

Caroline Heller:

Hi, this is Caroline Heller, chair of Greenberg Traurig's Global Pro Bono program and litigation shareholder in the New York office. I'd like to welcome you to Greenberg Traurig's Pro Bono podcast, Good in Practice because everyone has a story. On today's podcast, we're going to do something a little bit different. Greenberg Traurig has a program called courageous conversations, and it is a webinar that informs business leaders, in-house counsel and others about developments in diversity, equity and inclusion. It's hosted by shareholder and chief diversity officer Nikki Lewis Simon, who I have known since I lateraled into the firm many, many, many years ago. In January, I participated in one of these courageous conversations. The webinar was called Taking Action on Criminal Justice Reform. It featured the president and CEO of Unincarcerated Minds, Inc, Bobby Harris, GT government law and policy shareholder, Karen canard, and Nikki as the host. It was a continuation of a podcast that had been previously done with Karen, where Karen shared the story of her brother.

Caroline Heller:

He was incarcerated for a crime he did not commit, and died in prison shortly before he was supposed to be released. His name was Timothy Cole, and he was posthumously exonerated. The Texas exoneration compensation system and the Texas innocence commission are named in his honor. In the followup courageous conversations that you'll be hearing today, Karen shares the stories about what her and her family did to prevent other families from experiencing the same tragedy they did, as well as pro bono opportunities that attorneys can do to get involved in innocence work. The webinar also features Bobby Harris. Bobby is a former juvenile lifer who was convicted to life in prison for a crime he committed when he was a teenager. As a result of Supreme court decisions, Bobby was given a chance at a new sentence, and he received a sentence that made him eligible for parole, and he was paroled.

Caroline Heller:

I got to know Bobby because Bobby was very good friends with the juvenile lifer client of mine, and even testified at his re-sentencing hearing. Bobby has done some incredible work in his community since being released, and he has dedicated his life to improving his community and helping to prevent other young men and women from becoming criminally justice involved. This episode of courageous conversations, which we are airing today is a crossover with good and practice, is about the power that attorneys have to assist those who have been wrongfully accused of crimes and convicted. It also speaks to how those who have committed crimes are capable of rehabilitation and capable of becoming incredible members of their community.

Nikki Lewis Simon:

Today's conversation is a follow-up to a Greenberg Traurig courageous conversation we had with Karen Kennard back in late October. On that courageous conversation, Karen shared the story of her brother, Tim Cole, who was wrongfully convicted. Tim became the first person in Texas to receive a posthumous exoneration, and a posthumous pardon. In fact, the Texas exoneration compensation system, and the Texas innocence commission are named in his honor. We want to build on that discussion this afternoon in highlighting criminal justice reform and actions anyone can take to impact positive change.

Nikki Lewis Simon:

What happened to your brother, Karen we'll start with you really. Tim was failed by the system. As a college student going about his normal day, he was identified as someone who had purportedly committed a crime, he was taken into custody, and from there the investigation really stopped. You can

paraphrase a little bit more, but through that entire process Tim maintain his innocence, he was wrongfully convicted to 20 or more years in prison, and then ultimately died as a result of an asthma attack. What happened to him was a force, a crime in and of itself. Can you share how that failure impacted your family, and what you have done as a result?

Karen Kennard:

Yeah, Nikki I think as we work through the exoneration process for my brother, once we started that process, I think there are lots of things I think that opened our eyes about some of the issues and challenges that people who find themselves caught up in the system faced. I just want to be very clear that my mother wanted to make sure that we helped other people, that the lessons we learned from what we did to clear my brother's name, that we use that to help others. I would probably categorize the types of issues that we worked on from a legislative perspective, I would put those in three big categories. I think the first type of legislation and the kind of changes that we sought to make in the criminal justice system here in Texas looked at issues related to how does someone who is wrongly convicted, how do they raise an issue of actual innocence once they are in the criminal justice system?

