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

Cover image by Lawrence Agyei, taken at a “Black Lives Matter” protest in Chicago on August 14, 2014.

The image on pages 20 and 21 is a photograph by Richard X. Thripp. His other work can be found at thripp.com.

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LETTER FROM THE EXECUTIVE DIRECTOR

Developments in the criminal justice system during 2014 shook the nation. From Ferguson to Staten Island to Cleveland and elsewhere, police killings of black men and boys reminded us once again that despite the profound changes in American society over the past half century, the struggle for racial justice is far from over.

These are challenges for all Americans, and I’m proud that The Sentencing Project has continued to play a leading role on these issues. For the past quarter century, we have strived to shed light on inequity in the criminal justice system, called public attention to the issues, and helped to point the way forward. During this past year we were able to help facilitate the national dialogue on race and justice, as well as contributing to changes in the policies that have produced mass incarceration.

Following the tragic events in Ferguson and their aftermath, we issued an analysis of the complex dynamics of race and justice, synthesizing two decades of research to provide an understanding of how punitive sentencing policies are related to racial perceptions of crime. We were gratified to see the broad coverage of the report in both popular media and public discussion, and hope that this is an indication that the growing support for criminal justice reform may be extending, finally, to the deepest roots of mass incarceration.

We were also pleased to contribute to important policy reforms throughout the year. Our longstanding work on federal sentencing issues, along with many allies, led the United States Sentencing Commission to reduce its excessive drug penalty guidelines and to apply them retroactively to as many as 46,000 people. Reform campaigns in Congress led the Senate Judiciary Committee to pass the Smarter Sentencing Act legislation to reform mandatory sentencing, with prospects for substantial reform in Congress in the coming year.

We were also heartened by voter approval of Proposition 47 in California, which reduced penalties for low-level property and drug offenses, while targeting cost savings for prevention and treatment services. And we collaborated with our allies to secure legislative reforms in Missouri and California to scale back the ban on access to food stamp benefits for persons with drug convictions, one of the many collateral harms of mass incarceration.

The Sentencing Project’s research and advocacy continued to help shape the national dialogue on criminal justice policy. Our report on decarceration and public safety documented that the states with the most substantial prison population reductions achieved greater crime reductions than the nation as a whole during this period. And across the country, our staff delivered more than 50 conference presentations, and received news coverage in nearly 500 media outlets for a broad range of commentary and analysis.

We hope that out of the tragedies of the past year will rise renewed efforts to engage in community dialogue and practical policy reforms to work toward racial equity as well as public safety. With your support, we’ll continue to strive for a justice system that is both fair and effective for all.

Marc Mauer
Executive Director
Decarceration and public safety

Fewer Prisoners, Less Crime: A Tale of Three States examined the potential for substantially reducing prison populations without causing adverse effects on public safety. The report found that three states – New York, New Jersey, and California – reduced their prison populations by about 25% since 1999, a period during which the nationwide state prison population was rising. The report found that in almost all categories of violent and property crime, the reductions in these three states met or exceeded those of other states.

Race and punishment

A major report examining how racial perceptions of crime are a key contributor to the severity of punishment in the U.S., Race and Punishment: Racial Perceptions of Crime and Support for Punitive Policies synthesized two decades of research revealing that white Americans’ strong associations of crime with blacks and Latinos are related to their support for punitive policies that disproportionately impact people of color. Charles Blow writing in the New York Times called it “a powerful condemnation of the perversity of racial oppression.”

In 2014, reports by The Sentencing Project investigated the dynamics, major trends and social impacts of the U.S. criminal justice system and identified pathways for reform.
Compliance with juvenile life imprisonment court decisions

Slow to Act: State Responses to 2012 Supreme Court Mandate on Life without Parole

The high court in *Miller* did not say whether its decision was retroactive and whether an estimated 2,100 juveniles already sentenced to life without parole could be resentenced. [...] “We don’t know a whole lot of what is actually happening with those cases,” said Ashley Nellis, senior research analyst for The Sentencing Project. “Obviously, their sentences have been ruled unconstitutional, and the whole thrust of the ruling was that they weren’t given individualized review. To just slap another sentence on them is repeating the same mistake.”

