



IN THIS ISSUE

- 1 *SCHR Wins Foster v. Chatman in U.S. Supreme Court*
- 2 *SCHR Clients Win Freedom*
- 3 *Effort to End Judicial Override Gains Momentum*
- 4 *A Photographic History of SCHR*
- 5 *Donor Spotlight – Elizabeth Zitrin*
- 6 *The Criminalization of Poverty*
- 7 *Coast to Coast Support*
- 8 *The SCHR Index*



Stephen Bright interviewed by Nina Totenberg, NPR, immediately following the oral argument in *Foster v. Chatman* on Nov. 2, 2016.

SCHR Wins *Foster v. Chatman* in U.S. Supreme Court

BY PATRICK MULVANEY

The United States Supreme Court invalidated the conviction and death sentence of longtime SCHR client Timothy Foster on May 23, 2016. In a 7-1 decision written by Chief Justice Roberts, the Court held that the prosecutors at Foster’s 1987 capital trial discriminated on the basis of race when they struck all four black prospective jurors to secure an all-white jury.

Foster was a poor, black, intellectually limited 18-year-old when he was charged with murder in connection with the killing of a white woman in Rome, Georgia. The prosecutors claimed at trial that they excluded the four black jurors for “race-neutral” reasons. The Georgia courts went along with the reasons, finding that the strikes were non-discriminatory.

Two decades later, SCHR took on Foster’s case and obtained the prosecutors’ notes from jury selection. In the notes, the prosecutors had (1) highlighted the names of the black jurors in green; (2) circled the word “BLACK” on the juror questionnaires of black jurors; (3) identified black jurors as “B#1,” “B#2,” and “B#3;” (4) ranked the black jurors against each other in case “it comes down to having to pick one of the black jurors;” and (5) created strike lists that contradicted the “race-neutral” explanations given for the strikes of the black jurors. Despite the new evidence, Georgia’s courts again declined to find race discrimination.

In January 2015, SCHR filed a petition for certiorari asking the United

States Supreme Court to review the case. The petition contained images of the prosecution’s notes, including the color-coded jury lists. The Court granted certiorari in May 2015 and placed the case on its docket for the term beginning in October 2015.

SCHR attorneys, with help from an outstanding summer intern class, prepared the briefs on Foster’s behalf. In addition, a group of eight prominent former prosecutors filed a friend-of-the-court brief in support of Foster. The prosecutors, coordinated by The Constitution Project and represented by Jenner & Block, argued that the race discrimination in Foster’s case undermines the integrity of the criminal justice system.

On November 2, 2015, SCHR President and Senior Counsel Stephen Bright argued the case, marking his third appearance at the United States Supreme Court. Both of the prior cases involved race discrimination in capital cases, and both times the Court reversed the client’s conviction and death sentence.

Foster’s case would be no different. At the argument, several justices seized on the overwhelming evidence of discrimination—from the prosecutors’ notes to the fact that the “race-neutral” reasons provided for the strikes were implausible and inconsistent with the record. “Referring to *Batson v. Kentucky*, the 1986 case in which the Court prohibited the use of peremptory strikes on the basis of race, Justice Kagan asked, “Isn’t this

Continued on page 3

Executive Director's Message

At the Southern Center for Human Rights (SCHR), we believe that a person should not be judged by the worst decision he or she has ever made. We believe that all people deserve respect and dignity. We believe in the promise of equal justice under the law.

The notion of equal justice is fundamental to the American justice system. Yet every day, what SCHR sees in courthouses and on the streets proves that instead of equal justice, the kind of justice a person receives varies dramatically based on the color of their skin and the amount of money that they have. Indeed, over the last forty years, SCHR has witnessed, documented, and advocated on behalf of thousands of people treated unfairly. Those of you who have been with us for some time may remember these stories:

Samuel Moore languished in a south Georgia county jail for 13 months for loitering, four months after District Attorney Denise Fachini dismissed the charges against him. His appointed lawyer never visited him and no one bothered to tell the sheriff that he could be released.

Jamie Weis waited for five years in a rural Georgia jail for his death penalty trial. For two of those years, the State did not fund his defense, and for one year he was without representation. Jamie suffers from mental illness. Knowing the State sought his death while he had no lawyer caused Jamie such despair that he attempted suicide three times and repeatedly told the prosecutor that he would just as soon give up and receive the death penalty.

Wendy Whitaker was 17 when she engaged in consensual oral sex with her 15-year-old classmate. She was prosecuted, convicted of sodomy, and made to register as a sex offender for life. She suffered public humiliation and degradation. Twelve years later Georgia passed a law that would have evicted her and her husband from their longtime home because it was too close to a childcare center.

