



## **STRATEGIC PLAN**

**2016-2021**

*Approved by the FreeState Justice Board of Directors  
on November 3, 2016*

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## **PROCESS**

On January 6, 2016 Equality Maryland and FreeState Legal Project announced that the two organizations would be merging “to form a comprehensive, statewide direct legal services and policy advocacy organization that addresses the needs of lesbian, gay, bisexual, transgender, and queer (LGBTQ) Marylanders, with a continued focus on the needs of low-income LGBTQ Marylanders.” Shortly after this announcement, the organization received funding from the Goldseker Foundation and the Open Society Institute – Baltimore for the express purpose of strategic planning for the organization formed by the merger of FreeState Legal and Equality Maryland, now known as FreeState Justice. A multi-part process followed that focused on engaging the community (including listening sessions and an online needs assessment survey), preparing the Board of Directors for a meaningful conversation directed toward the populations we serve, creating the new organization, and developing this strategic plan.

### **COMMUNITY ENGAGEMENT: Listening Sessions and Needs Assessment Survey**

Fourteen listening sessions were conducted across the state, each in collaboration with a local partner organization that primarily serves LGBTQ people, including two roundtable discussions for leaders of local LGBTQ organizations. FreeState Justice partnered with 20 regional organizations to organize the listening sessions, where we engaged 165 unique individuals, which were key to our success as a merged organization. The feedback we heard had a direct impact on the direction the organization decided to go in terms of how best to serve the community, engage in coalition-building partnerships across the state, and increase awareness of the rights and needs of LGBTQ Marylanders and the outstanding work to be done on their behalf.

FreeState Justice also conducted an online needs assessment, asking questions about the top priorities and most urgent needs of Maryland’s LGBTQ community. During the 11-week data collection period, 365 individuals participated in the needs assessment survey. We intend to publish an outward-facing report on the data that we and our partners can use to shape regional and statewide advocacy efforts with a goal to release the report in Spring 2017, which will include demographic information, and an extensive review of the needs of LGBTQ Marylanders, discussed by subject area.

The planned report launch will utilize a multi-level community engagement strategy where participants will reflect on the report findings in small groups, discuss strategies to address needs, and identify next steps. There will also be a significant social media component, where key reporting findings will be shared via infographics to engage community members in the report process.

## **BOARD CONVERSATION: Vernā Myers Diversity Consulting**

On Tuesday, May 10, the FreeState Justice Board of Directors participated in a facilitated conversation with Vernā Myers from the Vernā Myers Consulting Group. The purpose of this discussion was two-fold: (1) to center the Board of Directors on the breadth and diversity of the communities we serve with a directed conversation about power, privilege, race, and effectively serving minority communities; and (2) to strengthen the bond between members of a Board of Directors that has a number of new members resulting from the comingling of the boards of two organizations.

## **THE NEW ORGANIZATION: Name, Mission, and Vision**

Throughout the community listening sessions and online needs assessment survey, FreeState Justice asked the community about the values they want to see in the largest LGBTQ-serving organization in the state, what our name should be, and what the most urgent needs are for LGBTQ Marylanders. On May 14, 2016, FreeState Justice convened a group of current and former Board Members from FreeState Legal and Equality Maryland, and current staff of the merged organization, to propose a name, mission, and vision for the FreeState Justice Board to approve.

That group proposed that the organization be named FreeState Justice, an homage to the history of Equality Maryland's name throughout the 1990s, while maintaining some of the organizational identity of FreeState Legal. The group also intended the proposed name to reflect a shift from seeking formal equality through the enactment of civil rights laws to pursuing justice, the actualization of formal equality. On May 19, 2016, the Board approved the name FreeState Justice along with the vision and mission, which appear later in this document.

## **CREATING A STRATEGIC PLAN**

Michael Mitchell of Mighty Big Change was retained to create and lead the strategic planning process, and to write the plan with input from the Board and staff. In preparation for these activities, Mitchell attended listening sessions and the Vernā Myers training, reviewed the preliminary findings of the online needs assessment, and spoke individually with the Executive Director and President of the Board of Directors.