Responding to racial disparities

I incorporating Racial Equity into Criminal Justice Reform provided an overview of racial disparities that permeate the criminal justice system and a framework for developing and implementing remedies. These include: 1) addressing socioeconomic inequality by increasing access to community resources and benefits, and removing barriers to employment; 2) increasing support for pre-trial release and alternatives to incarceration for people who are poor, and extending bilingual services to every facet of the criminal justice system; 3) challenging the disparate racial impact of ostensibly race-neutral laws and use of prosecutorial discretion; 4) addressing implicit racial bias among criminal justice professionals, including disparities in charging and sentencing.

Documenting state sentencing reform

In an annual report on state sentencing reforms, *The State of Sentencing* highlighted reforms in 31 states in the areas of sentencing, probation and parole, collateral consequences, and juvenile justice. These developments included expanding
alternatives to incarceration for drug offenses; policies to reduce returns to prison for supervision violators; and comprehensive juvenile justice measures that emphasize prevention and diversion.

State prison closings

On the Chopping Block analyzed state prison closings to demonstrate that they are feasible and necessary in order to achieve real cost savings. The report focused on prison closures in six states in 2013 that produced a potential reduction of 11,000 beds. The Sentencing Project attributed what has become a three-year trend to state fiscal constraints; drug sentencing reforms; diversion programs; and reductions in parole revocations to prison.

$229M: estimated five-year cost savings from 20 correctional facilities closed in 2013

Disparities in juvenile justice

Disproportionate Minority Contact in the Juvenile Justice System took a close look at why African American youth comprise 31% of all arrested youth despite the fact that they only comprise 17% of the age cohort’s population. The report analyzed rates of involvement in crime, law enforcement practices, drug offenses, property crimes, and status offenses. It documented that juvenile justice systems across the country are marked by disparate racial outcomes at every stage of the process, starting with more frequent arrests for youth of color and ending with more frequent secure placement.

Uneven progress in reducing mass incarceration

Prison Population Reductions Stalled analyzed the expansion of the U.S. prison population in 2013 and found that: 1) racial disparities in incarceration are profound, but declining; 2) California accounted in large part for both the 2013 increase and (with substantial reductions in New York and New Jersey) national declines in 2010-12; 3) the small reduction in federal prisoners underscored the need for Congress to enact sentencing reform; and 4) significant reduction in prison populations will require focusing on both prison admissions and sentence lengths.

Human rights and criminal justice

The Sentencing Project submitted a shadow report regarding racial disparities in the justice system to the U.N. Committee on the Elimination of Racial Discrimination. Endorsed by 11 allied civil rights and justice reform organizations, the report documented continuing disparities in incarceration, the imposition of juvenile life without parole sentences, the death penalty, and felony disenfranchisement. The preliminary report issued by the Committee made note of several of the issues raised in our report.

Stating the facts

We regularly updated an interactive map on our website that allows users to search by state for incarceration rates for juveniles and adults (disaggregated by race and ethnicity); corrections expenditures; and felony disenfranchisement.
The Sentencing Project worked closely with policymakers and activists on reform strategies, coalition formation and planning, media outreach, communication strategies and advocacy campaigns designed to increase prospects for change.

**FEDERAL REFORM**

**Scaling back harsh drug sentences**

The U.S. Sentencing Commission (USSC) voted in July to apply reduced drug penalties retroactively to 46,000 prisoners serving excessive sentences for federal drug offenses. The Sentencing Project submitted written testimony to the USSC prior to its deliberations and engaged in public education on the issue prior to and following the decision.

**Sentencing reform**

The Sentencing Project was in the forefront of efforts by the advocacy community to build support for S. 1410, the Smarter Sentencing Act. Though approved by the U.S. Senate Judiciary Committee, the full Senate did not take up the bill 2014. The legislation contained three major reforms to reduce mass incarceration: 1) making the provisions of the crack cocaine sentencing reform legislation of 2010 retroactive; 2) cutting mandatory minimum drug sentence lengths in half; and, 3) granting judges more discretion in mandatory sentencing cases through expansion of the “safety valve” provision in federal sentencing. Advocates will be working with Senate members on reintroducing the bill in 2015.

**Leadership within the juvenile justice community**

The Sentencing Project’s efforts were designed to build support for a more comprehensive approach to juvenile justice. During the year our staff chaired the National Juvenile Justice and Delinquency Prevention Coalition (NJJDPC) steering committee, and led its working group on school safety and school discipline. NJJDPC is a collaborative array of social justice, law enforcement, corrections, and faith-based organizations advocating for fair and effective policies, practices, and programs for youth involved or at risk of becoming involved in the juvenile justice system.