Adel Edwards is a 57-year-old man with intellectual limitations. His home in Pelham, Georgia, does not have running water. He was cited for burning leaves in his yard without a permit, fined \$1,028, and ordered on probation for a year with a private company. He could not afford the \$250 down payment in court that day and was taken from the courthouse in handcuffs straight to the county jail.

Only a zealous defense can protect people from the overreach of the criminal legal system. For forty years, the Southern Center for Human Rights has been that defense, bridging the gap between discrimination and equality, between unfairness and justice.



Almost immediately after Atteeyah Hollie visited Samuel Moore in jail, he was released. Samuel's case became the centerpiece of litigation that prompted passage of the 2003 Indigent Defense Act, which created a statewide public defender system in Georgia.

Jamie Weis finally got the dedicated, compassionate, zealous representation he was entitled to. Steve Bright, Patrick Mulvaney, Katie Chamblee, and others secured a life sentence for Jamie when all signs pointed to death.

Wendy Whitaker got to stay in her home thanks to a lawsuit brought by Sarah Geraghty, Gerry Weber, and others. And thanks to their advocacy, Wendy was also appropriately removed from the registry. She presented zero public safety risk and had no business being on there.

And last year, Adel Edwards became the lead plaintiff in a lawsuit challenging the predatory practices of a private probation company. This lawsuit led the company to shut its doors. It will no longer prey upon people like Adel.

This edition of the Human Rights Report celebrates SCHR's fortieth anniversary. Over the last forty years, thanks to the generous support of our donors, SCHR has put our beliefs to work every day to undo injustice. From the bottom of my heart, thank you for your contributions that make our work possible and keep us in the struggle for equal justice.

Thank you for believing in us. Thank you for believing with us.

With hope,

A handwritten signature in blue ink that reads "Sara". The signature is fluid and cursive, written over a light blue rectangular background.

Sara Totonchi

Mark your calendar and plan to attend!

Frederick Douglass AWARDS DINNER

and 40TH ANNIVERSARY CELEBRATION
Thursday, Nov. 10, 2016

HONORING

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and

Richard Dieter, Death Penalty Information Center

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Contact Terrica Ganzy at tganzys@schr.org or 404-688-1202

JW MARRIOTT WASHINGTON, DC
1331 Pennsylvania Ave NW

6:00 pm – Reception, 7:00 pm – Program and Award Ceremony

Foster continued from page 1

as clear a Batson violation as a court is ever going to see?" The Court issued its decision six months later, reversing the Georgia courts and holding that Foster's conviction and death sentence were tainted by race discrimination.

The decision focused on two of the four black jurors who were struck: Marilyn Garrett and Eddie Hood. With respect to Garrett, the Court noted that the prosecutors' over arching explanation for the strike was false. The prosecutors claimed that they initially planned to accept Garrett, but their own strike lists showed that Garrett was a "No" or "Definite No" all along. The Court also noted that several of the "race-neutral" reasons given for the Garrett strike applied equally well to white jurors, yet the white jurors were accepted.

As for Hood, the Court observed that the prosecutors' justifications for the strike shifted over time and were impossible to reconcile with the record. In addition, the

Court found that "the focus on race in the prosecution's file plainly demonstrates a concerted effort to keep black prospective jurors off the jury."

Following its conclusion that the strikes of Garrett and Hood were based on race, the Court stated simply, "Two peremptory strikes on the basis of race are two more than the Constitution allows." Foster is now entitled to a new trial.

Although the Court's decision is an important victory, it also serves as a reminder that race continues to play an enormous role in the criminal justice system, particularly in capital cases. SCHR was fortunate to discover the prosecutors' notes from Foster's trial; many other defendants are unable to obtain such evidence, even where the discrimination is no less real. In other words, the problem of race discrimination in capital cases is even worse than it seems.

SCHR attorneys Stephen Bright, Patrick Mulvaney, Palmer Singleton, and Katie Chamblee represented Timothy Foster in the U.S. Supreme Court.

SCHR Clients Win Freedom

AFTER SERVING DECADES FOR MINOR DRUG OFFENSES

BY ATTEEYAH HOLLIE

In a west Georgia courtroom on March 16, 2016, Charles Pritchett went from facing years of continued incarceration to walking free in a matter of minutes.

Pritchett, a black man who served honorably in the U.S. Army in the 1960s, was convicted of possession of cocaine in 1994. Because he had three prior convictions for simple possession of cocaine, he was sentenced to 25 years in prison without the possibility of parole—a sentence so extreme that it would not even be permissible today.

Following sentencing, Pritchett went on to serve the next 21 years without a single disciplinary infraction, which earned him a work assignment as a custodian for a local city hall. The city's mayor was so impressed with Pritchett's performance and character that he not only wrote a letter requesting resentencing, but also offered Pritchett employment if he were released.

