

Executive Summary

Evaluating the Ford Foundation's Strategy to End Mass Incarceration



Key Lessons and Insights

July 2021

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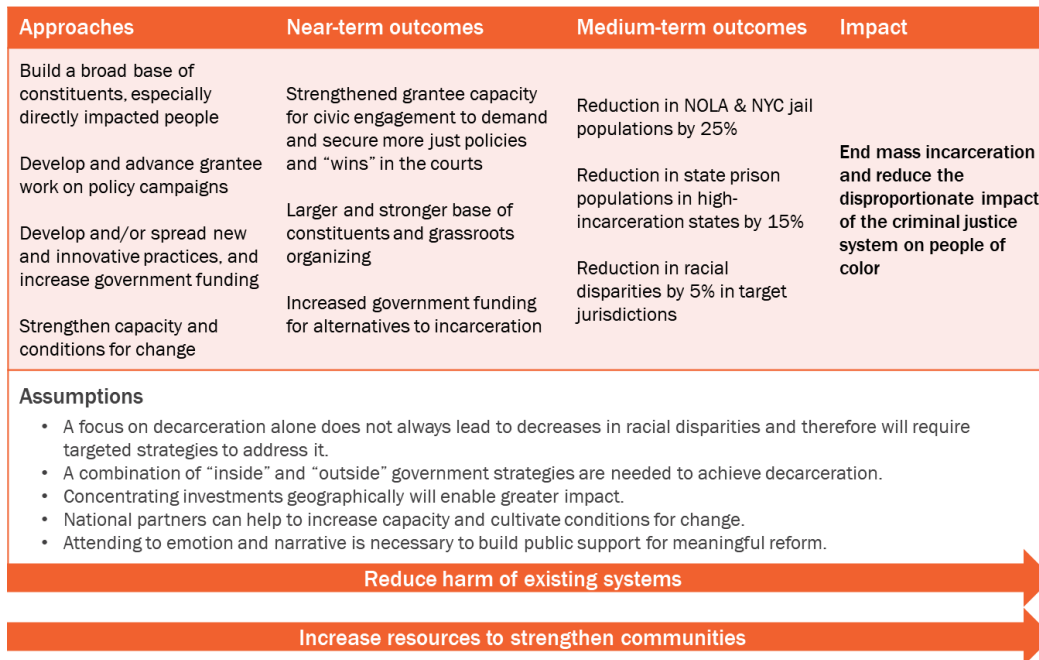
The Ford Foundation’s Strategy to End Mass Incarceration

The Ford Foundation launched a Justice Sector Reform portfolio as part of its Civil and Human Rights Unit in 2008. The portfolio was initially exploratory in nature—funding youth justice, indigent defense, and reentry in addition to sentencing reform. Early on, Ford recognized the importance of funding formerly incarcerated leaders, as well as advocacy by crime survivors for prison alternatives. In 2013, recognizing the disproportionate and brutal impact of the criminal justice system on poor and Black and Latinx communities, Ford narrowed its focus further to decarceration, with a heavy emphasis on adult sentencing reform. By 2016, Ford was in the process of choosing a handful of states where it would focus its grantmaking for the 2016–2020 strategy cycle covered by this evaluation.

Beginning in 2016, Ford aimed to deepen its state-level grantmaking by focusing on six key states (California, Colorado, Florida, Michigan, Ohio, and Oregon)¹ and two cities (New Orleans and New York City), along with investments in national organizations positioned to create momentum for change across multiple states. Over the past five years, the Foundation’s strategy to end mass incarceration has sought to identify new models of justice reinvestment, support sentencing reform policies and practices, and increase government investments in crime prevention and public health programs in communities most impacted by mass incarceration.

When Ford launched its original strategy to address mass incarceration, it was one of a small handful of criminal justice funders with a clear focus on mass incarceration and the racial disparity embedded therein. Since then, at least a dozen new national funders have entered this space as momentum around criminal justice reform strengthened. From the beginning, Ford’s strategy has been framed around a clear theory of change (Exhibit 1), adapted over time to consider how Ford’s investment can best complement other funders in the criminal justice space.

