



# ANNUAL REPORT 2012

celebrating **25** YEARS

**THE SENTENCING PROJECT**

RESEARCH AND  
ADVOCACY FOR REFORM



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The Sentencing Project is a national non-profit organization engaged in research and advocacy on criminal justice issues.

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Dear Friends,

In 2012 we continued to see progress at the national level on establishing more rational and compassionate policies on criminal justice and juvenile justice. The number of individuals in prison has been declining modestly for several years, while the use of incarceration for juveniles has declined sharply over the past decade. While some of this change reflects lower crime rates than in recent decades, in many states these outcomes are the result of deliberate changes in policy and practice.

At The Sentencing Project we've been proud to have contributed to the changing public climate on these issues for the past quarter century through our research and public education. In 2012, following a recent decision by the U.S. Supreme Court scaling back the use of juvenile life without parole sentences, we undertook a national survey of the more than 2,000 individuals serving such sentences. The findings were illuminating, and disturbing. We found high levels of exposure to violence in the home and community, rates of substance abuse, and severe school disciplinary issues. These findings, of course, don't condone the crimes committed by these individuals, but they help us to understand how those behaviors came about and what we might do to be proactive in preventing future tragedies.

In 2012 we also published a compendium of essays growing out of our 25th anniversary year, titled *To Build a Better Criminal Justice System: 25 Experts Envision the Next 25 Years of Reform*. In order to move toward a more effective and compassionate approach to public safety, we need to not only critique the failings of current policy, but also offer a vision for how we can move forward. For this publication we brought together a diverse group of voices who articulated ideas for change both within and outside the criminal justice system, as well as strategic approaches to begin moving in such directions.

These publications and others complement and help to shape our approach to working for reform, whether it be in the halls of Congress, in the national media, or in prisons, churches, and the neighborhoods most heavily affected by incarceration.

We hope to continue to help shape the national dialogue on crime and incarceration in the coming year and welcome your engagement and ideas for that process.

Marc Mauer  
Executive Director



# RESEARCH THAT PROMOTES CHANGE

*In 2012, reports by The Sentencing Project documented how and why incarceration rates exploded over the past four decades and provided insight into where those rates may be headed.*

## Groundbreaking Studies

**Harsh and discriminatory sentencing.** In the first study of its kind, *The Lives of Juvenile Lifers* presented sobering information about the experiences and personal histories of people serving life without parole in the U.S. for crimes committed in their youth—a penalty imposed by no other country in the world. The report underscored how systems designed to protect children have failed.

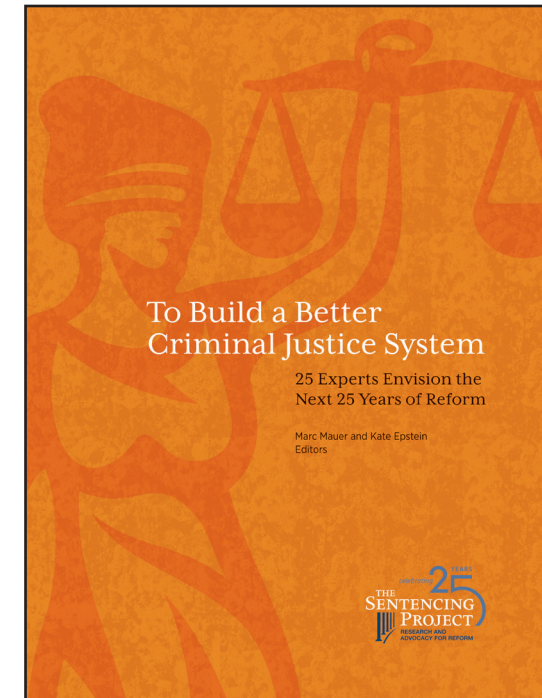
Our study found that most juvenile lifers experienced trauma and neglect long before they engaged in their crimes. In addition, they demonstrated high rates of socioeconomic disadvantage, experienced extreme racial disparities in the imposition of these sentences and faced counterproductive corrections policies that thwart efforts at rehabilitation.

