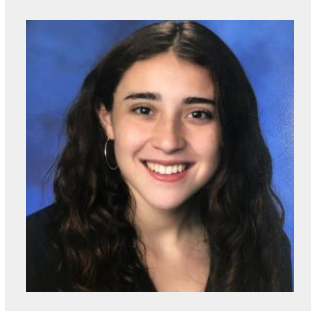




EQUAL JUSTICE AMERICA

Summer 2023 EJA Fellow:



Name: Jessenia Class

Law School: Harvard Law School

Organization: Rights Behind Bars

Update 1:

I'm so grateful to receive funding through Equal Justice America to support my legal work with Rights Behind Bars ("RBB") over the summer.

RBB is a nonprofit organization representing incarcerated people challenging their conditions of confinement. The organization has two primary lines of work: an affirmative trial docket that employs a movement-lawyering approach, and an appellate docket that offers support to pro se litigants or other civil rights organizations.

I've learned so much over the last several weeks about what goes into a movement-focused form of lawyering. I've also had the pleasure of seeing how a collaborative, nonhierarchical nonprofit organization might take shape. I'm excited for the coming weeks to dive more into RBB's docket and refine my legal research and writing skills.

Update 2:

Wrapping up the first month of my internship, I'm feeling grateful to learn from the Rights Behind Bars team. This group is extremely dedicated to the issues we work on and are very knowledgeable about how to best advocate for clients.

I've had the opportunity to work closely on tasks related to the disability concerns of our incarcerated clients. There's a large overlap between disability and prison law: as Rights Behind Bars describes it, "though the majority of individuals incarcerated in American prisons and jails have at least one disability, jails and prisons across the country have overlooked the needs of this vulnerable population."

I've been able to contribute to memos researching thorny legal issues and write demand letters calling on prison officials to make reasonable accommodations for incarcerated people with disabilities. It's been fascinating to



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see the strategy and thinking that goes into each task, and how best we can push for our clients' needs while maximizing the systemic effects of our work.

Update 3:

This week, I'm thinking a lot about how procedure precludes so many incarcerated people from vindicating their rights. Most notable in the prison law space is the Prison Litigation Reform Act, or the PLRA. This law is notorious for preventing incarcerated people from filing claims in federal court. Through its exhaustion, three strikes, physical injury, and other provisions, the procedural steps baked into the PLRA are infamous for perpetuating the oppression of incarcerated people.

But there are unfortunately so many other examples in which procedural arguments stand in the way of justice. For instance, I've worked a lot this summer on a legal memo researching arguments we might be able to put forth to encourage a court to equitably toll the statute of limitations on an FTCA claim or equitably estop a time-bar defense. I've waded in the weeds of case law across jurisdictions digging for an argument that would support our client's facts. Unfortunately — and predictably — case law is often not in incarcerated people's favor.

These procedures are more than simple hoops that plaintiffs need to hurdle: they are immense obstacles to procuring justice. In this case, we are attempting to seek justice for an incarcerated person who suffered countless experiences of sexual abuse and rape at the hands of prison officials and was too afraid for their safety to report anything within the statute of limitations. Without a form of equitable tolling, our client's abusers will not be held to account.

I'm happy to be working with an organization that is passionate about finding ways to tip the law in favor of incarcerated people and think through ways we can hurdle these procedural barriers. But we shouldn't have to be so creative in our endeavors. Legal procedures that are effectively halting access to justice should not exist. I'm excited to dive into tactics to undermine their existence with RBB through my EJA summer fellowship.

Update 4:

Nearing the end of my time with Rights Behind Bars, I'm thinking about movement work. We recently had a representative from Prison Lives Matter ("PLM") speak with our team this week about the importance of building movements and increasing education about the carceral system. PLM works directly with people inside of prisons and with impacted communities to raise awareness about the current experiences of the incarcerated. Rights Behind Bars works with this group and other organizers to advocate for condition changes and inform their litigation projects.

I was inspired by the combination of these efforts. Litigation is not the only tool in the toolbox for fighting injustice in the prison system. Working alongside organizers and people with lived experiences inside the



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carceral system is an equally important method and should inform any litigation efforts. I'm excited to think about ways I can incorporate movement work in my future as an impact litigator.

Equal Justice America is a nonprofit that helps fund law students working with vulnerable citizens and people in poverty—increasing the number of future lawyers who have experience doing public interest work and ensuring everyone has access to justice. RBB is a nonprofit organization representing incarcerated people challenging their conditions of confinement.

Update 5:

I am incredibly grateful for my experience working with the team at Rights Behind Bars this summer. The staff is incredibly collaborative, kind, and passionate about the work they do. I feel lucky to have gotten the chance to work with such wonderful people trying to make the world a more just place.

Throughout the summer, I was able to work on projects that exposed me to different issues areas that intersect with the incarcerated population. Our cases focused on gender justice, disability rights, labor rights, climate justice, constitutional liberties, and more. Through these projects, I was able to improve my legal research and writing skills. I was also able to gain a better understanding of how a combination of tactics that pool resources across different issue areas might be the best way to find justice for your client and the population they may represent.

I also was really excited to have engaged with incarcerated people, impacted loved ones, community organizers, journalists, and lawyers all working collectively toward a shared goal. It was powerful to learn how to follow the lead of others in the movement and use each of our collective skillsets to try and bring about the change the impacted community desires.

My time with RBB was really impactful. As I head into my second year of law school, I'm reminded that though law school teaches us useful doctrine and case law, it's important to always check the information we're learning against the experiences of people in the community. My experience also reminded me to be mindful that the systems that we may learn in class might be the very same barriers to accessing justice that we might confront in our careers.

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