**STATE REFORM**

**Fostering collaboration on racial justice**

The Sentencing Project hosted a convening for activists from nine states to develop and share strategies to promote state racial impact statement legislation, including developing effective media campaigns and securing bipartisan political support. Racial impact statements are a tool for lawmakers to evaluate potential disparities of proposed legislation prior to adoption and implementation and to assist legislators in detecting unforeseen policy ramifications. In 2014 The Sentencing Project aided activists in Arkansas, New York, Washington and Wisconsin with their legislative and media strategies to advance this reform.
Felony drug ban reform
The Sentencing Project expanded its efforts in 2014 to promote state reform regarding the drug felony food stamp ban. Enacted in 1996 as a provision of welfare reform legislation, the law imposes a lifetime ban on access to food stamps and welfare benefits for individuals convicted of a felony drug crime, and has had a disparate effect on low-income women of color. The Sentencing Project worked closely with a broad bipartisan coalition of organizations and policymakers in Missouri and California on communications, organizing and legislative strategies, and in 2014 both states opted out of significant portions of the ban.

Disenfranchisement in perspective
To help contextualize the effects of felony disenfranchisement on the 2014 midterm elections, The Sentencing Project created an infographic using data from our report, State-Level Estimates of Felon Disenfranchisement in the United States, to highlight rates of disenfranchisement for the total U.S. population and for African Americans in key states.

Supporting disenfranchisement reform
Kentucky is one of only four states that disenfranchise all persons with felony convictions for life. Over the past several years The Sentencing Project has provided research assistance, communications and strategy consultation for a state-wide coalition advocating for the restoration of voting rights. In 2014 legislation was approved in both Houses to restore voting rights after completion of sentence. Efforts to forge a compromise bill failed, but advocates plan to introduce similar legislation in 2015 designed to resolve those differences.

Top 10 states with the highest rates of African American felony disenfranchisement

From The Sentencing Project’s felony disenfranchisement infographic
In 2014, The Sentencing Project’s research and analysis captured broad media attention, and our staff delivered more than 50 presentations across the country.

**Media presence**

In 2014 The Sentencing Project served as a trusted source of research and analysis for national and local media, with nearly 500 media citations, interviews and op-eds, including high-profile coverage by:

- Al Jazeera America
- Associated Press
- Arizona Daily Star
- Atlanta Journal-Constitution
- Baltimore Sun
- BBC News
- Birmingham News
- Bloomberg News
- Boston Globe
- Businessweek
- C-Span
- CBN
- Chicago Tribune
- Christian Science Monitor
- CNN
- Colorlines
- Correctional News
- Dallas Morning News
- Des Moines Register
- Economist
- Final Call
- Forbes
- Gainesville Sun
- Huffington Post
- Idaho Statesman
- Los Angeles Times
- Manila Standard Today
- Miami Herald
- Moyers & Company
- MSNBC
- National Catholic Reporter
- National Journal
- National Law Journal
- National Public Radio
- NBC News
- New York Times
- New Yorker
- NJ Today
- Pacific Standard
- Pakistan Daily Times
- Philadelphia Magazine
- Politico
- Psychology Today
- Richmond Times-Dispatch
- San Francisco Chronicle
- Seattle Times
- Slate
- St. Louis Post-Dispatch
- The Atlantic
- The Guardian
- The Nation
- TIME
- Truthout
- U.S. News & World Report
- USA Today
- Wall Street Journal
- Washington Post

**Newsletters to inform the field**

The Sentencing Project produced and widely disseminated three monthly electronic newsletters—*Race and Justice, Disenfranchisement* and *State Advocacy Update*—which reported on policy developments, emerging research, organizing activities, news and editorial commentary.