Exhibit 1. Theory of Change for Ford’s Strategy to End Mass Incarceration²

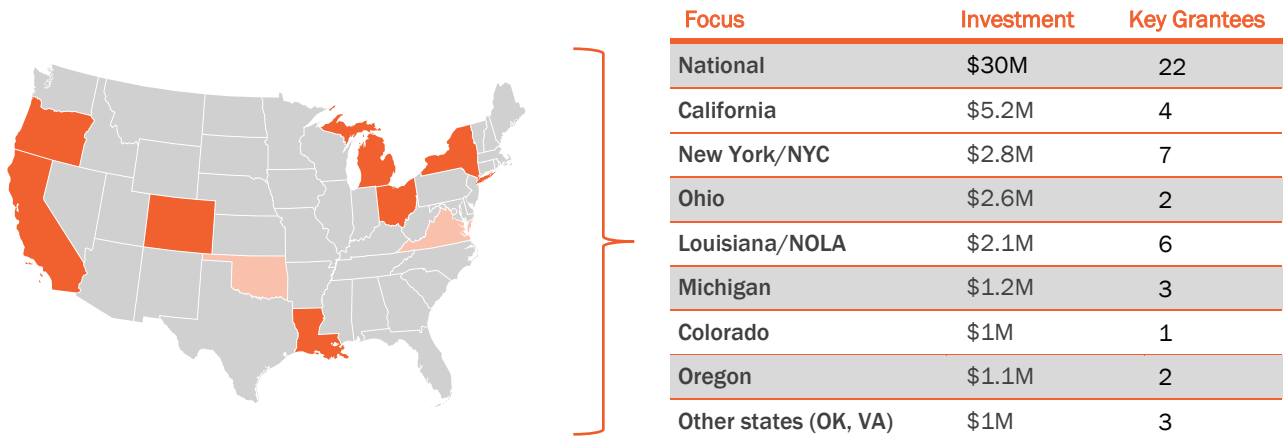


¹ Ford’s strategy evolved over time to include deeper investments in key state/cities. For the purposes of this evaluation, our analysis primarily considers five of the original priority states, excluding Florida, which became less of a focus of Ford’s grantmaking over time.

² This theory of change synthesizes our understanding of key strategies, near- and medium-term outcomes (4 to 5 years), and ultimate impact. It represents a slight reconfiguration of the four outcomes Ford originally articulated for its work.

To date, Ford has invested \$47 million to fund 50 grantees, ranging from small grassroots, legal, and policy organizations in priority states and cities to well-established advocacy, research, and media nonprofits with national scope (Exhibit 2). These grantees work to advance one or more of the approaches listed in the theory of change below: building and organizing a strong base of affected constituents to increase pressure for reforms; develop and advance policy campaigns; develop and implement innovative alternatives to incarceration and increase government funding for upstream approaches to community safety and health; and strengthen capacity and conditions for change.

Exhibit 2. Focus Areas, Investment Levels, and Key Grantees 2016–2020



About the Evaluation

In 2020, Engage R+D partnered with the Ford Foundation to conduct a retrospective assessment of progress made on the Foundation’s efforts to end mass incarceration, generate insights about how change happens, and identify questions and considerations for Ford as it updates its strategy moving forward.³ The evaluation pursued three primary lines of inquiry:

- **What happened?** What progress was made toward the four outcomes? What strategies were pursued and what got traction? Was there backlash, and how was it addressed? What was the role of state/local and national grantees, respectively?
- **Why did it happen?** What are the factors that led to success, and how did Ford’s investment contribute? How did state contexts and ecosystems contribute to or constrain success? What does this teach us about how social change happens?
- **How does this impact decisions about future strategy?** How can the Foundation best invest in this work moving forward? How can Ford contribute to stronger state and local ecosystems where 90% of people in American prisons reside and help grantees build capacity?

Evaluation Data Sources

- 33 interviews with Ford grantees, field leaders, elected officials, and funders;
- Grant reports and proposals from 50 grantees; and
- Secondary data on incarceration in priority geographies.

This executive summary briefly presents key findings from the last five years of the Ford Foundation’s strategy. It provides **insights and implications relevant to Ford and other funders, advocates, and community leaders** working to end mass incarceration.

³ It is important to note some limitations to the evaluation. The evaluation design is descriptive in nature. Many factors influence changes in a dynamic, complex field like criminal justice, often obscuring the contributions of a particular strategy. It was at times difficult to differentiate contributions among Ford’s various investment mechanisms in this space from one another and from investments of other funders.

What Happened?






Progress Toward Outcomes

The evaluation assessed progress made over the last five years toward Ford’s portfolio outcomes, including the following:


- Policy wins,
- Base-building and organizing,
- Government reinvestment and alternatives to incarceration,
- Reduction in jail populations,
- Reduction in prison populations, and
- Reduction in racial disparity.

Overall, the strategy to end mass incarceration made notable progress. Ford grantees were highly successful in advancing policy wins, organizing and building the base of constituents, and reducing jail populations. They made moderate progress on expanding government funding for alternatives to incarceration. More data is needed to assess progress in reducing state prison populations and racial disparities. Priority states and cities made progress on all outcome areas. Key findings by outcome are as follows:

Progress Ratings

-  **Substantial**—Notable progress made; improvement across all or most priority states and cities; in the case of new policy or legislation changes have been partially or fully implemented.
-  **Moderate**—Some notable progress made; improvement less consistent across priority states and cities; progress on implementation of new policies or legislation has just started or is uncertain.
-  **Emerging**—Progress is uncertain or emerging; limitations in available data may inhibit full assessment.

Desired Outcome: Policy wins

Progress Made:  Grantees contributed to substantial progress toward achieving policy wins.