SCHR began representing Pritchett in 2015 and filed a motion for resentencing. When Pritchett appeared in court with SCHR lawyers in March 2016, the judge converted his sentence to time served and ordered his immediate release from custody. Now 67, Pritchett is back home with his family.

One week after Pritchett's hearing, SCHR lawyers appeared in a rural, southeast Georgia courtroom on behalf of Andre Mims and Jeremiah Johnson, two black men serving sentences of life in prison without the possibility of parole (LWOP) for drug convictions. Mims was sentenced to LWOP in 1995 for selling \$100 worth of cocaine. Johnson had never been to prison until he was sentenced to LWOP in 2000, also for selling cocaine. After successful hearings, Mims and Johnson returned home after serving more than 21 years and 16 years



SCHR client Andre Mims with his niece after being released from prison.

in prison, respectively.

Pritchett, Mims, and Johnson are the latest SCHR clients to be resentenced and released after serving decades in prison for nonviolent drug offenses. In 2015, SCHR secured the release of Wilmar Martin, a black man who was sentenced to LWOP for possessing three grams of cocaine in South Georgia. After serving 24 years in prison, Martin was released from prison weeks before his 61st birthday. A few months later, Charlie Scandrett, Jr., a black man sentenced to 30 years without the possibility of parole for possessing less than three grams of cocaine, was resentenced and released after serving 18 years in prison. At Scandrett's resentencing hearing in Clayton County, not far from Atlanta, the judge said he was "doing what probably should have been done years ago." Scandrett has thrived since his release. At age 57, he runs his own landscaping business and supervises several employees.

Harsh drug sentencing laws became the national norm in the 1980s and 1990s, but few states

adopted laws as sweeping as Georgia's. While several states enacted "three strikes" legislation that led to lengthy prison sentences for people with two or more prior felony drug convictions, Georgia opted for a "two strikes" approach that mandated life sentences for people who committed certain drug offenses twice—for example, selling \$40 worth of cocaine. A separate recidivist statute eliminated parole for repeat offenders. The combination of the two statutes led to a wave of lengthy, non-paroleable sentences.

Fortunately, recent years have brought shifts in drug policy and attitudes toward incarceration. Recognizing that outdated drug sentencing laws flooded state prisons with nonviolent men and women who posed little to no public safety threat, Georgia lawmakers, with SCHR's backing, successfully passed House Bill 328 in 2015. The statute extends parole consideration to people serving non-paroleable sentences for drug offenses if they meet certain rehabilitative criteria. In 2016, the legislature expanded HB 328 so that it applies to more people.

Though these are smart parole reforms, there is still substantial work to be done. Racial bias in sentencing continues in Georgia. Laws allowing non-paroleable sentences of 40 years or life for drug offenses are still on the books, and such sentences are most often imposed on black defendants, despite white defendants' eligibility. For example, all of the men serving LWOP for drug offenses in Georgia are black. SCHR will continue to challenge these unjust sentences and promote policy reforms driven by fairness and rehabilitation.

Atteeyah Hollie is an SCHR Staff Attorney.

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By providing the financial resources necessary to investigate, advocate,
and litigate against unjust systems, practices, and policies,

YOU MAKE JUSTICE POSSIBLE.



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Every contribution we receive is impactful in our work to reimagine equal justice; doubling or tripling your impact by requesting a matching gift will provide a significant boost to our efforts to make real the promise of equal justice under law.



For more information, contact Terrica Ganzy at 404-688-1202 or tganzy@schr.org.

Effort to End Judicial Override Gains Momentum AS SCHR PRESSES THE ISSUE

BY KATIE CHAMBLEE AND MARK LOUDON-BROWN

When a capital jury chooses life over death, often after hearing harrowing testimony from the victim's family and seeing graphic photos from the crime scene, its vote represents an expression of community sentiment that the defendant's life should be spared. But in Alabama, an elected judge can discard that jury's judgment and sentence the defendant to death.

Alabama judges have imposed death sentences by overriding a jury 101 times since the reinstatement of the death penalty in the 1970s. However, developments in the past three years have cast doubt on the constitutionality of override and set the stage for new challenges.

In 2013, SCHR filed a cert petition challenging override in the U.S. Supreme Court on behalf of Mario Woodward, which reignited the override debate. Although the Court declined to review Woodward's case, Justice Sotomayor wrote a powerful dissent suggesting that override violates the Sixth and Eighth Amendments. She argued that judicial override is frequently a product of political pressures, also noting that overrides are rare, geographically isolated, and usurp the role of the jury.

Since Justice Sotomayor's dissent, the effort to end override has gained significant momentum. In January 2016, the U.S. Supreme Court invalidated Florida's capital sentencing scheme, which was similar to Alabama's, in *Hurst v. Florida*. In response, Florida's governor signed a bill eliminating override. The Delaware Supreme Court is currently considering a case that could end override there as well, which would leave Alabama as the only state that still allows a judge to override a jury's vote for life. Alabama courts are also considering whether *Hurst* impacts its override scheme.

