ANNUAL REPORT 2015
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.

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LETTER FROM THE EXECUTIVE DIRECTOR

There has been a whirlwind of activity for criminal justice reform this past year. In Congress we saw substantial progress on sentencing reform legislation that would address some of the fundamental injustices of the drug war, while at the state level initiatives to reduce the scale of incarceration gained support among diverse constituencies. High-profile attention to mass incarceration came from leaders as varied as President Obama, the Pope, and Newt Gingrich. After several decades of “tough on crime” policies and politics, this shift in the political environment is most welcome.

We’re proud of the role that The Sentencing Project has played in helping to lay the groundwork for these developments since 1986. I believe that our initiatives in the areas of research, public education, and advocacy have helped to both frame the scale of the problem and point to solutions.

For example, over the course of the past year I was pleased to be invited to deliver testimony before two high-level policy bodies. In March I presented recommendations for reform in federal sentencing before the Charles Colson Task Force on Federal Corrections, a body charged by Congress with developing a blueprint for policy change. In my testimony I called for an upper limit of 20 years in prison except in unusual circumstances, basing this both on compassion and a public safety rationale about diminishing returns as individuals age in prison. I was pleased to see the concept gain respectful consideration in an analysis by *The New York Times* and subsequent media commentaries both in the U.S. and abroad.

Later in the year I was invited to testify before the Senate Judiciary Committee at its consideration of the Sentencing Reform and Corrections Act, a major bipartisan initiative to address excessive
I argued that federal mandatory minimums have produced a “one size fits all” sentencing structure that ignores relevant factors at sentencing, along with exacerbating racial disparities in incarceration. We were pleased to see the Judiciary Committees in both the House and Senate subsequently adopt versions of this bill.

Our role in advocating for reform incorporates providing a knowledge base for changing policy and practice. During the past year we produced a broad range of materials, including an analysis of strategies to address racial disparity in the justice system, an overview of trends in state sentencing reform legislation, and “A Return to Justice,” a new book assessing the encouraging decarceration trends in juvenile justice.

We also believe that justice reform can only be attained if we challenge the political environment that has contributed to the “tough on crime” movement of recent decades. To that end, we engage in broad-based outreach for public education, documenting both problems and solutions in the justice system. During 2015 our staff delivered more than 40 conference presentations to audiences of policymakers, practitioners, academics, activists, and others. Our website and social media are key sources of information for the field, and during the year we had 700 media mentions and interviews nationally.

We’re gratified that our perspectives are reaching a wide audience, but we also recognize the challenges ahead. Mass incarceration did not develop overnight, nor will it end with any single reform initiative. We’ve made great progress, but look forward to working with our many allies to achieve significant change in the coming years.
In 2015, 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.

With growing momentum for criminal justice reform and reducing the scale of incarceration, The Sentencing Project has played a major role in producing research and analysis designed to shape the policy debate on these issues. Our publications have focused on laying out a blueprint for decarceration, addressing the need to challenge racial disparity in the justice system, and restoring the juvenile justice system to its original mission.

“How to lock up fewer people”

In a co-authored commentary in *The New York Times*, Marc Mauer and David Cole noted the broad understanding that “our criminal justice system needs fixing.” They called for an approach that goes beyond diversion for low-level drug crimes, noting that since individuals “age out” of crime “We could cut sentences for violent crimes by half in most instances without significantly undermining deterrence or increasing the threat of repeat offending.” They also advocated for restoring discretion to judges so that they can make “reasonable distinctions between drug kingpins and street-corner pawns,” as well as prioritizing “meaningful work opportunities to the most disadvantaged” as a public safety strategy.
Setting an upper limit on prison terms

In testimony before the Charles Colson Task Force on Federal Corrections, a body created by Congress, Marc Mauer called for reforming federal sentencing structures to create an upper limit of no more than 20 years in prison, except in unusual circumstances. Following on the testimony, The New York Times published an extensive analysis arguing that "a compelling case can be made for it." Marc Mauer’s commentary on the concept was also published in an issue of the journal Democracy as one of “16 for ‘16” policy proposals for the next presidential administration.

Bill Clinton: Mass incarceration on my watch 'put too many people in prison'

April 28, 2015

“Former US president Bill Clinton has called for an end to mass incarceration, admitting that changes in penal policy that happened largely under his watch put “too many people in prison and for too long” and “overshot the mark”. Jeremy Haile, the federal advocacy counsel for The Sentencing Project said Clinton’s comments on overstepping the mark were welcome. “President Clinton was one of the leaders calling for a tough approach to crime in the 1990s. He wasn’t alone in that, but we did see virtually every state legislature and governor adopt tough-on-crime positions around the same time.”"
Pervasive racial disparity

We published *Black Lives Matter: Eliminating Racial Inequity in the Criminal Justice System*, an overview of racial disparities that permeate the criminal justice system, with a framework for developing and implementing remedies. These included challenging the disparate impact of ostensibly race-neutral laws and addressing implicit bias among criminal justice practitioners. The report led to presentations before the Administrative Office of the U.S. Courts and Penn State Law School, as well as press coverage in the U.S. and abroad.

“Like an avalanche, racial disparity grows cumulatively as people traverse the criminal justice system.”

