

From: Miriam Krinsky <krinskym@krinsky.la>
Sent: Thursday, April 25, 2024 11:16 PM
To: James Hingeley
Subject: RE: Fair and Just Prosecution—are we?

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Jim:

Thanks so very much for this kind message and for reaching out. This has indeed been a painful few days – not just for me but for our FJP team. Over the course of these past two days I have heard from the vast majority of our staff who individually reached out to me to express extreme dismay and upset at the anonymous email. They indicated that they were angry, and deeply disappointed that someone would anonymously send an email such as this that did *not* reflect their views – and that they would chose to copy in stakeholders external to FJP in a matter FJP was aiming to address internally and in a way that has the potential to harm FJP and our mission.

As noted yesterday, these matters are being addressed by FJP’s Advisory Board and I want to respect that process. In the interim, I am trying to ensure that this vitally important work and the many members of our team who care deeply about it are not adversely impacted. None of this is easy to navigate.

Please let me know if you want to talk or if you believe any action is needed to address concerns others may have (although my ability to address those concerns may well be constrained). And, again, please know how grateful I am for your outreach, support and caring. I feel privileged to work with you and others who share your vision for what a system of justice can and should be about.

Best wishes,
Miriam

From: James Hingeley <jhingeley@albemarle.org>
Sent: Thursday, April 25, 2024 1:15 PM
To: Miriam Krinsky <mkrinsky@fairandjustprosecution.org>
Subject: FW: Fair and Just Prosecution—are we?

Miriam—I did not get the e-mail that was sent to me (and others) Tuesday night. My address was correct, but perhaps my system did not recognize the anonymous senders’ address and filtered the email out. In any event, on Wednesday, I did receive the email below from Jonathan Barona and it included the Tuesday night email I had not previously received. It pains me to know that FJP is experiencing such discord, and I hope a way can be found that will lead to a satisfactory resolution for the organization and all concerned. As this unfolds, I want to support and stand with you, and if there is anything I can do to help, please let me know. I know nothing about what has led FJP to this place, but I know you and believe in you, so I’m here to help. I can only imagine the strain you are experiencing, and I’m sorry this is happening. //Jim

James Hingeley
Commonwealth’s Attorney
County of Albemarle
410 East High Street

Charlottesville, VA 22902
(434) 972-4072
(434) 972-4093 (fax)

From: Jonathan Barona <jbarona@tides.org>

Sent: Wednesday, April 24, 2024 5:38 PM

To: FJPstaff <fjpstaff@proton.me>; sboston@dekalbcountyga.gov; satana.deberry@nccourts.org; pdtafti@arlingtonva.us; mdupree@wycokck.org; Kimberly.foxx@cookcountylil.gov; ggascon@da.lacounty.gov; daericgonzalez@gmail.com; James Hingeley <jhingeley@albemarle.org>; scjones@chathamcounty.org; lawrence.krasner@phila.gov; mfmoriarty44@gmail.com; platania@charlottesville.org; Joshua.pond@columbiacountyor.gov; dracine@co.douglas.ga.us; savite@washtenaw.org

Subject: RE: Fair and Just Prosecution—are we?

CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

Thank you for your email. I want to assure you that Tides and the FJP advisory board are aware of the situation addressed in your email, we take the concerns raised seriously and we are going through the appropriate steps to investigate these concerns.

As a fiscal sponsor, Tides Center partners with mission-aligned projects across the country and provides advising and infrastructure to support partners in accomplishing their programmatic goals. While Tides provides advising and HR support, we generally do not get involved in specific programmatic decisions. We believe that our partners and their staff are best positioned to lead their projects and make decisions; however, in order to address your questions, I'd like to share the following information about the structure and support we have in place to support partners.

Advisory Board

Each partner is expected to have an Advisory Board. The Advisory Board is responsible for, among other things, overseeing the project director, including monitoring and making recommendations related to recruitment, hiring, compensation, performance, disciplinary matters, and termination. When disciplinary or other matters arise with respect to a project director, Tides Center, as employer of record, works closely with a partner's advisory board in making any personnel decisions.