Meanwhile, SCHR is continuing its efforts to shed light on the realities of override in Alabama. This summer, the *Yale Law Journal Forum* will public an article by SCHR attorneys Patrick Mulvaney and Katie Chamblee explaining that override increases the risk of wrongful executions. In short, capital jurors who have lingering doubts about a defendant's guilt are more likely to vote for life than death because they want to avoid the risk of a wrongful execution. But override eliminates that safeguard. Not surprisingly, in Alabama, override cases account for less than a quarter of death sentences but half of death row exonerations.

The article recounts two actual cases from Alabama in which jurors voted for life due to residual doubt, the judge imposed a death sentence by override, and the defendant was later exonerated. Because the U.S. Supreme Court has struck down sentencing practices that present "a special risk of wrongful execution," the link between innocence and override has serious constitutional implications.

In the past year, SCHR attorneys also have investigated the effect of override on post-conviction proceedings. When an Alabama defendant sentenced to death by override seeks post-conviction review, the case typically is heard by the very same elected judge who overrode the jury's recommendation and imposed death in the first place. No defendant in that perilous position has won relief since 1992. This is not because all

“The most credible justification for the death penalty is its expression of the community's outrage. To permit the state to execute a woman in spite of the community's considered judgment that she should not die is to sever the death penalty from its only legitimate mooring.

– Justice Stevens

of the cases lacked merit; in one such case, a federal appellate court subsequently found constitutional errors so egregious that it vacated the death sentence. SCHR's research in this area, which has been used in several capital cases already, suggests that elected judges are simply less likely to give meaningful post-conviction review to cases in which they imposed the death penalty by override.

SCHR has been a leader in the movement to end judicial override for many years. In 1994, SCHR argued *Harris v. Alabama* before the U.S. Supreme Court. Although the Court upheld the constitutionality of override in *Harris*, a dissent from Justice Stevens provided hope for future challenges. Justice Stevens wrote: "The most credible justification for the death penalty is its expression of the community's outrage. To permit the state to execute a woman in spite of the community's considered judgment that she should not die is to sever the death penalty from its only legitimate mooring. The absence of any rudder on a judge's free-floating power to negate the community's will, in my judgment, renders Alabama's capital sentencing scheme fundamentally unfair and results in cruel and unusual punishment."

Given the developments of the past three years, this is a critical time for override in Alabama. SCHR will continue challenging the practice through direct representation and exposing its consequences through independent research.

Katie Chamblee and Mark Loudon-Brown are SCHR Staff Attorneys.

Donor Spotlight – Elizabeth Zitrin

Q: What parts of SCHR’s work are most compelling to you?

A: The criminal justice system of the United States is tragically, and even criminally dysfunctional. Pervasive racism, mass incarceration, and the lack of equal access to fundamental rights protected by our Constitution have eroded the fabric of this country. SCHR’s commitment to justice and consistent active work to right the wrongs of the criminal justice system are most compelling to me.

Q: Why have you chosen to support SCHR so consistently?

A: My support is consistent because SCHR’s commitment and work are so consistent. SCHR is addressing deep, pervasive injustices which cannot be corrected overnight. They’re in it for the long haul and I will be there with them for as long as I am able.

Q: How did you first become interested in supporting the work of SCHR?

A: My father, Dr. Arthur Zitrin, is a physician—a psychiatrist—and medical ethicist. He is also a committed death penalty abolitionist. He has long been certain that participation in an execution in any way is a violation of the tenets of medical ethics. Admiration for the work of the Southern Center is a multi-generational family affair for us.

And it did not take long for me to learn about the work of SCHR on behalf of people confronted with capital charges. As I became more informed about the range and depth of the flaws in the death penalty system, I became better informed about SCHR’s work—the most difficult, heart-wrenching work—to right wrongs, and to give people who have not had fair or just processes an opportunity to be heard, to be represented with skill and compassion, and to have at least a chance at some justice.