**Advancing the right to vote.** *State-Level Estimates of Felon Disenfranchisement in the United States*, a report prepared for The Sentencing Project by leading

criminologists Christopher Uggen, Sarah Shannon, and Jeff Manza, documented that 5.8 million people are now disenfranchised as a result of a current or previous felony conviction, including 1 in 13 African Americans. This shocking analysis received extensive national attention, including supportive editorials in the *New York Times* and *Washington Post*, and Executive Director Marc Mauer discussing the report on National Public Radio's *Talk of the Nation*.

## Identifying Trends and Opportunities

**Where we have been.** Using a series of tables and graphs, *Trends in U.S. Corrections* followed key developments in the criminal justice system over the past several decades that have led to the United States incarcerating more people than any other nation in the world, identified adult and juvenile sentencing trends and racial disparities, and tracked how much taxpayers are paying to keep 2.2 million people locked away.



**What lies ahead.** In 2012 we looked to the future of criminal justice reform in a systematic way in *To Build a Better Criminal Justice System: 25 Experts Envision the Next 25 Years of Reform*, a collection of op-ed essays prepared by leaders in criminal justice and related fields on their visions for 2036. In addition, we organized forums in New York City and Washington, D.C. featuring several of the publication's authors to explore the implications of these visions.

**Prison closings.** *On the Chopping Block 2012: State Prison Closings* reported on growing trends among states to downsize or close their prisons—reducing prison capacity by 28,000 since 2011.

**Setting the record straight.** *Too Good to be True: Private Prisons in America* disproved claims that private prisons provide superior services compared to publicly operated facilities and do so at a lower cost. In 2010 private prisons held 128,195 individuals, representing 8% of America's total prison population and an 80% increase since 1999.

**Preventing incarceration.** Many people in correctional institutions have faced barriers obtaining needed health and behavioral health care services in the community either prior to their incarceration or upon reentry following incarceration. In *The Affordable Care Act, Implications for Public Safety and Corrections Populations*, The Sentencing Project explored how the passage of *The Affordable Care Act* may aid individuals who are at risk for incarceration by making mental health or substance abuse services more available.

**Prison and families.** The Sentencing Project also published factsheets that bear on families and incarceration: *Incarcerated Women* provided data on the increase in the number of women in prison, while *Parents in Prison* provided key facts on policies that impede parents' ability to care for their children when released from prison.





# ADVOCACY

## AT STATE AND FEDERAL LEVELS

### Federal policy reform

#### ***Addressing sentencing guidelines and policies.***

In recent years the U.S. Sentencing Commission has been at the forefront of many of the changes in federal sentencing policy, including sentencing reforms for crack cocaine offenses. In February 2012, The Sentencing Project testified before the Commission on federal sentencing options and addressed the complex dynamics of racial disparity. In July, The Sentencing Project submitted recommendations to the Commission as it developed its priorities for the coming year. These included examining the potential for reducing prison terms and enhancing diversion mechanisms as a means to reduce both prison populations and recidivism.

***Speaking out on prison costs.*** Throughout the FY 2012 and FY 2013 federal budget deliberations, The Sentencing Project urged policymakers to take steps to reduce prison costs while ensuring public safety. We submitted written testimony for a Senate Judiciary hearing, recommending that Congress consider changes in sentencing policy to reduce

unnecessarily lengthy incarceration, which drives prison populations and costs.

***Supporting proven solutions.*** We also worked with several dozen criminal justice, civil rights, and faith organizations in opposing new spending to expand the oversized federal prison system and urging Congress to prioritize evidence-based policies—such as drug treatment, compassionate release, and proportionality in sentencing—that would significantly reduce overcrowding.