While no Ford funding was earmarked to support lobbying, legislative, or ballot measure work, its general support enabled these organizations to strengthen their civic engagement, operational, and programmatic capacity. As a result, grantees collectively achieved major legislative, electoral, and legal successes nationally and in each of Ford’s priority states and cities. Specifically of note were the following:

- Ford’s priority states and cities collectively made the most progress on **sentencing and parole reform**.
- Except in Ohio, each state achieved multiple policy wins to **reduce or prevent expansion of prison and jail populations**.
- Notable successes in **jail reform** included the elimination of cash bail for nonviolent offenses in New Orleans and New York State, and the planned closure of major jails: Rikers Island Jail Complex (New York City) and Los Angeles Men’s Central Jail.

While less directly connected to Ford’s original strategy, grantees also achieved reforms in other relevant areas, including but not limited to expungement policies (CA, MI), police use of force (CA), and Pell Grant eligibility for those incarcerated (federal). In addition, there were a few significant losses, the biggest being the defeat of Issue 1 in Ohio, a ballot measure that would have reformed sentencing for drug possession; prohibited reincarceration due to non-criminal probation violations; allowed for sentence credits for participation in rehabilitative or education programs; and reinvested savings in drug treatment, crime prevention, and rehabilitative programs.

Desired Outcome:

Base-building and organizing

Progress Made:



Grantees contributed to substantial progress in organizing and building the base of constituents for reform.

Ford’s support of grassroots organizing strengthened the field, especially among BIPOC-led groups and groups led by formerly incarcerated people. Importantly, stakeholders suggested that Ford’s grantmaking helped to catalyze additional funding and support for this work. In numerous instances, grassroots groups were driving, rather than just supporting, the agenda for change. Specifically, grassroots organizing:

- **Helped secure more just policies** through outreach and engagement of voters in affected communities;
- **Impacted legislative reforms** in priority states and cities by involving constituents and constituent voices; and
- Expanded the base of affected constituents who **helped restore voting rights** through policy wins in California, Colorado, Florida, Louisiana, and New York.

Desired Outcome:

Increased government funding

Progress Made:



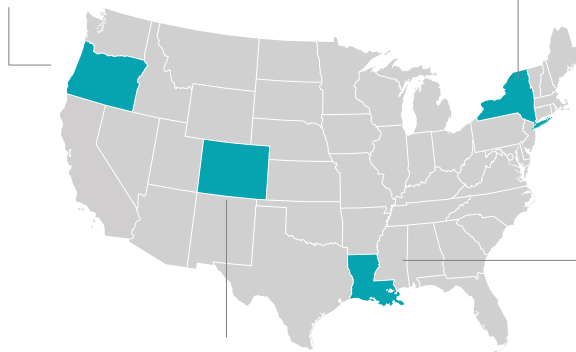
While there have been notable wins, grantees made moderate progress on increasing government funding for reinvestment and alternatives to incarceration as some of the newer reinvestment strategies (NY and OR) have yet to be fully implemented.

Exhibit 3 shows several state and local initiatives supported by grantees’ advocacy efforts that resulted in hundreds of millions of dollars of government reinvestment into local communities for alternatives to incarceration and upstream approaches to community safety and health. At the same time, opportunities exist to further deepen and spread reinvestment work and to pair decarceration work with robust alternatives and replacements to incarceration.

Exhibit 3. State and Local Government Reinvestment Initiatives

OR - Measure 110: Drug Decriminalization and Addiction Treatment Act (2020). Excess marijuana tax revenue would result in an additional **\$184M** in funding for services in the first biennium funding cycle alone. **HB3078 (2017).** Justice Reinvestment Grant appropriating **\$94M** in supplemental government grant funds for prison diversion programs over four years.

NY/NYC - New York City Council Approves Plan to Close Rikers Island Jail Complex (2019): Secures **\$391M** in investments, including **\$265M** in new programming that addresses root causes of incarceration. **The statewide legislation legalizing marijuana** also directs 40% of cannabis tax revenue to go to a new social equity fund for programs to help those harmed by past marijuana arrests.



LA/NOLA - Justice Reinvestment Initiative (2017). Requires 70% of the estimated **\$262M** in decarceration savings to be reinvested into programs to reduce recidivism and support victims.

CO - Community Reinvestment Initiative. A series of four government grant programs—WAGEES (2014; expanded in 2017), Transforming Safety (2017), Crime Survivor Grant Program (2018), and Harm Reduction Grant Program (2019)—totaling over **\$58M** in reinvestment.

Desired Outcome: **Reduction in jail populations**

Progress Made:



Grantees contributed to substantial progress in reducing jail populations in New Orleans and New York City, far exceeding Ford's initial goal.

Ford originally set a goal of reducing jail populations by 25 percent in its priority cities.⁴ But according to a report published by the City County Criminal Justice Committee,⁵ the annual lowest daily jail custody numbers **decreased 46 percent in New Orleans** between 2016 and 2020 (from 1,431 to 776). And according to the State Division of Criminal Justice Services,⁶ the average jail census **decreased 54 percent in New York City** between 2016 and 2020 (from 9,614 to 4,471). In both cities, COVID-related releases (a decarceration opportunity many grantees were involved in) likely resulted in a slightly greater decrease between 2019 and 2020.