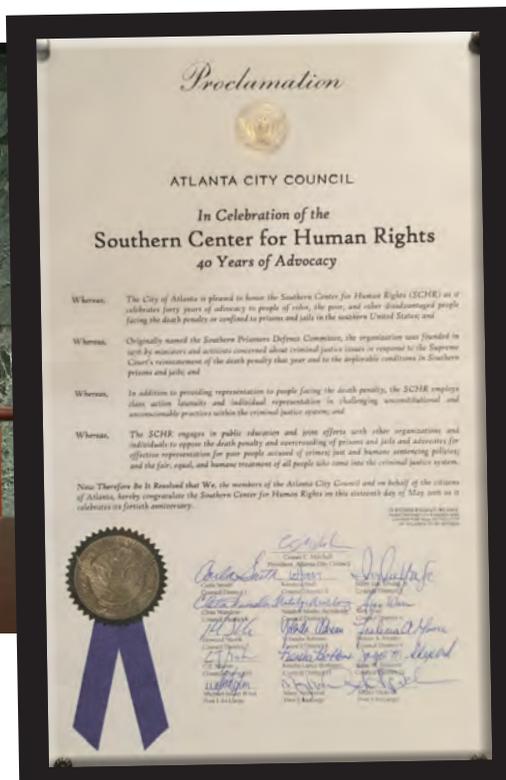
Q: What do you say to others about why they should support SCHR?

A: I tell them that SCHR’s work is needed; that the people of SCHR are highly skilled, deeply compassionate, and completely committed to justice for all; that they realize their commitment by representing people who are entitled to the best, as we all are, but who get very little in the way of justice because of their economic situation, their ethnic background, their intellectual capacity, their personal history, the state or county where they live, or other factors that are completely irrelevant to their civil and human rights.

Elizabeth Zitrin is the President of the World Coalition Against the Death Penalty and a longtime supporter of SCHR.



On behalf of the staff and Board of Directors, Sara Totonchi accepted a proclamation (right) from the Atlanta City Council commemorating SCHR’s 40-year anniversary.



A PHOTOGRAPHIC HISTORY



For 40 years, the Southern Center for Human Rights has made a significant impact on the criminal justice system in the Deep South. These photos and stories offer a glimpse into some of the work and important individuals who have contributed to the legacy of SCHR reimagining equal justice for all.

Barbara and David Lipman (middle and right) and Michael Raff (left) met with civil rights workers and religious leaders at Will Campbell's farm in Tennessee in 1976 to promote the creation of the Southern Prisoners Defense Committee (SPDC), modeled after the Mississippi Prisoners' Defense Committee that monitored the improvements at Parchman Farm Prison as part of the *Collier v. Gates* settlement in 1972. SPDC was originally the legal arm of the Southern Coalition on Jails and Prisons, consisting of prisoners' rights and death penalty abolition groups from nine southern states. The Coalition dissolved in 1991, the year the SPDC became the Southern Center for Human Rights (SCHR).



Central Correctional Institute, South Carolina's first prison and its maximum security prison, was built in 1867. Along with the ACLU National Prison Project and W. Gaston Faurey of South Carolina, SCHR sued South Carolina in 1982 (*Nelson v. Leeke*) on behalf of all people incarcerated in all 27 South Carolina prisons for unconstitutional conditions of confinement including lack of sanitation, hygiene, lack of classification system, discriminatory disciplinary procedures, poor quality food, lack of fire safety, lack of recreation, improper use of restraints, understaffing, and lack of medical care.



In 1986, SCHR staff represented more than 18 people on death rows in SC, GA, FL, MS, AL, and LA, and were responsible for 6 class action lawsuits regarding prison conditions in jails and prisons in SC, TN, AL, GA, MS, and LA. From left: Office Administrator Ellen Speers, and attorneys Julie Edelman, Carla Friend, Robert McGlasson, Christine Freeman, and Bryan Stevenson. Staff not present: Sandra Barnhill, Palmer Singleton, Clive Stafford Smith, and Steve Bright.



Daniel Anderson, 82, was a plaintiff in SCHR's challenge to Georgia's sex offender residency restriction. Mr. Anderson had Alzheimer's and Parkinson's disease and lived within 1,000 feet of a church in violation of the residency restrictions and was being forced from his home when SCHR intervened with litigation in 2006.

Southern Center for Human Rights

SCHR filed a class action lawsuit in 1996 challenging the unconstitutional conditions of the Butler County Jail in Alabama. People made weapons by cannibalizing parts of the decaying building. The lack of adequate monitoring allowed activities to go mostly unchecked. Locks to the doors of the cells did not work. Most of the population were kept on the second floor, but due to failed locks, jailers were afraid to conduct visual inspections of cells. No visual or audio surveillance system was in place on the second floor, nor did prisoners have means to contact guards other than by screaming or banging on the walls. Jailers never conducted prisoner head counts.

Gary Drinkard spent five years on death row for a murder he didn't commit. SCHR represented Mr. Drinkard in post-conviction proceedings, winning an exoneration and his release in 2001. Gary (gentleman in sunglasses) is shown here on the day of his release in Alabama with his sister (on his right) and his legal team.

People with HIV at Alabama's Limestone Correctional Facility were made to wait in line outside in the cold for their antiretroviral medication. SCHR brought suit against the Alabama Dept. of Corrections and NaphCare for deliberate indifference to their medical needs and unconstitutional conditions of confinement. People with HIV were segregated into a warehouse with a drafty sheet metal roof and rodents underfoot. 42 men died between 1999 and 2004, many preventable deaths.

