from a 2019 Community Action for Safe Apartments report that found more than half of residents in right to counsel zip codes did not know they had a right to counsel until they arrived in housing court, suggesting the need for expanded know-your-rights education for New York City tenants.

In response to this report and advocacy by the Right to Counsel NYC Coalition, the New York City Council introduced two bills in February 2020 to expand the right to counsel for tenants facing eviction. One bill requires the City to work with tenant organizers to ensure the right to counsel is implemented effectively and that renters know their rights. The second bill expands the income threshold for eligibility from 200% to 400% of the federal poverty level. We submitted testimony in favor of these bills, and the Right to Counsel NYC Coalition organized tenants for the hearing.

ADDRESSING RACIAL AND ECONOMIC INEQUITIES MAGNIFIED BY THE COVID-19 PANDEMIC



The COVID-19 pandemic upended our clients' lives, shut down the court and school systems, adjourned the Maryland General Assembly's 2020 legislative session abruptly, and magnified economic and racial inequities in our communities.

We quickly pivoted to advocate for the emergency needs of our clients, including essential workers still on the job and facing health and safety issues; low-wage workers who became unemployed, lost their benefits, and face eviction and financial ruin; renters facing threats of illegal eviction and living in unsafe housing conditions unable to press their landlords to make repairs while the courts were closed; and students with limited access to remote learning opportunities.

We compiled and shared resources on workers' rights, housing, and health rights on our website and social media pages. We co-hosted virtual know-your-rights trainings with the Fair Development Roundtable and Maryland Legal Aid. And we organized allies to demand action from government officials and agencies at the local, state, and federal levels. Our advocacy will continue until the COVID-19 public health and economic crises have ended.

Access to Health and Public Benefits Project

Our advocacy has focused on racial disparities in COVID-19 infection and death rates, economic and food security, and access to public benefits. We have taken actions including:

- Urging Governor Larry Hogan to take urgent action to address racial disparities in Maryland's COVID-19 infection and death rates.
- Leading the Supplemental Nutrition Assistance Program (SNAP)/Temporary Assistance for Needy Families (TANF) subcommittee of Access to Justice Task Force's Economic and Food Security Committee to identify, examine and evaluate access issues and propose potential solutions to barriers to access during the pandemic.
- Working with the Maryland Department of Human Services to reduce delays in decision-making and allocation of SNAP/

TANF benefits and providing feedback to the agency on issues with access to public benefits exacerbated or created by COVID-19.

Workplace Justice Project

Our advocacy has focused on sick leave, unemployment insurance, and worker health and safety. We have taken actions including:

- Calling on the Maryland General Assembly to expand the Healthy Working Families Act to guarantee all workers have access to earned paid sick leave during a public health emergency and that such paid leave is available to workers who need to quarantine or who cannot work due to school or daycare closures.
- Urging the Maryland General Assembly to provide free and readily available COVID-19 testing and treatment, an extension for Medicaid enrollment, and full COBRA subsidies for the unemployed

and furloughed to protect the health of Marylanders.

- Advocating at the federal level for additional stimulus payments and continuation of the pandemic unemployment premiums as well as to ensure that expanded unemployment insurance benefits sunset only when economic conditions improve.
- Working with partners to ensure that low-wage and vulnerable home care workers have adequate personal protective equipment and are aware of and have access to the free childcare to which they are entitled as essential personnel.
- Demanding that Governor Hogan issue mandatory COVID-19 workplace safety rules, following the lead of the Virginia Safety Health Codes Board.
- Representing workers in COVID-19-related health and safety complaints to county health departments under the Governor's executive order.
- Representing workers before the National Labor Relations Board in charges for alleged violations of their rights to protected, concerted activity related to COVID-19 health and safety complaints.
- Supporting local legislation to ensure that Baltimore City hotel workers who have been laid off due to COVID-19 are offered re-employment when hotels are in a position to do so.

Prisoners' Rights Project

Our advocacy has focused on reducing inmate populations in Maryland's jails and prisons to keep the virus from spreading. Along with advocates, family

members of people who are incarcerated, and public health experts, we filed an extraordinary petition, an emergency motion, and an amicus brief in another extraordinary petition case—all of which were denied by the courts. Nevertheless, our advocacy resulted in orders from the Governor and Chief Judge of the Court of Appeals requiring release of hundreds of adults and youth in Maryland prisons and detention facilities and new safety protocols in the Baltimore jail, including:

- Reconfigured intake and housing procedures to minimize the spread of COVID-19.
- Improved access to testing and protective equipment for detainees.
- Set-up of separate housing for medical quarantine and treatment for detainees diagnosed with COVID-19, exposed to the virus, or at high risk of infection.
- Training for staff on social distancing and other safety protocols.
- Daily temperature and symptom checks for staff and regular testing of staff.