Desired Outcome: **Reduction in prison populations**

Progress Made:



Progress is still emerging with respect to decreasing prison populations in priority states. Because there is typically a two-year lag in national reporting on state prison populations, more data over a longer period of time are needed.

According to the Bureau of Justice Statistics, the number of people incarcerated in state and federal prisons nationally decreased 11 percent since its peak in 2009 to the end of 2019, and the imprisonment rate fell 17 percent during the same period. From 2018 to 2019, the number of people incarcerated decreased two percent and the imprisonment rate fell three percent.⁷ In addition to these national trends, there are promising signs that priority states are making progress with respect to achieving Ford's goal of decreasing prison populations by 15 percent. However, based on numbers from the Sentencing Project, none achieved this goal by 2019, with **reductions ranging from 0.4 percent in Colorado to 14 percent in New York State** (home of the priority city of New York City).⁸ Combining estimates from the Sentencing Project and a new report from the Vera Institute⁹ point to potentially larger decreases in some states (23 percent in California, 16 percent in Colorado, and 28 percent in New York).

Desired Outcome: **Racial disparity**

Progress Made:



While racial disparities were decreasing nationally prior to 2016, more data over a longer period of time, especially at the state and local level, are needed to make a full assessment.

Ford's strategy seeks to support policy and practice interventions that reduce racial disparities. Between 2006 and 2018, racial disparities in the U.S. decreased considerably,¹⁰ likely due to a shift in the war on drugs (from crack and marijuana to meth and opioids) and criminal justice reform being concentrated in bigger cities rather than in rural areas.¹¹ Despite this positive overall trend, updated state and local data are needed to better understand the impact of Ford funding in its priority areas. Because of this lack of information, many participants could not speak to how recent efforts have reduced racial disparities, instead noting that there is much more work to do in this arena. Addressing racial disparities requires specific, dedicated consideration; otherwise, blanket reforms could exacerbate (or leave unchanged) disparities rather than reducing them. There is opportunity to learn from efforts taking place in Oregon (i.e.,

⁴ These targets were developed in conversation with field leaders and assessments about what was possible in these cities.

⁵ <https://council.nola.gov/committees/criminal-justice-committee/>

⁶ https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_pop_y.pdf

⁷ <https://bjs.ojp.gov/library/publications/prisoners-2019>

⁸ <https://www.sentencingproject.org/the-facts/#detail?state1Option=New%20York&state2Option=0>

⁹ <https://www.vera.org/downloads/publications/people-in-jail-and-prison-in-2020.pdf>

¹⁰ <https://www.pewresearch.org/fact-tank/2020/05/06/share-of-black-white-hispanic-americans-in-prison-2018-vs-2006/>








¹¹ <https://www.themarshallproject.org/2017/12/15/a-mass-incarceration-mystery>

Drug Decriminalization and Addiction Treatment Act) and elsewhere to better target, reduce, and measure racial disparities.

What Gained Traction

As shown in Exhibit 4, organizations working in California, Colorado, Louisiana, and New York achieved multiple policy wins. Progress in reducing prison populations was greatest in California and Michigan during the 2016–2019 period, about halfway to Ford’s 15 percent goal. As described earlier, New Orleans and New York City exhibited greater than expected reductions in jail populations by 2020 according to available data, exceeding Ford’s 25 percent target. Prison populations in these two states dropped substantially more than in the other priority states.

Exhibit 4: Overview of Progress Toward Theory of Change Outcomes by Priority States and Cities

		 CA	 CO	 MI	 OH	 OR	 LA/NOLA	 NY/NYC
Near-term outcomes								
Substantial: Policy wins	Sentencing	✓	✓	✓	✓	✓	✓	✓
	Parole & probation	✓	✓	✓			✓	✓
	Closure & expansion defeats	✓	✓			✓		✓
	Bail reform						✓	✓
	Voting rights	✓	✓				✓	✓
Substantial: Larger & stronger base	✓	✓	✓	✓	✓	✓	✓	
Moderate: Increased government reinvestment		✓				✓	✓	✓
Medium-term outcomes								
Substantial: Reduction in NOLA and NYC jail populations by 25%	Local (2016–2020)	n/a					-46%	-54%
Emerging: Reduction in state prison population by 15%	State^a (2016–2019)	-6.1%	-0.4%	-7.5%	-3.5%	-1.4%	-11.4%	-14.2%
	State (2019–2020)	-20%	-15%	n/a				-18%





^a By comparison, the number of state and federal sentenced prisoners in the U.S. as a whole decreased 5.1% between 2016 and 2019, from 1,508,129 in 2016 to 1,430,805 in 2019 (<https://bjs.ojp.gov/content/pub/pdf/p19.pdf>).