Mitchell facilitated a half-day strategic planning meeting with the staff of FreeState Justice on May 18, 2016. He then facilitated a full-day Strategic Planning Retreat with the Board on June 4, 2016, after which he created an initial draft of the strategic plan, which was reviewed by the Executive Director, Executive Committee, and Staff.

Staff conducted a 3-hour planning session on August 16, 2016 to further develop the strategic plan in light of the direction of the Board and the draft created by Mitchell.

Mitchell delivered a second draft to the Executive Committee and Executive Director to review and make appropriate edits. The full Board of Directors reviewed the draft strategic plan at its November 3, 2016 board meeting and voted to approve it.

## II. BACKGROUND

### A Brief History

**FreeState Justice** was formed when FreeState Legal and Equality Maryland merged in the spring of 2016; the new name (an earlier name of Equality Maryland) was announced at an event in Baltimore on June 30, 2016. A history of each organization follows.

**Equality Maryland** began in 1988 under the name of the Baltimore Justice Coalition, shortly thereafter rebranding itself as a statewide organization called Free State Justice. In the wave of statewide LGBTQ advocacy organizations changing their names to include the word “equality” in the early 2000s, Free State Justice changed its name to Equality Maryland in 2004.

Equality Maryland’s primary focus was achieving legislative victories in Annapolis, and its efforts made Maryland one of the most inclusive states in the country for LGBTQ people. Equality Maryland was responsible for the passage of numerous laws affecting the LGBTQ community including the Anti-Discrimination Act, which bans sexual orientation-motivated discrimination in housing, public accommodations, lending, and employment statewide; an expanded state hate crimes statute that includes crimes motivated by a victim’s sexual orientation and gender identity; *the Medical Decisionmaking Act* that extends some medical and funeral decision-making rights to domestic partners; and *the Family Coverage Expansion Act*, which requires insurance companies to write policies inclusive of domestic partners.

In 2012, Equality Maryland was part of the coalition that passed *the Civil Marriage Protection Act*, and then later that year, helped to defend *the Civil Marriage Protection Act* at the ballot box, making Maryland the first state to pass marriage equality by popular vote. Equality Maryland can also be credited with leadership in passing the Fairness for All Marylanders Act, a 2014 law that prohibits gender identity discrimination in employment, housing, public accommodations, and credit.

**FreeState Legal Project** was a legal services organization founded in 2007 by a group of attorneys and law students who recognized that the specific needs of the low-income LGBTQ population in Maryland were not being effectively met. FreeState Legal began accepting cases in 2008 and began building a network of pro bono attorneys who volunteer their time to assist clients, making FreeState Legal the first statewide LGBTQ-specific direct legal services organization in the country.

FreeState Legal provided direct legal services to low-income LGBTQ clients through its in-house counsel and pro bono attorney network; worked towards systemic law and policy changes through governmental advocacy; conducted outreach activities designed to promote self-advocacy within the LGBTQ community, particularly among LGBTQ teens; and provided educational training to Maryland lawyers and judges about LGBTQ legal needs.

After longstanding advocacy by FreeState Legal, including litigation on behalf of individuals and a request to federal regulators to require Maryland to prohibit transition-related care exclusions from state-regulated insurance plans governed by the federal Affordable Care Act, the Maryland Insurance Administration issued bulletins in December 2015 prohibiting individual, small-group, and student health insurance plans sold in Maryland from excluding health care coverage for services and procedures related to gender transition.

## **THE STATE OF THE ORGANIZATION**

The new organization, FreeState Justice, is an invigorated one that – in its combined power and history of the two organizations – has resulted in an impressive list of accomplishments, ongoing work, connections, and reputation. Collectively, we have touched millions of people and helped make Maryland a safer and more welcoming place for LGBTQ people and their families, friends, and allies.