Tides Human Resources

Each Tides Center partner has a dedicated HR manager (Justine Harris Richburgh) to support with thought partnership and HR-related matters. The information you share with Justine is held in confidence and she is your go-to resource for concerns or complaints. I encourage you to reach out to her directly with any additional information you feel comfortable sharing on this matter.

EthicsPoint

Tides Center has also implemented a confidential reporting hotline. Concerns may be reported anonymously through this hotline, either by calling 1-844-235-6548 or submitting an anonymous report through the website: <https://tides.ethicspoint.com>. Both the hotline and website are maintained by Navex, an independent third-party reporting service, and not Tides Center. For more information about EthicsPoint please see the Tides Center's Employee Handbook (pg. 31), along with our Code of Conduct Reporting Policy.

Retaliation Prohibited

Finally, a critical aspect of Tides Center's speak up culture includes our policy strictly prohibiting any form of retaliation for raising good faith concerns about potential violations of Tides Center policy or the law. If at any time you believe you have suffered adverse employment action for raising a concern or participating in an investigation of a concern, please contact the Tides Center People team or utilize EthicsPoint.

Thank you for your care for FJP. Please feel free to reach out to me or Justine with any additional questions.

In partnership,



Jonathan Barona

He/Him/His

Interim Executive Director, Tides Center

office: 415.561.6400 |

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From: FJPstaff <fjpstaff@proton.me>

Sent: Tuesday, April 23, 2024 11:11 PM

To: sboston@dekalbcountyga.gov; satana.deberry@nccourts.org; pdafti@arlingtonva.us; mdupree@wycokck.org; Kimberly.foxx@cookcountyil.gov; ggascon@da.lacounty.gov; daericgonzalez@gmail.com; jhingeley@albemarle.org; scjones@chathamcounty.org; lawrence.krasner@phila.gov; mfmoriarty44@gmail.com; platania@charlottesville.org; Joshua.pond@columbiacountyor.gov; dracine@co.douglas.ga.us; savite@washtenaw.org; Jonathan Barona <jbarona@tides.org>

Subject: Fair and Just Prosecution—are we?

FROM: Alarmed FJP Staff Members

TO: Tides Center Interim Executive Director Jonathan Barona
Several Members of the Advisory Board and Certain Prosecutors

TO BE FORWARDED TO ALL FJP STAFF

Dear Mr. Barona and Electeds:

Below you will find a redacted ("XXXXX") email from one of the Black women DA's in FJP's network of elected prosecutorial officials. It was sent three weeks ago. The DA raised serious concerns about racial bias and other exclusionary behavior by Executive Director Miriam Krinsky. To our knowledge, virtually all FJP staff became aware of the email almost immediately after it was sent. For three weeks, Miriam refused to openly address it, let alone offer a facilitated discussion about the important issues raised. Instead, she operated as she normally does when feeling threatened: dismissing, denying, blaming, and rationalizing the allegations in an attempt to bury the core issues, and, in our opinion, denigrate the DA in question by attempting to justify her disengagement without authentically addressing the issues raised and the impact it had on staff.

Late last night, Miriam finally sent an email to all staff acknowledging the email for the first time. She disclaimed any improper actions and stated that FJP would develop written criteria for how to engage (and potentially disengage) DA's. The main purpose of the email was to justify the disengagement by doubling down on supposedly measurable network criteria, something that has never been written down or even discussed with staff. The current network criteria is seemingly whether one's inclusion will afford Miriam perceived prestige through association. That will likely continue to be the benchmark regardless of any attempt at documenting the process.

Miriam's three week overdue effort is merely an attempt to further avoid the legitimate reckoning that FJP must face. The email in question is not even the most important issue. Far from it.

What Miriam is most afraid of is reality: the experiences and feelings detailed by in the DA's email validate feelings held by FJP staff. Many current and many former staff of color—particularly Black staff, and more particularly Black women staff—feel oppressed, slighted, and discriminated against by Miriam. Many White staff who have not personally experienced this ugly behavior have witnessed these transgressions by Miriam. Whenever approached, she remains defensive and unwilling to engage. She is either unreachable in denial or willful in defiance. Anyone who challenges Miriam about anything—whether printing formatting or unethical behavior—is rendered persona non grata.