The Rev. Joseph Lowery addresses a crowd gathered at the Georgia Capitol in honor of the 40th anniversary of the landmark case *Gideon v. Wainwright* to call on the State to fulfill its obligation under the 6th Amendment to provide for the defense of all accused of crimes who cannot afford a lawyer. In 2003, amid pressure from litigation and a Supreme Court blue ribbon commission report, the state legislature passed the Indigent Defense Act, creating a statewide public defender system.

In 2015, Norman Fletcher, former Chief Justice of the Georgia Supreme Court was honored with the Gideon's Promise Award for his role in establishing the statewide public defender system. But he surprised guests of the event with his announcement that he could no longer support the death penalty, citing arguments Steve Bright had made for years about its failures.



How the **CRIMINALIZATION OF POVERTY** Has Become Normalized in the Courts

BY SARAH GERAGHTY

Rita Luse is a 62-year-old grandmother from Cleveland, Georgia. Ms. Luse received a traffic citation and pleaded guilty to driving while unlicensed. She owed a fine, and because she could not pay it when she appeared in court, she was put on probation with a private company, Sentinel Offender Services, LLC.

Ms. Luse is no threat to public safety, and it's difficult to conceive of any legitimate reason to have put her on probation. Yet Ms. Luse found herself reporting to a probation officer, paying "supervision fees," and taking drug tests, at her own expense, at the direction of a private probation employee.

On one occasion, Ms. Luse came up short on her payment. When she asked for extra time to pay, her probation officer told her that, if she did not pay by the end of the day, a warrant would be issued for her arrest. Ms. Luse raced across town to borrow money from her family, fearful that she would be jailed if she did not deliver \$140 to the probation office that day.

We have reached a point in our system of justice at which it has become acceptable to make a senior citizen urinate in a cup under the watchful eye of a private probation officer and to threaten her with jail for non-payment, all for driving without a license.

Ms. Luse's experience is actually rather commonplace in Georgia and in many other places in this country. It has become acceptable to use our nation's traffic courts explicitly for revenue generation. It has become culturally permissible to farm out municipal fine collection to private companies that make huge profits providing "supervision" to many people who do not need to be on probation at all.

People who come before the traffic courts in Georgia are often made to pay exorbitant fines, fees, surcharges, and costs. They owe money for the police officers' retirement fund, the clerks' retirement fund, the crime victims' emergency fund, and the jail law library fund. There are probation supervision fees, fees for drug tests, administrative fees, probation "start-up" fees, photo fees, convenience fees, and electronic monitoring fees. With all of these fines, fees, and add-ons, it is not long before a person's monetary obligation is totally out of proportion to the severity of his offense.

The reliance on courts for municipal revenue generation is deeply entrenched in many places. In Georgia, the Council of State Court Judges recently published a fact sheet about its operations in which it referred to Georgia's State Courts as "the Little Giant of the State Trial Court System." The Council trumpeted that its courts "represent only 10% of the State Trial Judges, but Bring in 35% of Total Revenues!" The profit motive is not even hidden. It is front and center.

In too many places, we have lost sight of the purpose of courts as places for the administration of justice. Similarly, we've lost sight of the purpose of probation. Probation has become untethered from its traditional role as community supervision for people who pose a threat.

Georgia leads the nation in placing people on probation, in part, because of our booming private probation industry. According to the Bureau of Justice Statistics, Georgia has the highest number and percentage of people on probation. About 80 percent of people on probation in

Georgia are supervised by private companies. These companies have a financial incentive to have a lot of people on probation for as long as possible.

The same company that supervised Rita Luse recently used a "March Madness" bonus program to encourage its employees to meet collection goals. The program offered cash bonuses and a beach vacation to employees who collected the most money.

The good news is that we are at a pivotal moment. There is recognition across the political spectrum that we do not address considerations of public safety or deterrence when we allow some people to buy their way out of the criminal justice system, while others are stuck in it solely because they cannot pay. There is a growing recognition that mercenary court cultures undermine citizens' faith in the justice system, the courts, and the government.

SCHR has been litigating against debtors' prisons for over a decade. We will continue to challenge the normalization of a justice culture in which one's income so explicitly determines one's experience.

Sarah Geraghty is SCHR's Managing Attorney for Impact Litigation.



SCHR Photo Gallery



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1 Foster v. Chatman team, from left, Staff Attorney Katie Chamblee, Steve Bright, and Managing Attorney Patrick Mulvaney. Palmer Singleton is not pictured.

2 SCHR was a recipient of a Leadership Atlanta service project. Pictured is the team of talented individuals who closely partnered with SCHR for nine months.