The following patterns emerged when speaking with participants working across strategies and states:

- **Big wins required a combination of strategies but generally led with one or two.** For example, state legislative reforms in Michigan led with a sophisticated policy campaign and insider approach with elected officials, but also attended to the narrative by using the stories of formerly incarcerated people to highlight injustice in the system.
- **From a policy perspective, sentencing and parole reform were commonly pursued and successfully gained traction across multiple states.** Based on the information we collected from interviews and grant reports, sentencing reform happened in six of the seven priority states and cities, and parole reform happened in five.
- **Jail closure and reinvestment required a well-organized base and a progressive political environment.** Two of the biggest wins were the jail closure and subsequent reinvestment strategies in New York (Rikers Island Jail Complex) and Los Angeles (Men’s Central Jail). Both efforts involved a network of grassroots organizations driving the agenda and considerable pressure from constituent-led groups. As one participant reported, “What has worked in those type of laws around Free New York, Justice LA, Close the Creek, was [organizers] maintaining in their lane and keeping their foot on the gas pedal.”

Exhibit 5 illustrates how some of these patterns played out across four different states based on their political context and starting point for reform. In relatively conservative Louisiana and Michigan, grantees made a case for budget efficiency and smart policy that could garner bipartisan support for sentencing and parole reform. In New York and California, grassroots groups played a stronger role in motivating community support for bail reform and jail closure.

Exhibit 5. Comparison of Successes Across Diverse Geographic Contexts

	 LA/NOLA	 MI	 NY/NYC	 CA
Context	<ul style="list-style-type: none"> • Conservative states with more progressive big cities • Republican-dominated legislatures and Democratic governors 		<ul style="list-style-type: none"> • Progressive states with even more progressive metropolitan areas • Democratic legislative supermajorities and governors 	
Starting point	<ul style="list-style-type: none"> • Among the highest rates of incarceration per capita • Very little previous reform 	<ul style="list-style-type: none"> • Reentry initiatives and parole reform led to decreasing rates of incarceration starting in 2006 	<ul style="list-style-type: none"> • Significant sentencing reform already accomplished • Strong and growing base of grassroots groups and constituent leadership, especially in Los Angeles and New York City 	
Strategies getting traction	<ul style="list-style-type: none"> • More success in sentencing and parole reform • Insider policy-oriented approach led by Pew Charitable Trusts • Republican and business support • Message focused on smart government and efficient use of tax dollars 		<ul style="list-style-type: none"> • Major sentencing reform (CA) along with bail reform and prison and jail closure • Outside base-building approach and, in California, mobilizing of ballot initiatives • Strong coalition of BIPOC and constituent-led groups • Message focused on racial justice and equity 	
Role of the base	<ul style="list-style-type: none"> • Applied pressure for sentencing and reinvestment wins • Focused on jury reform and voting rights 	<ul style="list-style-type: none"> • Leveraged constituent voices to improve legislation 	<ul style="list-style-type: none"> • Drove agenda • Applied pressure toward multiple wins • Focused on voter turnout and education 	

Experiences with Backlash

Backlash, or efforts to counteract criminal justice reform, created setbacks in several instances. Notably:

Losses at the ballot box in Ohio and Oklahoma led to policy losses. In both places, advocates overestimated public support for bold change and underestimated the effects of scare tactics from the opposition. In Ohio, Issue 1 (a state constitutional amendment including sentencing reform and reinvestment) lost in 2018 despite a strong advocacy effort. In Oklahoma, voters defeated a 2020 ballot measure to reform the habitual offender law in the state when the opposition painted it as a proposal to let domestic violence perpetrators walk free.

Public support for bail reform decreased in New York and California, but for different reasons. In New York, media reports about people being re-arrested after being released without bail led to a significant decrease in public support. As a result, the legislation was partially rolled back. In California, advocates themselves were divided on their support for state-level bail reform (SB10/Prop 25) because of concerns that the risk assessment system replacing bail would exacerbate racial disparities. The disagreements created contradictory narratives about the proposed reform, which was ultimately repealed through a ballot initiative.

Prosecutors, judges, and law enforcement sabotaged or slow-walked reform efforts. Many interviewed elected officials spoke of prosecutors quashing reform legislation. For example, some Louisiana legislators wanted to include more reforms to felony sentencing, but prosecutors fought back hard, and the legislation was abandoned. Once reforms are passed, judges and prosecutors do not always implement the reforms in practice. In rural Ohio, for example, judges were reluctant to embrace the tools that the legislature gave them to be more lenient in their sentencing, perhaps out of a concern about public scrutiny of their decisions.

Looking ahead, grantees and field leaders specified the following concerns about the future:

- Underfunded and poorly implemented approaches to reform will lead to backlash.
- The movement will not be adequately prepared to deal with bad publicity from isolated cases.
- The current uptick in violent crime will be used to justify a rollback of current successes or to prevent future reform.
- Despite the election of progressive DAs, the culture of prosecutors' offices will resist change.
- The change in the composition of the Supreme Court will make legal strategies for reform more difficult.