Where does one turn in a situation when an Executive Director is unwilling to acknowledge such issues, let alone authentically and honestly address them?

When an Advisory Board does not have the authority to act as would a Board of Directors of an independent entity, is the fiscal sponsor willing to do so?

No doubt Miriam will applaud herself for offering office hours to discuss the opaque “race and gender” issues referenced in her email of last night. It was an empty gesture. Miriam did not offer a facilitated discussion by an outside professional, something numerous employees have all but begged for and passed along to leadership. Not just recently. But for months. Very likely, for years. Even if Miriam had offered this, it would have been far too little and much too late. There’s nothing to facilitate if Miriam is the head of FJP. The only mantra is compliance and obedience.

Does an Executive Director under this arrangement enjoy an impenetrable shield of self-protection? Perhaps that is why Miriam chose this structure. The last time she led an independent 501(c)(3), she was apparently forced to resign in controversy in 2006-2007. Most FJP staff are unified in opposition to Miriam, yet they are afraid of losing their jobs and risking their reputations over a failed ouster.

Miriam’s FJP consists of a revolving door of diminished employees who grow exhausted from constantly feeding her ego and satisfying her random requests. In 2023, turnover was approximately 40%. Incredibly, this was not unprecedented for FJP. It is expected and accepted. We have not yet seen an alternative path to the tragic life cycle of the average FJP employee.

Since FJP struggles with transparency and truth, clarity is called for: staff don’t want to meet with Miriam to discuss the problem. Miriam IS the problem.

There is so much wrong with FJP that it can scarcely be summarized. An independent investigation would uncover it. Pull the thread and watch the sweater unravel. That’s the organization.

Can FJP be an effective, impactful force without Miriam? Absolutely. Can “Miriam’s FJP” operate in a fair and just way? Never.

What now? Does everyone resign? Does Miriam leave?

Sincerely,
Alarmed FJP Staff Members
Loyal to the organization, not an individual

From: XXXXX, XXXXX <XXXXX@XXXXX.gov>

Date: Tue, Apr 2, 2024 at 1:32 PM

Subject: Re: Confirming Attendance at FJP Spring Convening - Reply needed by 3/27

To: Miriam Krinsky <mkrinsky@fairandjustprosecution.org>, XXXXX, XXXXX <XXXXX@XXXXX.gov>

Cc: XXXXX XXXXX <XXXXX@fairandjustprosecution.org>, XXXXX XXXXX <XXXXX@fairandjustprosecution.org>, XXXXX XXXXX <XXXXX@fairandjustprosecution.org>, XXXXX XXXXX <XXXXX@fairandjustprosecution.org>, XXXXX XXXXX <XXXXX@fairandjustprosecution.org>

Miriam,

I apologize for my delay in responding. I have been dealing with XXXXX XXXXX XXXXX XXXXX XXXXX XXXXX XXXXX over the last few weeks and just now have a moment to respond to this invitation.

Let me start by saying that while I appreciate the last minute invite to join the convening in XXXXX, it points to a great concern that I have had for some time. In 2023, I was by all accounts relegated to 2nd tier status on joining the group at in-person events with the exception of the Annual convening which is open to all. The rationale on your part has been to making room for newer elected but I want to express concern on how this process has been

handled and “who” has seemingly been removed from the table.

I believe that since joining this table in 2017, I have been an active and engaged member of this community - leading the charge and being a significant voice in both XXXXX and XXXXX XXXXX. Also, I think that what should be strongly considered in this is the fact that I am one of the very few African American female DA's serving in the country. One of the things that I enjoyed most about being at FJP was its willingness to lift up those marginalized voices and have us represented in spaces where we have traditionally been ignored. And finally, when I joined, I was the only elected from XXXXX doing the work - I worked hard on the ground to increase the number of reform prosecutors we had in XXXXX and bring them to the table and help be a support to them in first terms of office which they are all currently defending. So candidly, being removed from the conversation without even a discussion - while I have watched other elected that entered this space with me remain is nothing short of insulting and a slap in the face to those of us that have been leaning into this work for 8 years.