Karen Kennard:

You are locked up. At that time in 2009, there wasn't an official process to go through. For those of you who were maybe in on our conversation, back in October, the person who had committed the crime had written all of these letters for over 10 years to Judges, to the DA's office, and nobody had done that. There is now, through some of the work that my mom did with the innocence project of Texas, there is now an official process. With that legislation, there's also some things that have happened here in Texas, and I know in other States, that marries that legislative process through district attorney's offices, and in other States they're just criminal prosecutor's office.

Karen Kennard:

They've created these, what they call conviction integrity units. Those conviction, integrity units and organizations like the innocence projects of Texas, they worked together to do their own independent investigations of actual innocence. In conjunction with the legislative process, those conviction integrity units, there's a formalized way now for folks to raise those claims of innocence. But that was one of the things we've worked on. I think one of the other I think big buckets of legislation and issues that we really wanted to work on, I like to call it is like police practices. I think one of the biggest things in my brother's case was both the eye witness information, and the actual photo identification, and how that all came to be. Even though we've worked on that since 2009, one of the things we've been able to do here in Texas is to get the state to adopt some provisions in state law that specifically say that every law department in the state of Texas has to have a formal written policy on eye witness identification.

Karen Kennard:

We would like to have some more robust things because we know that there are some best practices. We think that some of the things in there are best practices, but every law department here in the state has to have a written policy. That written policy is developed by, there is a Law Enforcement Institute here, and so they have to follow that. We think that that's a really big change and we worked on that legislation. I think the final, I guess, big bucket of legislation that we've worked on of course, is changes to the compensation system here in Texas, the innocence compensation system, for those who are wrongly convicted and then they then find their way out.

Karen Kennard:

If you can imagine most of the people who eventually find their way out of the system after being wrongly convicted, they have nothing, many of them don't even have family left when they get out. It is an honor for us to have my brother's name attached to that system. In Texas, the overwhelming majority of them are men. Many of them I call my brothers. We've worked on changes where they've expanded that system so that not only do they get a lump sum benefit, but they also get an annuity benefit, they get healthcare, they get educational, a lot of meds to continue education, that maybe they didn't have an opportunity of higher education. Now they also have the opportunity to pass along that annuity benefit to a spouse, which they didn't have for a long time. That's how I would characterize the types of changes that we've worked on here in the state of Texas.

Nikki Lewis Simon:

Thank you for that. Those areas are critically important. One, you talked about creating a process, to raise your innocence. Once you've been convicted, the resources that are available and what you need to do to continue to fight, for your release. Then number two, the conviction integrity units. How they partner with the departments to ensure that an independent investigation is done. I'm sure that's critically important. Then number three you talked about the police practices and the written identification policies developed by the legal institute, and then finally the compensation system, which is critically important. Because when you come out, you need to be able to sustain yourself. Within those four buckets, what can individual people do? Just everyday people.

Karen Kennard:

Wherever you are, I think that if you're interested in these types of issues, one of the things that we worked on here in Texas is that all of our public law schools here in Texas most of them, we have a couple of new law schools here in Texas that have been created in the last three or five years. But the overwhelming majority of our public law schools here in Texas, they have innocence clinics that are funded by the state of Texas. That's a vast improvement. It was just in the beginning, just a few of the larger ones. Now, we have many more innocence clinics. I would say, you can volunteer with those folks. They are community members. You can volunteer at any of the legal services groups here.

Karen Kennard:

If you can't volunteer, any of the legal services groups always need funding to help with the work that they're doing on these types of issues. From the perspective of the practices related to police training, the processes related to eye witness testimony and things of that nature, that's going to require more legislative changes, and everybody has a legislator. I would say that if those are issues that speak to you, that, you contact your local legislator, and let them know what your thoughts are related to those issues. From the compensation perspective, I think that Texas has one of the best compensation systems in the country, but there are about 14 States. If there's anybody here, I would ask you to at least look at your state and see if they have a compensation system, and if you're one of those States that does that, I would say, get involved and try to make sure that your state maybe looks at trying to adopt one.

Nikki Lewis Simon:

Thank you, Karen. Thank you so much for that. Caroline, I want to bring you in here because you wanted to share some data and some stats on the impact of this issue.