**Webinar series**

The Sentencing Project continued its *Unlocking Justice* Webinar series, which attracts participants from the ranks of policymaker staff, academics, criminal justice practitioners and the social justice community. Themes for the 2014 webinars included: eliminating the ban on access to welfare benefits for people with felony convictions; the elimination of sentences of juvenile life without parole; organizing to address mass incarceration; and the impact of racial perceptions of crime on punitive sentencing.
Public presentations

Academic and Research Institutions
Abilene Christian University
American Society of Criminology
American Sociological Association
American University
Bennington College
Cesar Chavez Charter High School (D.C.)
Columbia University
Fairleigh Dickinson University
George Mason University
Georgetown University
Harvard Law School
Huston-Tillotson University
Lycoming College
Maret School (D.C.)
Princeton University
Saint Louis University Law School
University of Minnesota Law School
University of Vermont School of Law
Yale University
Yale University Law School

Civil Rights Organizations
Congressional Black Caucus
Congressional Hispanic Caucus
NAACP, Maryland Chapter
National Action Network

Criminal Justice and Allied Practitioners
International Association of Chiefs of Police
John Jay College of Criminal Justice
Justice Studies Association
Law and Society Conference
Massachusetts Continuing Legal Education Annual Conference
Nevada State Advisory Commission on the Administration of Justice

Justice Reform Advocates
Action Now Initiative
AFL-CIO
Brennan Center for Justice
Center for American Progress
Dream Defenders
Feminist Majority Leadership Conference
Governing Institute
Grassroots Leadership
Lawyers Committee on Human Rights
Michigan Lifers Group
Mississippi Consortium for International Development
Missouri Association for Social Welfare
National Domestic Workers Alliance
National People’s Action
Oregon Legislative Forum on Racial Disparities
Pennsylvania Prison Summit

Marc Mauer speaking at a Center for American Progress event on removing barriers to economic mobility for individuals with criminal records

Religious Organizations
Accotink Unitarian Universalist Congregation
(Burke, VA)
Exodus Foundation (NC)
Interfaith Criminal Justice Coalition
Payne Theological Seminary (OH)
Sojourners
United Methodist Women’s Assembly
to go to prison in his lifetime. Although about 12 percent of the U.S. population is black, 30 percent of those arrested for property crimes and 38 percent of those arrested for violent crimes are black.

— The Washington Post, October 24, 2014

The Color of Justice

A report issued today by The Sentencing Project, a nonprofit advocacy group, confirms the old news that whites and blacks view the justice system very differently, largely because of their different treatment by it. The report’s real significance lies in its further contention that this disparity in perceptions contributes to our astonishingly high incarceration rate, the highest in the world.

— The New Yorker, September 3, 2014

Holder: Data-driven prison sentencing ‘unfair’ to minorities

“Research has shown that racial minorities who don’t have regular jobs or steady families are likely to be charged with more severe crimes, leading to longer prison sentences, according to Nazgol Ghandnoosh, a research analyst for The Sentencing Project, an organization dedicated to sentencing reform in U.S. prisons. “A lot of the criteria to measure risk has to do with ... factors like employment or level of education or marital status and family resources ... things someone is not able to change,” Ghandnoosh said. “We are creating a two-tiered system of sentencing.”

— Al Jazeera America, August 1, 2014

Obama commutes sentences of eight prisoners convicted on drug charges

“The ... Clemency Project 2014 group of lawyers trying to help prisoners win clemency is still processing more than 20,000 applications, according to sentencing experts. “We can expect that until Congress acts particularly to change mandatory minimum sentences, we will not be able to address the problems of overcrowding in federal prisons through clemency,” said Jeremy Haile of The Sentencing Project, a Washington advocacy group.

Haile said there are signs the Republican-led Senate may take up changes to the sentencing laws in January.

— The Los Angeles Times, December 17, 2014

Change Sought to Give Ex-Convicts Voting Rights

“Research has shown that racial minorities who don’t have regular jobs or steady families are likely to be charged with more severe crimes, leading to longer prison sentences, according to Nazgol Ghandnoosh, a research analyst for The Sentencing Project, an organization dedicated to sentencing reform in U.S. prisons. “A lot of the criteria to measure risk has to do with ... factors like employment or level of education or marital status and family resources ... things someone is not able to change,” Ghandnoosh said. “We are creating a two-tiered system of sentencing.”


Ultimately, it doesn’t matter what Michael Brown’s autopsy shows

“With about 2.9 percent of the adult population in prison, the United States has the highest incarceration rate in the world (2.2 million people are in federal, state and local prisons and jails). That group shows a clear racial disparity. The Sentencing Project’s 2013 report to the U.N. Human Rights Committee, “Regarding Racial Disparities in the United States Criminal Justice System,” shows that African American males are six times more likely to be incarcerated than white males, and one out of three black males is expected
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EXPENSES

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<td>Management and general</td>
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