Yet, passing LGBTQ-friendly laws, ordinances, executive orders, and policies does not necessarily translate into lived equality, whether in downtown Baltimore, suburban counties, the Eastern Shore, or Western Maryland– especially for Marylanders at the margins. Employers and employees may be unaware of the law; service providers at a myriad of government agencies, schools, hospitals, and the justice system need education and training in issues affecting those we serve, particularly where those issues intersect with other identities such as race, gender, socioeconomic or immigration status, and religion, among many others. Our passionate belief is that FreeState Justice can be the force that fills those gaps.

We are the only statewide LGBTQ advocacy group that has not only helped pass major pieces of legislation, but is also doing the work to make sure those laws are applied fairly, consistently, and to all Marylanders through legal services and outreach and training to agencies and other service providers. As other statewide LGBTQ advocacy organizations are struggling and even folding, FreeState Justice has doubled down on our commitment to serving the LGBTQ community in new and innovative ways, with an end goal of creating a society where all LGBTQ Marylanders are free to live, with safety and dignity, in all communities throughout our state. We are an organization that believes that the authenticity we hope to engender begins with transparency and a commitment to using our resources wisely, creatively, and effectively.

With the merger, there is a perception in the community that we are much better resourced than is currently the case. That perception, coupled with our own bold vision, opens the door to big expectations that must be met with smart and effective use of resources. It is critical that we work to ensure that FreeState Justice has the resources it needs to be effective and responsive to the needs of the community. We are in a period of some goodwill given the excitement around the recent merger and the statewide listening and online surveys, but that time is limited. We must act decisively with purpose and conviction to raise the awareness, funds, and human capital necessary to accomplish our mission.

### **III. OUR VISION AND MISSION**

#### **Vision**

We envision a Maryland where people across the spectrum of lesbian, gay, bisexual, transgender, and queer identities are free to live authentically, with safety and dignity, in all communities across the state.

#### **Mission**

Many LGBTQ Marylanders continue to experience discrimination in all aspects of their lives. FreeState Justice is a social justice organization that works statewide to improve the lives of LGBTQ Marylanders and their families through legal services, policy advocacy, outreach, education, and coalition building. Our work brings to the forefront the experiences of those of us at greater risk for discrimination, such as youth, communities of color, low-income individuals, and transgender and gender non-conforming people.

#### **Population Priorities**

FreeState Justice recognizes the need to serve populations within the LGBTQ community that are at greatest risk for discrimination. We adopt the philosophy that we better serve the entire LGBTQ community by focusing on those with the greatest need. If we are able to remove barriers and improve outcomes for LGBTQ Marylanders at the intersections of gender, sexual orientation, race, socioeconomic status, age, and other identities, then we will simultaneously break down those same barriers for those with greater access and privilege. Accordingly, our work will focus on serving the needs of the following populations within the LGBTQ community:

- Transgender and Gender Non-Conforming People
- People of Color
- Youth
- Low-income people
- Geographically underserved communities

## Issue Areas of Focus

With limited resources and seemingly unlimited need, FreeState Justice must focus its efforts to best address issues that have the greatest impact on priority populations within the LGBTQ community. FreeState Justice's work will focus on the following issue priority areas:

- **Police Interactions, Corrections, and Criminal Justice**  
While Baltimore City has been in the news for how its police disastrously deal with community members, the entire state has longstanding issues with how it handles people in the criminal justice system. LGBTQ individuals face extra – often dangerous – problems throughout the system.
- **Name and Gender Change for Transgender and Non-Binary Individuals**  
While our culture continues to evolve around transgender issues, major barriers like access to changing one's name and gender on identity documents remain, putting transgender and non-binary people at risk for discrimination in jobs, housing, travel, and schools.
- **Enforcement of Anti-Discrimination Laws Regarding Access to Public Accommodations**  
Legal equality does not mean lived equality. All too often, transgender Marylanders are denied access to restrooms and locker rooms in places of public accommodation, despite having legal protections enshrined in state law that allow the use of restrooms consistent with one's gender identity.
- **Family Law**  
Passage of marriage equality did not resolve a host of family law issues that continue to impact LGBTQ families in Maryland, such as parental rights and custody determinations. Moreover, unexplored areas of family law as they apply to LGBTQ families leave parents with a great deal of uncertainty about whether their parent-child relationships will be recognized.
- **Access to Quality, Affirming, and Inclusive Health Care**  
The Affordable Care Act went a long way to ensure that LGBTQ people had access to better care, but the law doesn't guarantee that our community will receive access to care and work remains to ensure that LGBTQ people have access to quality, affordable, inclusive, and often life-saving health care.
- **Education and Youth Policy – including foster care, juvenile justice, and education**  
With increased access to information through the internet and social media, young people are coming out as LGBTQ or non-binary at much younger ages. Even those fortunate enough to have the love and support of their parents and guardians may