Further, I am incredibly disturbed at the diversity that has exited the room. While some have left the table because of elections and other opportunities, I believe that FJP had an obligation to maintain the diverse conversations in the room but has failed miserably in that regard. Black women in particular are still unicorns in this space and are not being elected more but often replaced at first chance. Seeing that, it should be your mission to do what you can to maintain strong ties to those who have been here - working and frankly struggling the most with the largest targets on their backs. And to watch “us” be placed to 2nd tier status begs a lot of questions of how you choose people or don't choose people to be present.

While I have heard repetitively that space is the reason that the table has been reduced, I say the following: in both XXXXX and at the dinner I joined (or crashed rather) in XXXXX, there were more FJP staff at each of these events than elected. The staff has ballooned at in-person events to the DETRIMENT of the elected doing the work. This should not be the mission nor the aim of this organization.

Finally, FJP has missed the mark in many instances to help new elected by excluding the OG's from the room. I hear and see from new elected that they value our voices and learning from our failures and success are important. And frankly, I think some newer elected have walked into traps because they have not been guided enough by those of us that have taken this journey in practical and not just theoretical terms.

So while I appreciate this last minute invite, it fell FLAT for me. My time is valuable and I get asked to attend a lot of events which take me away from my office and my family. I will give as much as I can for organizations that I feel value and respect what I have to give. Sadly, I feel as though FJP no longer values that in me.

XXXXX XXXXX
District Attorney
XXXXX XXXXX XXXXX XXXXX
XXXXX XXXXX XXXXX XXXXX

From: Miriam Krinsky <mkrinsky@fairandjustprosecution.org>

Sent: Friday, March 22, 2024 8:00:00 AM

To: XXXXX, XXXXX <XXXXX@XXXXX.gov>; XXXXX, XXXXX XXXXX <XXXXX@XXXXX.gov>

Cc: XXXXX XXXXX <XXXXX@fairandjustprosecution.org>; XXXXX XXXXX <XXXXX@fairandjustprosecution.org>;

XXXXX XXXXX <XXXXX@fairandjustprosecution.org>; XXXXX XXXXX <XXXXX@fairandjustprosecution.org>;

XXXXX XXXXX <XXXXX@fairandjustprosecution.org>; XXXXX XXXXX <XXXXX@fairandjustprosecution.org>

Subject: Confirming Attendance at FJP Spring Convening - Reply needed by 3/27

Hi XXXXX,

Thank you for expressing interest in the FJP spring convening to be held in XXXXX XXXXX on XXXXX XXXXX - XXXXX. We are following up to see if you are still interested in joining us and, if so, we do have some space that has opened up and would welcome having you with us.

To facilitate planning, booking and a final head count for the event, we are sending on our usual array of required documents, including a brief survey that we are asking you to complete and return by COB next Wednesday, March 27. We have also attached our standard Covid protocols and request that you acknowledge receipt of them in the

survey, where noted. Finally, we need all attendees at our events to review and return the attached Convening Certification Form. Even if you previously filled in this form, due to a few updates we need you to fill it in anew. Please return that as well by the 27th , and let us know if you have any questions.

If you do want to join us and return the forms, our Operations team will follow up with travel booking details. Please do not book travel without coordinating with us.

We will be providing more details about the convening in the coming weeks. In the interim, if you have any questions, feel free to contact XXXXX XXXXX at XXXXX@fairandjustprosecution.org (as to logistics) or XXXXX XXXXX at XXXXX@fairandjustprosecution.org (as to substantive issues regarding the convening).

We hope to see you soon!

Best wishes,

Miriam and the FJP Team

Miriam Aroni Krinsky
Founder and Executive Director
Fair and Just Prosecution
Email: krinskym@krinsky.la
Cell: (XXXXXX) XXXXX XXXXX

Stay connected to FJP by visiting our website, signing up for our latest news and updates, and following us on Facebook and Twitter.