### Advancing juvenile justice

The Sentencing Project's overall juvenile justice advocacy in 2012 was designed to build support for a more comprehensive approach to public safety, with an emphasis on disproportionate minority contact and prevention. Our staff chaired the Youth Reentry Task Force and co-chaired the National Juvenile Justice and Delinquency Prevention Coalition, which represents more than 80 national groups, including faith-based, education and prevention-oriented law enforcement organizations.

## Strengthening policy and advocacy networks

**Promoting state policy change.** Following adoption of federal legislation in 2010 to reform crack cocaine penalties, we produced a report documenting disparities in state-level sentencing. Missouri had been one of 13 states that maintained a sentencing disparity between crack and powder cocaine. In 2012 we partnered with advocates in their successful campaign to reduce the scale of this disparity. The *St. Louis Post-Dispatch* reported that “the move to lessen the crack/powder disparity follows a report from The Sentencing Project last year. It showed that Missouri had the highest weight-based disparity between crack and powder cocaine.”

**Analyzing issues for state policymakers.** Our staff presented to the New York State Sentencing Commission an assessment of the impact of the length of prison terms on criminal justice outcomes, including the effects of these sentences on public safety, corrections costs and recidivism. We also outlined strategies for addressing racial disparity before policymaker audiences in several states, including the Connecticut Commission on Racial and Ethnic Disparity in the Criminal Justice System, the Texas Center for the Judiciary, and a group of stakeholders convened by the Chief Justice of the Maine Supreme Court.

**Providing technical assistance and support.** Throughout 2012 The Sentencing Project worked closely with state activists on reform strategies,

supporting coalitions, increasing their media presence, and mounting advocacy campaigns. This included:

- **California** – coordinated national organizational support of measures to eliminate juvenile life without parole and support alternatives to incarceration at the county level.
- **Connecticut** – published op-ed commentary that advocated for reducing the use and impact of sentencing enhancements for certain drug offenses.
- **Maryland** – provided testimony to the state Senate on ways to reduce the state’s reliance on incarceration.
- **Wisconsin** – provided support to launch the “11 x 15 Campaign,” designed to reduce the state’s prison population to 11,000 by 2015.

**Identifying vehicles for reform.** The Sentencing Project published *The State of Sentencing 2011*, a report that argued that overcrowded prisons and budget deficits have proven to be a potent force for prison and sentencing reform across the nation. During 2011, state legislatures in at least 29 states adopted criminal justice policies that may help reduce prison populations and that address the consequences associated with felony convictions that make it hard for people leaving prison to transition successfully to community life.

**Easing barriers to reentry.** In collaboration with four colleague organizations, The Sentencing Project published *State Collateral Consequences: Legislative Roundup 2012*. The report documented policy changes at the state level with respect to:

- **Employment** - people with felony convictions having to reveal their conviction records to prospective employers.
- **Criminal records** - expungement and sealing of arrests and convictions.
- **Federal benefits** - states “opting-out” of federal legislation that denies food stamps and welfare benefits to people with felony drug convictions.
- **Voting** - restoring the right to vote to those denied it because of a felony conviction.

**Supporting legal reform.** The 2012 decision by the U.S. Supreme Court striking down mandatory sentences of juvenile life without parole means that 1,500-2,000 sentences are now unconstitutional and that the 29 states affected by this ruling are faced with coming into compliance. The Sentencing Project had submitted an *amicus* brief to the Court along with other national organizations. In response to the ruling, The Sentencing Project expanded its longstanding engagement on this issue to include advocating for qualified counsel to those who may be returning to court for re-sentencing and ensuring that sentencing patterns are free from racial disparity. This included analyzing data relevant for use by state advocates and educating defense attorneys and courts in this uncharted territory.