Caroline Heller:

I think it's really important for people to understand that innocence claims are not one-offs. The national registry of exoneration's has recorded over 2,700 exoneration's since 1989. That's over 24,000 years that people have lost in their lives. 170 of those individuals spent at least 25 years in prison, with the longest person serving 45 years, two months and nine days. When we talk about people being finally exonerated and leaving with no family, we're talking about, because their families dead. Their parents are dead, they may have had siblings that have died. They are old men and women some of them. It's also important for context to note how many individuals on death row had been exonerated.

Caroline Heller:

Since 1973, 174 former death row prisoners were exonerated of all charges relating to wrongful convictions that had put them on death row. The top three States are Florida with 30 exoneration's, Illinois with 21, and 13 from Texas. The death penalty information center has also documented at least 18 cases of individuals who were executed, who they believe they have strong proof these individuals were innocent. Something important that Karen mentioned about what's creating these wrongful convictions and we could talk, that's a whole other series of conversations, but sort of the top six things that have caused wrongful convictions are eye witness misidentification, unreliable or improper forensic evidence, false confessions, use of informant testimony, government, or state misconduct and inadequate defense.

Caroline Heller:

Karen had addressed how there are ways to address some of those issues through policy, but it's important to remember that those top six are the reasons for a lot of the wrongful convictions. I wanted to share that because some people think how frequently could it happen. It happens quite frequently, and these are just the documented cases. Again, encouraging States and cities to create these units is also extremely important in ensuring that people who have not committed crimes have a chance at freedom again.

Nikki Lewis Simon:

Thanks Caroline. Karen, just to wrap up with this portion and with you, what does criminal justice reform mean to you and why is this work you and your family have done and are doing so important?

Karen Kennard:

For me criminal justice reform means creating a system that is conscious and recognizing that our system of justice needs help and it needs change. It's a system that is not perfect, and it's a system that we always need to have mechanisms that recognizes the human error involved, and we always need to have processes that at every stage of that process, can recognize how to correct those errors that occur in a real timely manner for me. We choose to concentrate on these innocence issues, the back end of the process, just because we feel like sometimes those people get lost in the system, and the personal impact that it had on our family. We just want to continue to remember those folks who are still out there, the incarcerated innocent, who we will never forget.

Nikki Lewis Simon:

Thanks Karen, thank you for that. We'll pivot now to Bobby Harris. Bobby, can you please share your story with our attendees?

Bobby Harris:

My name is Bobby Harris. I went to prison for murder at the age of 15, and I was sentenced to a life sentence of incarceration without the possibility of parole. For me as a child, that meant as the law had held that I must live my life incarcerated in the penitentiary. That was a very hard adjustment for me. However, there came a time in my life while I was incarcerated, that I realized that I needed to take control of my life, and to do better because I no longer wanted the court system to be the one to define or write the narrative of my story. Within prison, I created a new mindset. I sought education, I sought to better myself, I sought the better co-mingle with other individuals that was likely situated as myself, before prison, as well as while in prison.

Bobby Harris:

In doing such, it led to a position where that the prison, the men at that prison felt compelled to request for me to become the president of the life of the association. Something that was nerve shaking for me, because I had never felt that type of position or role, other than me doing my own thing to get out of jail while being in the law library. However, I looked at it from the position that they felt that I was equipped to do something, and to me, they were my mentor. They educated and taught me how to be an individual that perfects myself as most importantly, not just a man, but as a black man, and to mentor other people in the prison that I had influence over, that would listen to me so that we can shape and move those individuals before going back into society, never to come back into the prison, but more so to give to the community.

Bobby Harris:

In doing that, we had started a lot of projects. We started several projects, people raised money selling Mike and Nike's, Chico sticks, jelly beans, and Pressel rock. We will raise those funds from inmates inside the prisons making \$0.19 an hour, and we wanted to find something to do with it, and we said the best way to do something was for us to give back and show society our humanity, or the elevated level of our humanity from one level to the next. We would donate funds to St. Jude's children's research hospital, St. Francis in Scranton, Pennsylvania, the ALS association for greater Philadelphia chapter. I'm going state, we created the very first ever bucket challenge list in the penitentiary.