Human Right to Housing Project

Our advocacy continues to focus on reinstituting an eviction moratorium in Maryland, rent relief measures, and protections for people experiencing homelessness. We have taken actions including:

- Demanding that Governor Hogan extend eviction protections for at least 12 months beyond the end of the state of emergency declared in March and require landlords to exhaust all options—including payment plans and mediation—before filing for eviction.
- Demanding that Governor Hogan and Baltimore City allocate significant, flexible funding for rental assistance to help renters avoid eviction. Governor Hogan has since allocated \$30 million statewide and Baltimore City allocated \$30 million within the City for this purpose.

- Advocating successfully for passage of a law in Baltimore City that prohibits late fees and rent increases during the pandemic.
- Calling for the Baltimore Department of Public Works to delay the planned 10% water and sewer rate increase, to ease the water discount application process, and to monitor for illegal utility shut-offs by landlords.
- Urging Baltimore City officials to re-house people living in shelters and encampments, as well as offer tests and find quarantine options for people experiencing homelessness.

Education Stability Project

Our advocacy has aimed to minimize the growth of racial and income-based disparities in access to education resulting from the pandemic and related school closures. We have taken actions including:

- Advocating for equitable spending of federal funding for schools’ pandemic response efforts.
- Urging the Maryland State Department of Education and individual school districts to reinstate all students under suspension or expulsion when schools closed in March, enact a moratorium on new suspensions during periods of distance learning and after reopening of schools except in cases of imminent threat of serious harm, and expand behavioral and mental health supports for students.
- Developing recommendations—with other members of the Maryland Education Coalition—regarding educational disparities in the Maryland State Department of Education’s COVID-19 education recovery plan, including barriers to education faced by students of color, English language learners, students experiencing homelessness, and students with disabilities.
- Convening service providers, advocates, and members of Baltimore City Public Schools leadership to develop strategies for educating students experiencing homelessness.

National Coalition for a Civil Right to Counsel

Our advocacy has focused on research on economic and civil rights impacts of COVID-19 and coordination of national advocacy around evictions and right to counsel in eviction proceedings. We have taken actions including:

- Supporting allies across the country who are defending state and local eviction moratoria by conducting comprehensive research in support of the moratoria and creating a central repository of resources.
- Tracking and reporting to partners and the public on jurisdictions using CARES Act funding for tenant representation so as to encourage other jurisdictions to do the same and collaborating with the National Housing Law Project to highlight due process problems for tenants without representation in eviction proceedings during COVID-19.
- Providing input on the design and methodology of the Eviction Lab Moratoria Scorecard and Eviction Filing Tracker.
- Working with Stout to develop an interactive, 50-state tool (<https://bit.ly/evictionestimates>) that estimates how many renter households are at risk of eviction and how many eviction filings may result by the end of the year. This data was included in a report that the CDC relied on when it issued its moratorium.
- Developing solid 50-state research on quarantine law and the right to counsel in quarantine.