# BUILDING PUBLIC SUPPORT FOR REFORM

Over the past year, 130 newspapers, radio stations and prominent websites cited The Sentencing Project's publications or interviewed our staff, including the following:

ABC News  
AllGov.com  
AlterNet  
American City  
ArkansasMatters.com  
Associated Press  
Atlanta Black Star  
Atlanta Journal-Constitution  
Augusta Free Press  
Baltimore Sun  
BBC  
Between the Lines  
Boston Globe  
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## Media Presence & Public Presentations

For example, NPR's *All Things Considered* reported prominently on *The Lives of Juvenile Lifers* in the context of the U.S. Supreme Court's consideration of the issues such sentences raise, while the findings of *State-Level Estimates of Felon Disenfranchisement* in the United States received supportive editorials in the *New York Times* and *Washington Post*. Marc Mauer also blogged for *The Huffington Post*.

Our staff also made more than 30 presentations at many of the country's leading professional and academic conferences, workshops and policymaker convenings on all facets of criminal justice reform. We were also frequent keynote speakers and workshop leaders at gatherings of religious leaders and congregations.

## Policymakers

Congressional Black Caucus  
Connecticut Commission on Racial and Ethnic  
Disparity in the Criminal Justice System  
New York State Sentencing Commission  
U.S. Sentencing Commission

## Criminal Justice and Allied Practitioners

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Project  
Eastern State Penitentiary  
Maryland Committee on Disproportionate Minority  
Contact  
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National Association of Criminal Defense Lawyers  
Texas Center for the Judiciary

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American University  
Florida International University College of Law  
George Washington University Law School  
Harvard Law School  
Institute of Medicine  
National Black Law Students Association  
New York Law School  
Rutgers University  
Society of American Law Teachers

## Justice Reform Advocates

Congressional Hunger Center  
Fortune Society  
National Coalition to Abolish the Death Penalty

## Civil Rights Organizations

Kansas City Civil Rights Summit  
NAACP  
Rainbow/PUSH  
Southern Christian Leadership Conference

## Religious Organizations

Black Methodists for Church Renewal  
Cedar Lane Unitarian Church  
New York Avenue Presbyterian Church (D.C.)  
Oklahoma Faith Conference on Criminal Justice  
Payne Theological Seminary  
United Methodist Church



## More Children Growing Up With Parents Behind Bars

Nov. 27, 2012

“The number of children with parents behind bars in the United States is growing. And a Latino child is more than twice as likely to have an incarcerated parent as a white child. **One in 42 Latino children has a parent in prison, compared to 1 in 111 white children, according to a 2009 report from The Sentencing Project**, a research and advocacy group, which used data from the U.S. Department of Justice. And, when it comes to black children, one in 15 have a parent in prison.”

## The Washington Post

### A lifetime sentence for felons

July 29, 2012

“According to a study released this month by the Sentencing Project, about 7.7 percent of the African American voting-age population is disenfranchised, compared with 1.8 percent of the non-African American population. In Virginia, Kentucky and Florida, felon disenfranchisement affects a staggering one in five African Americans. There’s no excuse for that.”



## Angola inmates are taught life skills, then spend their lives behind bars

May 15, 2012

“Nearly 12 percent of Louisiana inmates, or more than 4,500 people, are serving life without parole -- the highest proportion in the nation, according to a Sentencing Project report. While most have committed violent crimes, nearly one in 10 are locked up forever on drug or other nonviolent offenses. Three in four are African-American men.”



## Mo. Legislature approves change in crack cocaine sentencing

May 18, 2012

“The move to lessen the crack/powder disparity follows a report from The Sentencing Project last year. It showed that Missouri had the highest weight-based disparity between crack and powder cocaine charges at a 75-to-1 ratio. “Harsh drug penalties like these are a contributing factor to the exceptionally high rates of incarceration and overcrowding in state prison facilities,” the Washington-based Sentencing Project’s report states. **The Sentencing Project concluded that such differences in treatment of cocaine versus crack are unfair to black drug users because they are more likely to face crack cocaine charges and end up with longer prison sentences.**”

## The New York Times

### Disenfranchised Felons

July 15, 2012

“The number of Americans who cannot vote because they have been convicted of a felony continues to grow. **The Sentencing Project reported Thursday that in 2010 5.5 million voting-age citizens were disenfranchised because of their criminal records, up by 9 percent from 2004.** About a quarter are in prison, but the rest have completed their sentences or are on probation or parole. The only reason not to let them vote is to stigmatize them or to continue punishing them.”