Bobby Harris:

It was more joy for the prisoners to actually throw ice on the correctional staff, something that was unheard of, but we raised \$700 for that particular event, and then we created an educational department inside the department of correction at NCI dollars to help individuals obtain their GEDs, to help them take advantage of every opportunity in there when the DOC lack the funds or lack the ability to [inaudible 00:20:19], to provide them with proper reading material, updated books for the GED test. We raised the funds amongst the prisoners, and we purchased the books ourselves to provide to the men in that prison. We also created a moment inside the prison when we created a scholarship. We created a scholarship that was never heard of, and that scholarship was a way to show what restorative justice was like for those of us that was in the prison.

Bobby Harris:

That was the goal children whose parents were victims of crime. We actually raised \$6,000 in 30 days. Once again, from individuals inside the prison, making %0.19, but all felt compelled to express who we were, without any recognition. I came home and doing that, I actually presented that check to the district attorney's office in Philadelphia and several other people just to show and highlight who we were when I was released, because I actually got released in 2017 after serving a total of 29 years in

prison. I shared it with them. My life belongs to the streets. My life belongs to my community that's marginalized, but more importantly, my life belongs to the little kids so that they don't have to emulate what my life was like and have to live through that trial and error, in growing up as a young black woman, or a young black man in the city of Philadelphia, or the state of Pennsylvania for that matter.

Nikki Lewis Simon:

You talked about serving the 29 years, but can you talk about and share with our attendees, how you came to get out before life? Can you tell us what happened with that shift in your sentence?

Bobby Harris:

Due to the tremendous appointment of Obama with justices during his presidency in the United States Supreme Court, they made a ruling in Miller versus Montgomery Jackson. That case right there said that it was unconstitutional for them to sentence juveniles to life without the possibility of parole. It said that you must take an individual lives study or, reveal at the individual to see if there's any growth and development. If there has been any change in that individual, that was just a minor in the synaptic pruning in his or her mind was not moving at a rapid pace for them to comprehend things, but more adapting to things. That case led towards them making a ruling that said that it was unconstitutional to sentence children to die, which we call death by incarceration in the state of Pennsylvania.

Bobby Harris:

They took my case. I had to do a hearing before an appointed judge. They looked at my entire history from my childhood, what we call in the legal terms, the mitigating circumstances that led to my being arrested, as well as with my incarceration. They looked at that and review, and the judge actually found that I displayed tremendous growth and development, that I was a child with a lot of hardship. I was a child, and I don't try to minimize this or add this to minimize the loss of life of Karen Smith. I honored that name every day, and I stated because I owe everything that I am, to punctuate a better me to me due to this individual losing his life. They looked at it and the judge said, you deserve a second chance and order my immediate release, after being contested by the district attorney who did not want me to be released.

Nikki Lewis Simon:

I just want to say, that's that transformation, that self-awareness, that rehabilitation that we're talking about in term terms of criminal justice reform and why it's so important. Can you talk a little bit more about how you've devoted your life to community and some of the examples?

Bobby Harris:

When I left out of prison on November the 5th, 2017, the entire prison woke up early to watch me walk through those gates, and walk through that [inaudible 00:24:19]. Grown men was crying, grown men was saying, "We love you Bobby." Grown men, that we know that you are going to go home and do the right thing, and shape and move in the way that it should be from a young black man that you are. When I walked out of prison, November the 7th, I walked out of prison with a total of 5,300 plus individuals in the state of Pennsylvania on my back. I left out of prison, living to do what they taught me to do in prison, and that was to be a better version, but more importantly, a better version towards humanity. When I walked out of prison on a Sunday, I honored my mother, I went to church and I went to our house, because I never been there.