find their schools to be hostile and sometimes dangerous environments, particularly in more conservative parts of the state. LGBTQ youth in the foster care and juvenile justice systems are at special risk of harmful, dangerous, and even deadly situations.

## **Core Values**

An organization's values are reflected in its founding documents, early strategic plans, and even in the notes from the first few years of board meetings. One can glean an organization's values by looking at many factors, such as: systems; ways of talking about the organization, its work, its constituencies, and its place in the community and world; and even the ways decisions around hiring, firing, and retention are made.

The merger of FreeState Legal and Equality Maryland creates a rare opportunity where current leaders are beginning to mine the rich history and values of both organizations to create a unique set of core values for FreeState Justice.

A deep vein of service runs throughout FreeState Legal's founding, along with the core values of dedicated advocacy, education, innovation, stewardship of resources, and partnership with community members and organizations. Likewise, Equality Maryland's quarter century of work was driven by core values of tenacity, adaptability, and optimism that equality is indeed possible in our lifetime.

The merged organization continues to have an acute awareness of the responsibility we have been entrusted with as we work to make legal equality lived equality for all Marylanders. As a social justice organization, we are constantly called to re-examine our efforts to ensure that we are achieving the goals we set out to achieve, and that we are serving all intersecting identities within the LGBTQ community.

During the strategic planning process, the FreeState Justice Board and staff articulated core values that are intimately connected to the core values of the two former organizations.

- **Intersectionality** is the lens through which we view social justice; specifically, we are driven by an agenda that is pro-youth, pro-trans, anti-racist, and anti-poverty. In an environment of safety and inclusivity, we work to empower those we serve to be their own best advocates, and we will actively provide opportunities for them to learn and take leadership. We will participate in and build coalitions that amplify our collective vision and values, and we will model how to be thoughtful, collegial, visionary, and strategic partners.
- **Accountability** is multidimensional and interconnected on personal, organizational, and community-wide levels. Our credibility comes from being approachable, honest, and having integrity. We are trustworthy, non-partisan partners. We are committed to clear, effective communication.

- We aspire to be a model organization that is **Sustainable, Stable, and Transparent**. To us, being *sustainable* means that we have a healthy mix of professionalism, discipline, agility, creativity, civility and a passion for work that is impactful, innovative, and focused. We achieve *stability* through a self-awareness that helps us to identify and address where we fall short as we strive for excellence. Diversity infuses our work at all levels and we welcome ongoing conversations about how to make sure our organization reflects the communities we serve. We understand that an environment of healthy self-care is critical to happy, productive employees and is key to retention. We strive to make our processes, practices, financial records, official meetings, and programs as accessible and *transparent* as possible, except in cases of client confidentiality and where barred for legal reasons.
- **Love** is our engine, fuel, and spark. We never forget that our clients and those with whom we interact on their behalf, our staff and volunteers, our coalition partners and colleagues, and especially those with whom we disagree are human beings deserving of kindness, empathy, compassion, acceptance, and affirmation.
- **Service**, for us, is grounded in humility and true partnership with our clients, coalition partners, and the larger community.

#### IV. THE FOUR PILLARS OF FREESTATE JUSTICE

A lot of imagery exists to explain the different areas of an organization's work. When the idea of pillars came up in their retreat, staff had a conversation about the significance of pillars: strong, solid, able to be built upon, each one necessary or the others fail as well. The Board was amenable and the Four Pillars of FreeState Justice came into being.