Key Ingredients for Change

The evaluation uncovered six critical change elements needed to strengthen impact on mass incarceration:

1. Coordinate across change strategies and actors. More than half of the 33 interview participants discussed the need to coordinate across strategies and actors to achieve significant and lasting change. Many described the value of **inside/outside strategies**, where some work to influence decision-makers through outside pressure in the form of organizing, advocacy, and media work, while others provide research and technical assistance to policymakers working inside government to sway peers. Others talked less in terms of an inside/outside binary and instead called for strategic coordination across actors within the movement ecosystem. Coordinating across strategies and actors, however, requires the ability to hold and navigate very real tensions about what qualifies as a win and the best way to get there. “There will come a time where your insider negotiations aren’t going to match your membership priorities, and vice versa,” one grantee shared. “It’s hard but from our perspective, we have to try to do it and do it well because you can’t have policy divorced from community, and you can’t have community without access to policy.”

“You need the folks who are creating the political will and pressure to require people in power to change. You need the folks who are bringing the evidence of the research and the knowledge base to say, ‘This is why the system is untenable, and here’s the system we want to see.’ Then there are the folks who will actually help those institutions either dismantle themselves or build themselves differently to actually deliver on what those folks who are calling for that change demand.”

- Grantee

2. Attend to narrative and messaging. Nearly half of participants cited the importance of attending to narrative as a key part of the change process. Narrative change work strives to influence how people view issues, typically through a combination of journalism, storytelling, art and cultural engagement, and strategic communications. While evaluation participants largely agreed about the importance of attending to narrative, they expressed widely ranging perspectives about the types of messages that would be effective. To advance change, some participants favored narratives that emphasized **second chances and cost-effective policy**, while others favored messages that involve **expanding notions of safety**. Participants also had a variety of views on the **utility of messages related to defunding the police and abolishing prisons**, with some questioning the practicality of incorporating these terms into public messaging and others more hopeful about shifts in public discourse. There also was divergence with respect to **framing criminal justice issues around race and racism**. While some saw this framing as divisive, many viewed the events of 2020 as opening new opportunities to talk directly about race and racism in criminal justice policy and its impacts.

3. Involve people personally impacted by incarceration. One-third of interview participants cited the importance of involving in change efforts those who have been personally impacted by incarceration. Organizers and those working to cultivate grassroots leadership discussed the importance of **centering the leadership and priorities of those impacted** by incarceration in change efforts. Other participants emphasized **having people with lived experience at the table** when shaping strategies and solutions for change. Still others, including many of the elected officials interviewed, drew attention to the power of **hearing stories directly from those impacted** when trying to catalyze change. Participants also referenced challenges with alignment of interests and motivations when trying to involve participants with lived experience. For

“The biggest challenge is getting people to follow us as opposed to always wanting to lead us.”

- Grantee

example, one grantee described how it can be difficult to maintain engagement due to the slow pace and bureaucratic nature of state policymaking processes. They observed, “A lot of times when there are reforms happening, people may look at the legislative process as an exercise in futility or incrementalism that’s not really going to help real people.”

4. Build the base and cultivate influential allies. Strengthening organizing and building the base of supporters for ending mass incarceration was directly named by one-quarter of those interviewed. To build a base for deeper and more sustainable change, some spoke of the importance of cultivating **unlikely but influential allies**, including business leaders, the faith community, rural communities, victims of crime, and people within the existing criminal justice system, such as prosecutors, sheriffs, and others likely to have opinions about proposed reforms. When describing what it took to make progress in one conservative state, an elected official shared, “The business community really got involved. The faith community also. They’re focused on redemption. Business guys come in to talk about success stories about hiring people with a criminal record.” Support from unlikely allies can be critical to policy wins in more conservative states and helpful in muting backlash against reforms once passed.

“Outside of the cities, in the suburbs and rural areas up north, there’s just not infrastructure. People haven’t been organized there. Those can be the most important areas to have organized based on shifts in power within the state.”

- Grantee

5. Understand and point to what works. Understanding and emphasizing evidence-based solutions was identified as a critical element for advancing change. Elected officials described the importance of **data to inform policy processes** (i.e., incarceration costs, recidivism, etc.), allowing them to cut through emotions and rely on numbers to back up decisions. One champion of reform in their state legislature shared, “We still had people who were using emotion to try to drive policy. Many of us were just saying, ‘Look, let’s put emotion on the sidelines. Let’s look at the data.’” They and other participants also called for timely, accessible, and comparable **research on the effectiveness of different reforms** to address current gaps in understanding about what works. In addition, **case studies of new and transformative approaches** can be used to motivate and support positive change.