## Richmond Times-Dispatch

### Battlegrounds Va., Fla. lead in ex-felons who cannot vote

November 3, 2012

“Presidential battleground states Florida and Virginia lead the nation with the most ex-felons who are not allowed to vote. **A recent study by the Sentencing Project, a research and advocacy group, shows an estimated three out of four of the nation's 2.6 million ex-felons live in the two states.** Florida leads the nation with 1.54 million, and Virginia is second with 351,942.”



## Without Parole, Juveniles Face Bleak Life In Prison

March 20, 2012

“We hear a lot about juvenile offenders ...when they're sentenced to spend the rest of their lives in prison. But not much is known about what happens after the prison gates slam shut. For the first time, researchers are starting to fill in the blanks. **Ashley Nellis led the effort for the nonprofit group the Sentencing Project. "You know, [these offenders are] more than just the worst mistake of their lives."** Nellis found lots of violence and abuse in the homes of the juvenile offenders, chaos that began years before they ever broke the law. Then, Nellis says, there's this: "a disturbing racial disparity. The proportion of African-Americans serving juvenile life without parole for killing a white person is nearly twice the rate for which African-American juveniles were arrested for taking a white person's life.”



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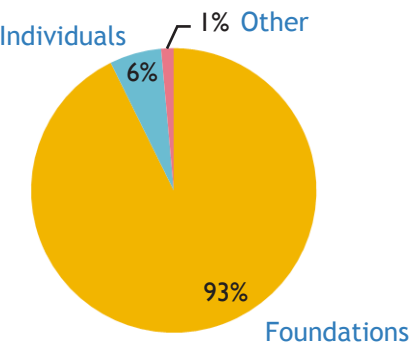
William L. Tilton  
Janis M. Torrey  
Donald S. Trevarthen  
Marjorie Van Cleef  
Stephen Warren  
James Watson  
John D. Wayman  
Jo Ann Weaver  
David Weimer  
Martin and Sally Weinraub  
Dorothy E. Weitzman  
Edward and Victoria Welch  
Lawrence and Joanna Weschler  
Peggy J. West  
Janet Wiig  
Peter F. Wolf  
Elizabeth C. Wright  
Anne Wright  
George Yourke  
H. Berrien Zettler  
Arthur Jay Ziffer  
John Zoraster  
Joseph R. Zwack



# FINANCIAL STATEMENTS

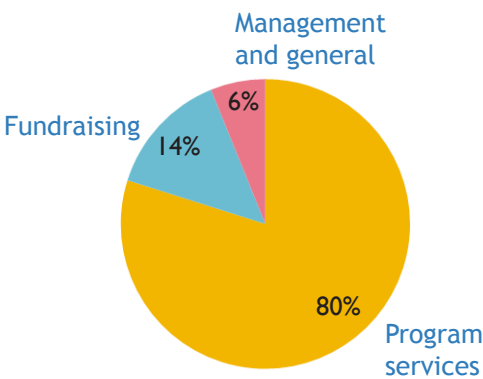
## REVENUE

Foundations	2,323,200
Individuals	147,001
Other	17,922
Honoraria	9,431
Interest income	5,495
Other income	2,996
<b>TOTAL</b>	<b>2,488,123</b>



## EXPENSES

Program services	1,070,522
Fundraising	187,448
Management and general	82,273
<b>TOTAL</b>	<b>1,340,243</b>





The Sentencing Project works for a fair and effective U.S. criminal justice system by promoting reforms in sentencing policy, addressing unjust racial disparities and practices, and advocating for alternatives to incarceration.



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