In their respective retreats, the Board and staff coalesced around the following pillars of FreeState Justice's work.

1. Legal Services and Policy
2. Outreach and Education
3. Communications and Development
4. Board/Internal Infrastructure

## **V. PILLAR OBJECTIVES**

### **1. Legal Services and Policy**

Continue to offer excellent pro bono legal services to LGBTQ Marylanders, including impact litigation where appropriate. Advocate for laws and policies that greatly increase lived equality of LGBTQ Marylanders.

- a. Enforce and implement existing protections for the LGBTQ community through strategic direct legal services, impact litigation, and policy advocacy.
- b. Seek systemic change in the way LGBTQ people interact with and are treated by legal and administrative systems such as courts, police departments, administrative agencies, schools, service providers, and others through litigation, policy advocacy, and training activities.
- c. Expand the network of pro bono legal service providers competent in serving LGBTQ people and addressing LGBTQ legal needs by educating the legal profession, training legal service providers, and placing cases with the private bar.
- d. Seek policy change to remove barriers and increase opportunity for LGBTQ people in our issue areas of focus by advocating for change in state regulations, administrative policies, and court rules, and through state legislation.

### **2. Outreach and Education**

Increase engagement with the LGBTQ community, allies, and supporters, especially with communities and groups that are at greater risk for discrimination in a way that is accountable, transparent, and places those we serve at the center of our work. Become the resource on LGBTQ issues for service providers, legislative bodies, agencies, and other entities in Maryland to help them serve our community better.

- a. Raise awareness and build empathy around the needs of the LGBTQ community across Maryland and across socioeconomic strata.
- b. Build a leadership pipeline to advocate for systems change by cultivating peer-driven movement building and advocacy.
- c. Expand our visibility, presence, and impact across the state.
- d. Equip service providers and the legal community with how to effectively serve LGBTQ communities.
- e. Create an environment of equitable, intersectional, and strong coalitions and partnerships.

### **3. Communications and Development**

Innovate and execute top-notch communications that expertly relay the vision, mission, values, and goals of FreeState Justice, while lifting up the

stories of affected communities and people we serve. Center development as a way to engage and get people invested at all socioeconomic levels, as well as make the organization an obvious choice for giving by local and national foundations, law firms, and corporations.

a. Communications

- i. Create an agile communications operation that allows FreeState Justice to respond to events that occur in the community, and generate community and media attention to issues of importance for the LGBTQ community.
- ii. Increase awareness of FreeState Justice's constant work toward equality and equity by effectively highlighting victories and focusing on our work at the intersections of gender, sexual orientation, race, age, geography, and socioeconomic status.
- iii. Educate the public and the LGBTQ community about the continuing need to address LGBTQ equality issues by conducting public education campaigns and building a statewide network of spokespeople to organize around and respond to issues that impact the LGBTQ community.
- iv. Establish an effective and innovative online presence to support increased awareness, outreach, engagement, and fundraising, including meaningful social media engagement and establishing our website as an effective resource for the LGBTQ community.

b. Development

- i. Maintain strong foundation relationships by establishing clear internal reporting and application schedules, stewarding foundation relationships, and resourcing foundation engagement with additional staff capacity dedicated to foundation support.
- ii. Steward relationships with donors by creating opportunities to give at all levels, growing our base of sustaining (monthly) supporters, focusing on special communications with and appreciation for our supporters, and increasing engagement by all members of staff and Board with supporters at all levels.
- iii. Build and maintain a financial reserve of at least 25% of FreeState Justice's annual operating expenses.
- iv. Significantly diversify and expand sources of revenue by focusing on growing our bases of support with corporations, major individual donors, monthly sustaining donors, and law firms, as well as establishing self-sustaining sources of income by establishing a fee structure for our training activities.

#### **4. Board/Internal Infrastructure**

Hold FreeState Justice in trust for the community in a professional, efficient, and competent way that ensures a healthy, thriving, and people-centered organization for years to come.