Bobby Harris:

But the very next day was on a Monday. I went to a state representatives office, state representative, Donna Bola, that's her chief of staff to former chief of staff, Thomas Young, used to come into the prison to motivate and encourage and assistant deal with the men at FCI dollars. I went to meet and talk with them. I said, "I'm going to show you what rehabilitation is, and it wasn't at the hands of the Department of Correction, it was at the hands of other individuals in prison that mentored me." In doing that, they saw my work speaking at schools, going to different engagements, moving and speaking with these politicians about second chance, parole eligibility for lifers inside of the prison, particularly those that were not juvenile, that's left inside of the prison.

Bobby Harris:

We created and we put together for the first time ever, a joint democratic party policy and PA legislative black caucus hearing from an old justice reform held inside a state penitentiary for the first time ever. For this entire body of elected individuals to sit amongst the people inside the prison, to hear their stories, to hear their growth and development. That was one of the most champion moments because they allowed me to go back into the prison, to escort these elected officials into the prison, to meet and mingle with people that were sentenced to die, or people that were sentenced to die with a number equivalent to a life sentence. Then after that, I was actually hired, I received my first job working for justice leadership based out of New York, and my role was as a community organizer.

Bobby Harris:

I devoted all my life to this work, because the individual lost his life. In doing that, I said, I'm going to fight. When I was hired to just leadership, they hired me as the community organizer. We successfully shut down a County jail, which was the oldest, which is called The House of Correction. That jail was populated by individuals suffering from trauma, individuals suffering from addiction. Over 60% of the population was addicted to drug, but they was punishing these individuals. We felt as though that was inhumane, and not addressing the needs assessment, rather, you are addressing the punishment assessment for a person that's living through trauma for addiction. We successfully shut that jail down and it was closed.

Bobby Harris:

Then I incorporated and said at the request of the men in the prison, they said, it's time for you to incorporate, it's time for you to build. I created on incarcerated moms, to serve the needs of the people inside of our communities, but also to serve and represent the people inside of prison that deserve a second chance at life, which means the quality that distinguishes a vital and functional being. We pushed for the voter registration, mobilizing of formerly incarcerated individuals out into society. But we add a different twist to it. We distributed our food program through that with only formerly incarcerated, initially to participate and go door knocking and distributing food to people that's going through this pandemic moment.

Bobby Harris:

That actually allowed us to create the needs assessment to find out what do you need? We that are the ones that once was the virus in the community, we are now the antidote. We wanted to present that in a way, because there's over 300,000 individuals in the city of Philadelphia as formerly incarcerated, but more so each and every last one of us had the opportunity to [inaudible 00:28:39]. To me, that is power, especially when we are shaping the narrative with productive thoughts and ideas in our community.

Nikki Lewis Simon:

Taking your experience and that whole journey, turning it around from a minor to a man, and then helping to shape the lives of others. Rehabilitation rather than penalization. I take that away. That's what I take away from your story, which is really important. What are the three major reasons why you chose to do this with your life?

Bobby Harris:

That's a great question. One, I've learned that I'm a part of humanity. Two, individuals inside those prisons, as I stated before, they climbed on my back for me to reveal to society who they are that taught me to be the black man that I'm continuously striving to be today in perfection continuously. Third, I don't want anyone else to have to live through the hell that I went through as a young black kid for that matter.

Nikki Lewis Simon:

Given this theme and you wanted to talk about rehabilitation being the primary focus of justice, rather than penalization, can you talk about the different forms of rehabilitation that you've seen work successfully?

Bobby Harris:

I believe that education is the number one problem that many of us in marginalized communities suffers from. We are taught from society how to be misfits with misgiving and misjudged with misrepresentation. We're taught how to educate ourselves, or we're taught from a system that educate us from a minus opposed to a plus side of elevating that knowledge of who we are. Self identification is imperative. Understanding how to read and write. A lot of people are not aware of that. I went to prison at the age of 15 with a third grade education, could not read. However, individuals inside the prisons taught me how to read and write, taught me how to think. They showed me. They held my hand, but more importantly, they held my heart. This is why I'm very much committed to those individuals that deserves a second chance as well. Emotional growth and development as well. Reconnecting with themselves.