6. Build out alternatives and replacements. Many participants shared that decarceration is a worthy but insufficient goal. Some articulated a need to build out strong alternatives and service infrastructure to **support people diverted from jail or prison and/or transitioning back into the community** after incarceration. Others noted that without more infrastructure around services and alternatives, **potential re-offenses may have a negative impact** on sustaining and advancing reforms. Further, while some participants supported reinvestment in communities to decrease crime and reduce recidivism, others called for more transformative approaches, arguing that the existing system must **be replaced with an entirely new approach** to public safety. One funder described this as a “long game,” noting that, “There is no jurisdiction you can point to where you could say they have developed an alternative that is big enough to swallow up what we’re doing now. There are lots of alternatives on the margins—diversion programs, restorative justice programs, dispute resolution programs, problem-solving courts—all of which are good. What hasn’t happened yet is...a different paradigm, a different model where that would be the starting place as opposed to an occasional default.”

“We really need examples from our movement of not just what we want to destroy and dismantle, but of things that we want to build.”

- Grantee

Navigating Divergence and Complexity

Ending mass incarceration in the United States is no small feat. The scale and complexity of this challenge both creates and demands a diversity of thought and ideas. The evaluation surfaced insights for funders and stakeholders about how to navigate across differences when advancing change strategies:

Recognize and normalize common tensions. Interviews revealed common tension points across actors involved in efforts to end mass incarceration (Exhibit 6). As one person explained, people have “very conflicting theories of change of how you show up and how you do your work.” One participant encouraged those in the movement to “recognize that change comes about through various mechanisms and various levers and that we need them all.” Normalizing these tensions, rather than seeking to resolve them, can be helpful when navigating differences across different participants in the movement.

Exhibit 6. Common Tensions in Decarceration Work

“The What” <i>Change goals</i>	Reform	Abolition
	State policy	Local priorities
	Existing system focus	Future system focus
	Reduce harm	Reinvent/reimagine
“The How” <i>How to win</i>	Winnable campaigns	Bold demands
	Facts and data	Enough with reports
	Listening to all stakeholders	Centering those most impacted
	Strategic, planful	Creative, organic
	Test innovations before spreading	Innovation now, details later
	Second chances, smart government	Expanding notions of safety
	Race conscious	Race forward

Leverage the insights of different actors. Developing change strategies that are informed by the vantage points of different actors also offers potential to achieve greater success. A wide range of different movement actors are stakeholders in change efforts but hold different contextual expertise that can hold complementary value in a broad effort. For example, affected community members bring direct experience with the criminal justice system, which can inform policy and practice solutions in critical ways, as well as storytelling/narrative change strategies. One grantee working across many states shared that diverse coalitions “where grassroots are there, where policy partners are there, where labor is there if it’s a labor state, where religious organizations are there, leads to a more sophisticated level of advocacy and narrative building.” With the contributions and perspectives of these and other actors incorporated into a change process, outcomes that meet community needs are more likely.

Coordinate or collaborate across differences. Participants emphasized that working together across differences can yield powerful results. As one participant explained, “It’s very important to be able to build coalitions that are multicultural and multi-dimensional in terms of approaches. It just requires a lot of explicit, ‘This is what we believe, and these are the things where we all might believe different things.’” Sometimes, this takes the form of coordination across different change strategies. At other times, collaboration on shared change strategies across different actors drives bigger, deeper change. Some participants called attention to challenges that emerge when groups fail to coordinate or collaborate across efforts, damaging relationships and the potential to achieve change. As one funder shared, “Where we have seen the most success is where organizations in those different flanks, see strategically and tactically, how we can all work together. Where we like imploded ourselves is when we think that there is only one flank that has a valid claim to working on this issue or moving things forward.”

Tailor approaches to the local context. Geopolitical context shapes change goals, strategies, and perspectives. One participant shared, “If you know one state, you know one state. That’s a key thing. There isn’t going to be a cookie cutter formula to get legislation passed state by state. You have to have indigenous knowledge, you have to have real relationships, and you have to have a direct connection to the substance, the issues that are being focused on.” For example, participants working in more conservative contexts described successes with approaches that focus on “good government” narratives, involve engagement and cultivation of unlikely allies (i.e., business, victim’s rights advocates), and integrate technocratic reforms or those likely to appeal to a broad base of constituents. Participants working in more progressive contexts described successes with bolder, race-forward approaches reflecting the priorities of individuals and families most impacted by incarceration.