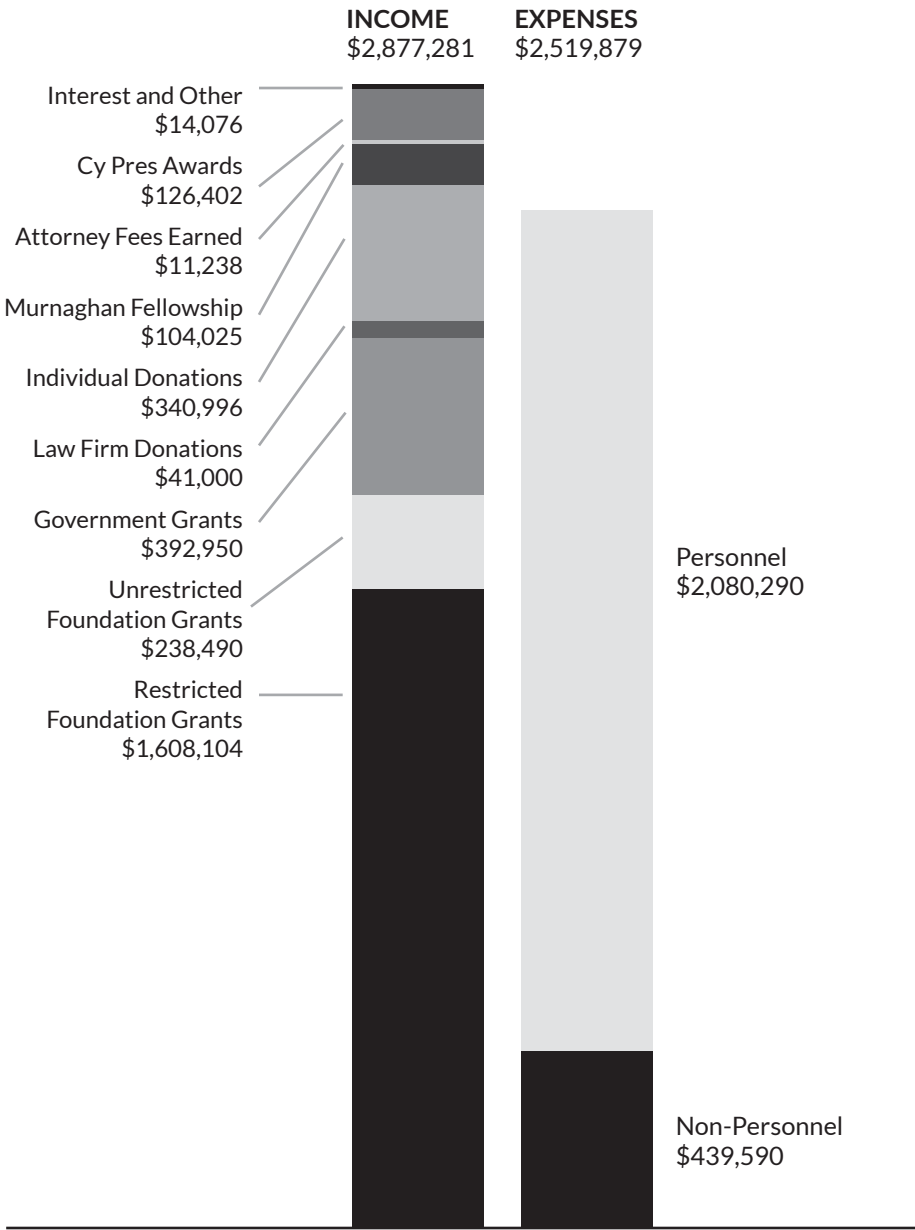
FY20 INCOME & EXPENSES

July 1, 2019- June 30, 2020

We are grateful for your continued and strong support! FY20 will be a year we remember: the COVID-19 pandemic triggered a recession that caused widespread distress to our clients and communities and threw the business and nonprofit sectors into a whirlwind. In the midst of it all, the Public Justice Center had a strong year financially.

We began the year with a board-approved deficit budget of (\$239,087) and finished the year with a net income of \$357,402. There are several reasons for this turnaround. Support from foundations and individuals was stronger than ever, including an influx of gifts from first-time donors following the national protests against police brutality and structural racism after the murder of George Floyd. Charity Navigator named the Public Justice Center as one of the top civil rights organizations with a national scope, helping donors from around the country inspired to work for economic and racial justice to find us. We also received a Paycheck Protection Program loan, which we expect to be forgiven. At the end of the year, we have \$1.6 million in unrestricted net assets (reserves) that will help us ride out the uncertainties and fluctuations of the next year.

Our strong base of support amid the economic uncertainty of fiscal year 2020 meant our work continued undiminished. Thank you to the individuals and organizations who make our work possible!



This financial summary was prepared from end-of-year (June 30, 2020) financial statements prior to completion of the annual independent audit. The audited financial statements will be available at www.publicjustice.org/financials-and-annual-reports/ in December 2020.

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.

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 201 N Charles Street, Suite 1200, 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.

Thank you to our donors!

Thank you to the many individuals and organizations who made gifts between July 1, 2019 and June 30, 2020. Together, we are building a just society!

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

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Thank you to the dedicated staff whose work between July 1, 2019 and June 30, 2020 is detailed in the pages of this annual report.

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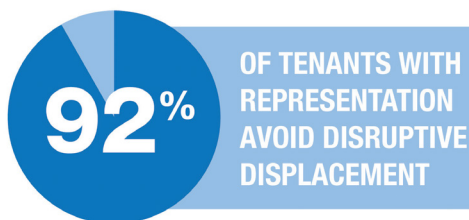
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“Because of the coronavirus, my son and I have no choice but to stay in our apartment where I breathe in the black mold every day. We need a right to counsel so that folks know that they won’t have to face the landlord alone.”

—Tiffany Ralph, Bolton House Residents Association, in a May 2020 press conference hosted by the Public Justice Center and our partners in Baltimore Renters United



Legal counsel holds landlords accountable to comply with new laws around COVID to
protect renters.

RIGHT TO COUNSEL HELPS DISMANTLE SEGREGATION AND DISPLACEMENT

Report by Dr. Timothy Thomas at evictions.study finds:



*Racial disparity makes eviction a **civil rights issue** linked to the legacy of segregation and housing practices directed against persons of color.*

As a supporter of the Public Justice Center, you joined us in taking action against injustice. Thank you!

Read more about how we are building momentum for an eviction right to counsel in Baltimore (page 18) and around the country (pages 2 and 21.)

Read more about how we are addressing racial and economic inequities magnified by the COVID-19 pandemic (page 23).

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