Bobby Harris:

A lot of people try to tell us that we should be this, or we should be that. One thing I've learned that association brings about assimilation. We assimilate what society projects to us. We assimilate that which is destructive because it's left unchecked. We promote and elevate and emulate death, because death is what's projected and thrown into our community. I'll look at it from a position like going upstream. This is what I've done with an incarcerated mind, helping individuals get jobs. Those that was incarcerated, formally incarcerated I mean, as well as those that's just growing up in our communities that's disproportionately affected, not many, and I'll feed the people program. I believe there's three essential elements to life. Food, clothing, and shelter. We tackle one of them. We've distributed since March of this pandemic, we distributed over the 109,000 pounds of food across the city of Philadelphia, to people that was impacted that lost their jobs.

Nikki Lewis Simon:

But more importantly, once again, about the voting component. 300 plus thousand individuals that's formally incarcerated. We underestimate our power. Power only means the ability to act, and if we

exert that type of power to get up and motivate ourselves, motivate our community, motivate society, we can shape and mold the society that we deserve as members of humanity. But it must be with an agenda that addressed the needs of the people that's inflicted and versed in the [inaudible 00:32:40] of affliction through this criminal justice system.

Bobby Harris:

Thank you. Thank you, Bobby. Well said. I want to shift Carolina to you and pro bono, and really give us some of the background on Bobby's re-sentencing and parole and the [inaudible 00:32:58] decisions as he pointed out a little bit more into that.

Caroline Heller:

The two Supreme court cases that Bobby was referring to are Miller versus the Alabama that found that mandatory life sentences without parole for children are unconstitutional, and that was in 2012, and a minor is under the age of 18. Anyone over 18 didn't get the benefit of this, and we should talk about that later. The second case was Montgomery versus Louisiana, which found that the Miller decision was retroactive. There had been some litigation about, does this mean only going forward you can't sentence people to mandatory life sentences for crimes committed when they were children? No, it's retroactive. In Pennsylvania where Bobby and my client were incarcerated, the system decided to have re-sentencing hearings. But these hearings were very interesting because the courts had the benefit of hearing who had these men and women had become. You'd have a hearing where you could have corrections officers testify, people in the community, family members, and it was an opportunity for everybody to talk about who this person had become.

Caroline Heller:

That's what happened with Bobby. The judge decided this is a person who deserves a second chance, and he was paroled. What's really important about what Bobby ... many important things that Bobby said, but one of the key things is the reason that Miller and Montgomery were decided the way they were was because the Supreme court had scientific evidence before it, that children's minds develop very differently, or are developing rather in a way that adults minds aren't. Children develop throughout their teens and even into their early twenties. They are impulsive, they follow the group, they are dramatically influenced by their family situations, and because their brains and their personalities are malleable, they are capable of rehabilitation. In fact, there are studies done on crime age statistics. The peak age to commit crimes is around 18, 19, 20, and then it dramatically drops.

Caroline Heller:

The idea of sentencing a child to life for something that they did when they were a child to life in prison, didn't take into consideration the possibility that they could become productive members, not only productive members of society, but contributing, giving back to the community. Those are the Supreme court cases that Bobby's talking about. I just wanted to talk about how our society criminalizes children. That's a really, really big problem. This is from the children's defense fund. A public school student is suspended every two seconds. A high school student drops out every nine seconds. A public school student is corporately punished every 43 seconds. A child is arrested every 43 seconds. A child is abused or neglected every 47 seconds. A baby is born into poverty every 51 seconds. A baby is born without health insurance, every two minutes, and a baby is born at a low birth rate every two minutes.

Caroline Heller:

Those are just some, I could go on with some important statistics. Next, I want to read some statistics about how we're criminalizing children. This comes from children's defense fund as well. In 2018 728,280 children were arrested in the United States. Although there's a juvenile justice system, over 43,000 of those children were placed in residential placement on any given night in 2017, and 935 of those children were incarcerated in adult prisons on any given night in 2017. If anybody has not yet read Bryan Stevenson's book, *Just Mercy*, he describes his experience when he met a juvenile who was incarcerated in an adult facility. Without going into the details, you can imagine what children experience when they're incarcerated with adults. It's also important to note that all States allow children charged with certain offenses to be prosecuted as adults.