3 Staff Attorney Atteeyah Hollie, left, was a panel member for Fulfilling Promises: The Next Decade of Public Defense in Georgia.

4 Members of the SCHR Intern Class of 2016. Front row, from left: Desiree Sholes, Allie Frankel, Liz Willis; Back row, from left: Kate Hathaway, Maggie Yates, Rodney Holcombe, Chelsea Bond, Kailyn Gaines, and Isadora Ruyter-Harcourt.

5 Sarah Geraghty, Managing Attorney, presented a keynote address at the Michigan Law Symposium on the Criminalization of Poverty.

6 Stephen Bright accepting a Lifetime Achievement Award from the Georgia ACLU.

7 From left: Staff Attorney Mark Loudon-Brown, SCHR Board member Betsy Biben-Seligman, and Investigator/Paralegal Sarah Forte at the Life in the Balance National Conference hosted by National Legal Aid and Defender Association.

8 Public Policy Manager Kathryn Hamoudah lobbies at the Georgia State Capitol for criminal justice reforms.

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Public Policy and Communications Manager	Kathryn Hamoudah
Operations and Marketing Director	Renée Floyd Myers
Development Director	Terrica Redfield Ganzy
Finance Director	Julia Robinson-Hicks
Staff Writer	Mary Sidney Kelly Harbert
Development Associate	Cortez Wright
Administrative Assistant	Patricia A. Hale
Criminal Justice Reform Intake Specialist	Connor Romanesko

Marissa McCall Dodson joined SCHR in April 2016

as the Public Policy Director. Marissa is responsible for developing and advocating for legislation that furthers SCHR's mission, including reforming harsh sentence laws, enhancing alternatives to incarceration, abolishing the death penalty, strengthening the public defender system, and ending the criminalization of poverty.

Before joining SCHR, Marissa worked on the American Civil Liberties Union's (ACLU) Campaign for Smart Justice assisting advocacy efforts on behalf of impacted communities in the South. In 2008, Marissa was awarded an Equal Justice Works Fellowship to develop the first program in Georgia to address individual and systemic barriers facing people with a criminal history.

Marissa received her B.A. in Political Science from Spelman College in 2005 and her J.D. and Bachelors in Civil Law from the Paul M. Hebert Law Center at Louisiana State University in 2008. She is a member of the Georgia bar.



Cortez Wright joined SCHR in May 2016

as Development Associate. Cortez supports all aspects of SCHR's fundraising, social media strategy, and volunteer program.

Before joining SCHR, Cortez worked as Digital Communications & Development Coordinator of SPARK Reproductive Justice NOW.

Cortez has over five years of nonprofit communications and development experience working at the intersection of queer & trans liberation and reproductive justice in the South.

Cortez is a 2015 alum of the New Organizing Institute's (Wellstone Camp) Digital BootCamp and a Ms. Foundation Public Voices Fellow through The OpEd Project.



Marissa and Cortez's full biographies can be read here: www.schr.org/staff.

Number of years SCHR has represented people facing the death penalty and challenging institutional failures in the criminal justice system: **40 years**

Original name of the organization:
Southern Prisoners' Defense Committee

Organization SPDC was modeled after¹:
Mississippi Prisoners' Defense Committee

Patron Saint of SCHR²: **Frederick Douglass**

Number of SCHR executive directors from SCHR's founding to present³: **5**

Number of books and films written about SCHR or its cases⁴: **4**

Number of indigent defense cases challenging violations of the right to counsel⁵: **10**

Number of states in which SCHR has represented clients⁶: **10**

Number of successive years of student interns⁷: **33**

Number of attorneys, investigators, and administrative staff employed by SCHR⁸: **125**

Total number of years current staff have worked at SCHR: **228**

Number of U.S. Supreme Court cases argued⁹: **5**

Number of capital cases argued and won before the U.S. Supreme Court: **4**

Vote by the justices of the U.S. Supreme Court in *Foster v. Chatman*: **7-1 (Thomas dissent, post-Scalia death)**

Number of years Timothy Foster was under a sentence of death: **29**

Vote by the justices of the U.S. Supreme Court in *Snyder v. Louisiana*: **7-2 (Thomas, Scalia dissent)**

Vote by the justices of the U.S. Supreme Court in *Ford v. Georgia*: **9-0**

Vote by the justices of the U.S. Supreme Court in *Amadeo v. Zant*¹⁰: **9-0**

Please see notes below.

¹ See *Collier v. Gates*.

² Born Frederick Augustus Washington Bailey, he changed his name to avoid capture. We hope to carry on Douglass's example of fighting for racial justice with the same spirit, intellectual rigor and fierce determination.

³ David Lambert, Rich Shapiro, Steve Bright, Kung Li, and Sara Totonchi.