Ford’s Role

Overall, evaluation participants expressed strong appreciation for Ford’s decarceration work and grantmaking approach. Specifically:

- **Ford provides long-term, flexible funding, including for grassroots groups.** Long-term, flexible funding contributes to the development of field capacity and infrastructure, enabling grantees to engage in long-term strategy and planning. As one grantee shared, “They were wonderful about giving us that comfort that they would give us multi-year grants and that reassurance that this may only be two years, but don’t worry, we love what you’re doing, we’re going to fund you another two years.” Several grantees also credited Ford for its support of grassroots organizations led by BIPOC and people personally affected by incarceration.
- **Ford takes an opportunity-driven approach grounded in staff expertise.** When Ford first launched its strategy, it was one of the first criminal justice funders with a clear focus on mass incarceration and its racial disparity. Ford’s approach relies on a high level of staff expertise and their ability to serve as thought partners to grantees and other funders. As one grantee shared, “Ford is part of the funders that have more experience. They have program staff that have been active in these spaces for a longer period of time. They tend to be more strategic, and they don’t have to do something no one has ever done before to feel like it’s a good investment.” Due in part to these staff, Ford has been willing to invest in new ideas, pushing the field forward.
- **Ford builds connections and relationships across organizations.** Another core strength of Ford’s approach, according to participants, is its work to create “connections and a network between organizations that are doing this work.” Ford plays a role in connecting other funders with its grantees, for example, by engaging in pooled funding efforts. As one grantee shared, “I have always appreciated that they speak up as champions of this work and will do outreach to other funders, because not all funders will. That’s a really important role in trying to rally more resources, because no one funder can go in alone. Ford understands this and they invest in collaborative funding opportunities.” Participants referenced Ford’s pooled funding efforts in Michigan, and both grantees and funders called attention to the unique role the Art for Justice Fund has played in creating space for relationships to develop across people and organizations.



Opportunities in a Post-2020 Landscape

The events of 2020—including a highly contested presidential election, a global pandemic with health, social, and economic fallout, and a powerful racial justice movement—have potentially long-reaching implications for efforts to end mass incarceration, including:

- Increased public consciousness of systemic racism and inequities,
- New opportunities for reform, especially of policing,
- Increased organizing momentum at local and state levels, and
- Greater attention to systemic criminal justice challenges highlighted by COVID.

These implications affirm the critical importance of ending mass incarceration and the ways that racism plays out in criminal justice and other public systems. Within this post-2020 context, the evaluation synthesized the ideas and recommendations in Exhibit 7 for funders based on insights from interview participants:

Exhibit 7. Participants' Ideas and Recommendations for Funders



Create a vision for and examples of what a new system for public safety could look like.

Redefine safety, create viable alternatives to mass incarceration (e.g., pilot programs), and build community capacity to bring alternative approaches to scale.



Broaden the aperture and work at the intersections of multiple systems. Make connections with and between housing, mental health, workforce, and education systems to address front- and back-end system failures.



Develop stronger narratives, with room for customization across contexts. Shifting narratives helps create conditions for change. Create effective messaging outside of urban centers, finding ways to connect with experiences in rural communities, and aligning communication across movement actors.



Continue investment in grassroots groups led by BIPOC and people with lived experience and in rural communities. Provide leadership development for individuals and capacity building for groups. Aim for a level of penetration and scale needed to make a real difference.



Conduct electoral strategy work across a broad ecosystem of actors. Engage with and develop support from sheriffs, district attorneys, prosecutors, judges, city council, county board of supervisors, and other unlikely (and likely) allies. Although Ford can not fund electioneering work, c4 and individual funding from other donors can help incentivize electeds to take a progressive stance against mass incarceration.



Strengthen approaches to managing backlash. Communication and narrative work can help manage some backlash, but pairing it with creating strategies to anticipate backlash, building infrastructure, and developing leadership can fight a well-funded and organized opposition.



Strategize to engage conservatives and bring in other voices. Broadening engagement is particularly critical to achieving success in more conservative parts of the country that are home to high levels of incarceration.



Deepen work to convene and connect different movement actors. While some key actors caution against philanthropy over-reaching its role, others call for Ford and other funders to play a stronger convening and connecting role.

Overall, the evaluation affirms that much of Ford's original theory of change and guiding assumptions for this portfolio hold up. Ford grantees contributed to significant progress in key areas. They also confronted challenges along the way, and new opportunities for impact have emerged in the wake of 2020. The following section outlines recommendations for the Ford Foundation as it refreshes its strategy.

Strategic Recommendations for the Ford Foundation

Continue successes

- Support continued grantee progress on advancing policy wins, organizing and building the base of constituents, reducing jail populations, and expanding government funding for alternatives.
- Track data on progress in reducing state prison populations to better understand levels of improvement.
- Elevate important work taking place in priority states and cities that can serve as models for other regions of the country in their reform efforts.

Address challenges

- Examine reasons behind uneven progress across geographies, with attention to the threat of backlash in constraining or reversing advancement.
- Support information gathering on effects of different reform strategies to address racial disparities.
- Partner and invest in community infrastructure to reduce crime, create healthy communities, and support (at scale) alternatives to replace mass incarceration.

Seize new opportunities

- Leverage increased public awareness of systemic racism and inequities and a powerful racial justice movement to drive change.
- Continue innovative investments like Art for Justice that help envision new approaches to justice.
- Consider strategic refinement based on learning from the first five years of implementing this strategy. For example: What risks and opportunities would be involved in supporting greater coordination, alignment, and learning across actors within the movement? How might Ford balance investments across different geographies (city, state, national) to maximize impact? Where can resources be most useful given the roles other funders are playing?