- a. Achieve competent and effective organization governance with efficient governance structures, industry best practices in organizational management policies, and attracting highly talented staff and board members.
- b. Establish leadership pipelines to recruit and retain staff and board members that represent the breadth of the communities we serve, with an emphasis on engaging and empowering LGBTQ people of color, youth, low-income communities, and transgender and gender non-conforming people.
- c. Ensure Board and staff are equipped to succeed in their roles with ongoing opportunities for growth and development through training and professional development activities.
- d. Establish a clear growth plan for the organization, including setting time-bound targets for program expansion, addition of new staff, and financial resources needed to sustain a larger and more effective organization.
- e. Maintain a system of accountability through online surveys, annual reports, community engagement activities, and other opportunities to provide transparency and accountability to the LGBTQ community across the state.

#### **VI. OBSTACLES TO SUCCESS**

Aside from the obstacles that any nonprofit organization encounters, FreeState Justice faces several hurdles at this particular moment:

- 1) Lack of adequate resources. Current staff resources are inadequate to address the needs of the LGBTQ community, and there is a continuing and urgent need for our work. The organization needs to prioritize securing the necessary funds to address those needs;
- 2) Lack of knowledge about LGBTQ issues from agencies, courts, etc. Our work would be greatly helped if people at all levels of government were given the training and information they need about existing law, as well as basic cultural competence training; and
- 3) Inefficient external bureaucratic procedures in government agencies and courts that cause unnecessary delays or erect unnecessary obstacles to achieving our goals.

## **VII. IMPLEMENTATION AND EVALUATION**

Upon approval of the Plan, staff will develop a work plan to support and achieve it. This work plan will include: substantive timelines, measurable goals, prioritization of issues, and other measures of success. The Board will be kept abreast of implementation of this Plan through regular updates from the Executive Director and other staff members and will annually evaluate the progress of the organization at the board meeting closest to the anniversary of the Plan's approval.

## **VIII. CONCLUSION**

FreeState Justice has the vision, people, and plan to be successfully influential and impactful in Maryland, and especially in the communities of the people whom we serve. Execution of this Plan will take agility, work, optimism, and strategy. Finding the resources to accomplish the vision and mission of the organization must be the top priority for the Board and staff in this first year after the merger.

The Four Pillars as described above are not mutually exclusive; indeed, they are intricately interwoven. For example, policy and legal wins give us opportunities to communicate with donors, constituents, elected officials, and the community at large, which in turn creates opportunities for those groups to invest and engage in the organization with time, money, and influence. Winning lived equality at increasing levels creates a reputation of trust with the agencies and political bodies that will look to us for advice, training, and information, which in turn results in more wins and opportunities to communicate. A foundation of sound organizational management will allow the mission to be achieved faster.

## **Appendix I: Strategic Planning Board/Staff Retreat Attendees**

## **Appendix I: Strategic Planning Board/Staff Retreat Attendees**

### **Board members**

- Jessica P. Weber, Esq., Board President
- Susan Leviton, Esq., Vice President
- Ronald C. Hokemeyer, Secretary
- James B. Astrachan, Esq.
- Vanessa Bowling
- M. Blair Franklin
- Theo George
- Brianna January, MPP
- Mala Malhotra-Ortiz, Esq.
- Rianna P. Matthews-Brown, JD
- George Nilson, Esq.
- Ellen Schwartz Patterson, LCSW-C
- Joanne D. Rosen, Esq.
- Diane Stollenwerk, MPP
- Ebony Thompson, Esq.

### **Not in attendance**

- Ryland Sumner, Esq., Treasurer
- Woody Derricks, CFP
- Lois Feinblatt, LCPC
- Nicholas T. Graff, PHD

### **FreeState Justice Staff**

- Patrick Paschall, JD, Executive Director
- Jer Welter, Esq., Deputy Director
- M. Saida Agostini, LGSW, Director of Community Engagement & Youth Policy
- Laura McMahon DePalma, Esq., Staff Attorney

### **Consultant**

- Michael Mitchell, Mighty Big Change