⁴ *Proximity to Death*; *Finding Life on Death Row*; *Fourteen Days in May*; *Fighting for Life in the Death Belt*.

⁵ *Stinson v. Fulton County No. 1-94-CV-240-GET*; *Parks v. Fennessey 1:96-CV-182-3 (WLS) (M.D. GA.)*; *Bowling v. Lee No. 01-V-802 (Sup. Ct. for Coweta County)*; *Smith v. Fulton County:02-CV-2664-(CC) (M.D. GA.)*; *Hampton v. Forrester No. 03V-118 (Sup. Ct. for Crisp County)*; *Thomas v. City of Gulfport 1:05-cv-349-(LG)(S.D. Miss.)*; *People Accused of Crimes v. Crawford No. 2008CV151884 (Sup. Ct. Fulton Co.)*; *Cantwell v. Crawford No.09EV275M (Sup. Ct. for Elbert Co.)*; *Flourmoy v. State of Georgia No. 2009CV178947 (Sup. Ct. for Fulton Co.)*; *N.P. v. State of Georgia No. 2014CV241025 (Sup. Ct. for Fulton Co.)*.

⁶ Georgia, Alabama, Florida, Louisiana, Mississippi, South Carolina, North Carolina, Tennessee, Virginia, Kentucky.

⁷ The first class of interns came in January 1983 from Harvard University and included Liz Athos, Joyce Catrett, Amy Ihlán, and in the summer of 1983, Georgia Lord from Emory and Digna Landrone de la O from Northeastern.

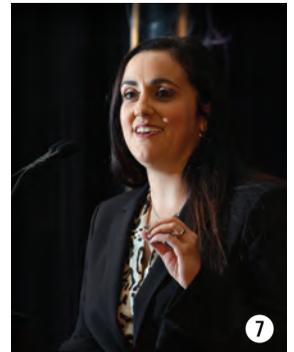
⁸ This number does not include the current staff of 25.

⁹ *Amadeo v. Zant*, *Ford v. Georgia*, *Harris v. Alabama*, *Snyder v. Louisiana*, *Foster v. Chatman*.

SCHR Events



Frederick Douglass Awards Dinner
Washington, DC – November 2015



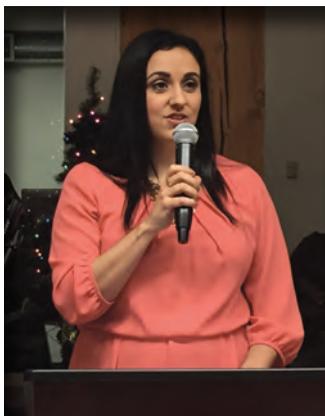
- 1 Frederick Douglass Human Rights Award recipient Senator Cory Booker (left) and Addisu Demassie.
- 2 SCHR Board of Directors with Senator Cory Booker and U.S. Solicitor General Don Verrilli.
- 3 Former SCHR client Jimmie Horton with wife Addie Horton and Stephen Bright.

- 4 Former SCHR clients Jimmie Horton (left) and Tony Amadeo.
- 5 Frederick Douglass Equal Justice Award recipients from Arnold & Porter (from left) Arthur Luk, Phil Horton, and David Gersch with Atteeyah Hollie.
- 6 Don Verrilli (left) with Tony Amadeo.
- 7 SCHR Executive Director Sara Totonchi.



San Francisco – December 2015

- 1 Mark Rosenbush
- 2 Blair Perilman
- 3 Sara Totonchi
- 4 Lis Semel and Sara Totonchi





1



2



New York Reception – March 2016



3

1 From left, Isadora Ruyter-Harcourt, Stephen Bright, Michelle Cho, and Bernard Harcourt.

2 Hostess Janet Dewart Bell with Stephen Bright.

3 From left, Bertrand B. Pogrebin, Dr. Kitty M. Steel, Lewis Steel, Catherine Chadwick, and Bernard Harcourt.



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3



4

Justice Taking Root – Atlanta – May 2016



5



6

1 Monica Kaufman Pearson, Master of Ceremonies.

2 Edward Garland presents Lifetime Achievement Award to Bobby Lee Cook.

3 SCHR Executive Director Sara Totonchi and SCHR Board member Greg Camp.

4 Former SCHR client Amber Reed recites poetry written for the event.

5 From left, Sutton Connelly, Melissa Firestone, Bobby Lee Cook, Justice Hardy Gregory, Mrs. Toni Gregory, and Susan Connelly.

6 SCHR Board Vice Chair James Kwak and José Caldas.



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This drawing was created by Mike Luckovich, Pulitzer Prize-winning editorial cartoonist for The Atlanta Journal-Constitution, in commemoration of the Southern Center for Human Rights' 40th anniversary of fighting for justice in the Deep South.