Caroline Heller:

Just a couple of more items. Children of color, particularly black children continue to be over criminalized and overrepresented at every point, from arrest to post adjudication placements. Further, boys, youth with disabilities, and LGBTQ youth are also disproportionately in contact with the juvenile and adult criminal justice systems. Once a child is incarcerated, the risk of psychological physical abuse and sexual assault, skyrockets, and children in adults jails are more likely to suffer permanent trauma and are five times more likely to die by suicide than children held in adult detention centers. At one of our courageous conversations, we heard our partner, Michael Pratt tell us something that stayed with me. That his five-year-old grandson, did something in a kindergarten class, and the teacher said she was afraid of him. That's a problem with how young children of color are viewed in society, and how they're treated. Again, there may be a suspension for bad behavior when an educational issue hasn't been identified.

Caroline Heller:

How can we help? You can help at every level. Karen gave some great examples when we were talking about innocence issues. You can contact your local innocence project, volunteer to take case. There are other ways to get involved, which is just try to figure out what policy program, what policy has, or has not been implemented in the state in which you're in. There are organizations that have policies they're trying to push through the legislature, but they haven't been able to do so, and we have an amazing, GT has an amazing lobbying group who has done incredible pro bono work, so I'm hoping that we can get them involved in criminal justice issues this year. When it comes to dealing with children and trying to prevent their incarceration, you can work with organizations that help children with special needs so that they are getting the education that they're entitled to, that will hopefully help them develop good senses of themselves, trust in themselves and their ability, and the ability to progress in school.

Caroline Heller:

You can start at there. If we're talking about helping people who are already in the criminal justice system, there are ways in which you can either work with organizations that are helping juvenile lifers now, who are getting re-sentenced, individuals who are being released are not recidivating. They are trying to live their best life. In some cases, they do things with their community like Bobby is, in some cases they choose to do whatever it is they feel makes them feel good. There are others involved with legislative work. For example, as I stated before, the brain develops through the early 20s, but the individuals who committed crimes when they were 18, and we're talking a day after 18, don't get the chance at the re-sentencing. There are people who committed crimes at 20, 21 who are now in their 60s are not going to commit a crime if they're released, but will die in prison because there was a mandatory life sentence.

Caroline Heller:

There are States that are examining legislation that would change that. It would say at 65, you're eligible to be examined for parole, or at a certain age. That's another way you can get involved to see what your state is doing and what your community is doing to try to change the laws. It doesn't mean somebody automatically gets out, it means they have to prove themselves at a parole hearing that they are worth something, that they can make something of their lives, and they are entitled to a second chance.

Bobby Harris:

Keep in mind, these juveniles that may have offended, it was due to domestic. Not violence, domestic, but a lack of communication, not learning how to deal with relationships. No one provided any of us with any trauma informed care upon our release. They didn't know how to deal with relationships coming in late. That was the issue with most of these individuals, which was very small. Second with the pro bono. I have to touch on that. I pray Caroline, that you stress to them the need for it. Because going back to what us, as Karen was explaining about her brother that happened, in the state of Pennsylvania, well, Philadelphia, there's something that's been going on since 1970, the white files also known as the white sheets, where the district attorney office will concealed exculpatory evidence.

Bobby Harris:

The individuals being exonerated today, are being exonerated because this district attorney happened to open those files, but it goes back to 1970. Those are individuals that we know need to be able to be reviewed for the conviction and integrity unit. But in Philadelphia, you do not get that help if you do not have representation by an attorney. I will say this, there's a quote that a friend shared with me. A big shot is a small shot that take all the shots, keep on shooting.

Caroline Heller:

This week's episode of Good and Practice featured a courageous conversation with GT shareholder, Karen Kennard, GT shareholder and chief diversity officer Nikki Lewis Simon, Bobby Harris, President and CEO of an Incarcerated Minds, Inc, and me Caroline Heller litigation shareholder in the New York office and chair of Greenberg Traurig's Global Pro Bono program. I hope you join us in two weeks to hear another pro bono story.