Assessing the causes of changing crime rates

In response to high-profile claims that crime in the U.S. is rising due to widespread protests against police misconduct, we published an analysis by criminologist Richard Rosenfeld. *Was There a ‘Ferguson Effect’ on Crime in St. Louis?* documented that no such effect could be determined in the city that might be most likely to experience such an impact. The briefing paper was broadly disseminated and received media coverage by the *St. Louis Post Dispatch, NBC News,* and other media outlets.
The State of Sentencing 2014

The State of Sentencing 2014 documented that 30 states had adopted reforms in the areas of sentencing policy and collateral consequences in adult and juvenile justice systems, including scaling back sentences for low-level drug offenses, reducing barriers to reentry, and eliminating juvenile life without parole. The report was broadly distributed to policymakers in every state, as well as practitioners and advocacy organizations.

How Solitary Confinement Became Hardwired In U.S. Prisons

August 23, 2015

“Eastern State is the prison where solitary confinement was pioneered in the U.S. People have had deep doubts about isolating inmates for a really long time. Beginning in the early 1900s, long-term isolation was used rarely with the most dangerous inmates and usually for only short periods, a week or two. But the idea had woven itself deep in the DNA of American prisons.

Nazgol Ghandnoosh of The Sentencing Project says solitary confinement is now hardwired into the architecture of America’s prisons. “Right now there are at least 20 Supermax prisons, and they hold 20,000 people,” Ghandnoosh says. “[At] one of the prisons in California, half of the prison population, 500 people, have been there for more than 10 years.”
First wave of prison releases from war on drugs begins

November 6, 2015

“Marc Mauer, executive director of The Sentencing Project, said a range of factors has contributed to the shifting mindset. “There is a growing consensus that the war on drugs has been enormously punitive, taken up enormous financial resources and has had minimal impact on public safety,” Mauer said. Asked if the release of this many drug offenders was cause for alarm, Mauer said it would have a negligible impact. “Every year, 600,000 people are released from state and federal prisons. This 6,000 is a drop in the bucket in the scheme of things.””

Learning from successful state advocacy campaigns

State Criminal Justice Advocacy in a Conservative Environment, a briefing paper, showcased three successful campaigns for criminal justice reform. In Indiana, an advocacy campaign resulted in reducing the enhanced penalties that can be imposed for drug offenses in designated drug-free zones. A Missouri coalition succeeded in modifying the state’s application of the federal lifetime ban on food stamp benefits for persons with felony drug convictions. And in Texas, a grassroots campaign was able to secure the closing of two scandal-plagued private prisons.
Reforming the juvenile justice system

Ashley Nellis’s new book, *A Return to Justice: Rethinking our Approach to Juveniles in the System*, has been described as a “comprehensive... overview of America’s broken juvenile justice system.” The book provides an historical review of developments in juvenile justice and highlights the reform movement of the past decade. In analyzing the strategies and policies that have produced a sharp reduction in the number of incarcerated youth, *A Return to Justice* calls for continued decarceration and a reorientation of the system to its original intent of treating children as children.

Studying the drop in youth commitments

*Declines in Youth Commitments and Facilities in the 21st Century*, a briefing paper, found major reductions in the number of youth committed to detention facilities, as well as a one-third reduction in the number of juvenile institutions. But while the number of youth behind bars has fallen by half since 2000, racial disparities in youth commitment remain large and prevalent. African American youth are 4.3 times as likely as white youth to be committed to a secure facility, and Native youth are 3.7 times as likely.

### 54%: Scale of decline in youth commitments since their 1999 peak

2000, racial disparities in youth commitment remain large and prevalent. African American youth are 4.3 times as likely as white youth to be committed to a secure facility, and Native youth are 3.7 times as likely.
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.

STATE REFORM

Building strength on the ground

Our staff provided support to advocates in more than 15 states in their campaigns to achieve criminal justice reform. We helped to construct political and communications strategies; analyzed data as a basis for formulating policy; and built action networks by presenting legislative testimony on key issues, hosting webinars and coordinating conference calls to share successful strategies.

Marc Mauer spoke at the Visions of Justice 2015 conference hosted by the Delaware Center for Justice.
Photo: Suchat Pederson/The News Journal.
There when it counts

The Sentencing Project played a key supporting role in successful state campaigns in Alabama and Texas to scale back felony drug bans on welfare benefits and food stamps; testified in Maryland in support of legislation to restore voting rights to persons on probation and parole; supported coalition development in New Jersey to advance racial impact statements and built momentum for the issue with advocates in Arkansas, Maryland, Mississippi, Virginia, and Washington state; and assisted grassroots activists in Tennessee to engage with the state’s prison overcrowding task force.

Nicole Porter testified at a Maryland state legislature hearing on felony disenfranchisement reform.

ST. LOUIS POST-DISPATCH

Missouri’s parole board lumbers on in secrecy with unfilled seats

September 30, 2015

“Critics, including people who held leadership positions for the Missouri Department of Corrections, want the parole board to be reformed. [...] Nicole Porter of The Sentencing Project said that victims’ families often have heavy influence on whether an inmate is paroled. “Punishment is one reason why prisons exist, but it’s not the only reason,” she said. “Parole boards should be about weighing the risks of whether or not potential parolees pose a risk to public safety.”

Nicole Porter testified at a Maryland state legislature hearing on felony disenfranchisement reform.
FEDERAL REFORM

Building bipartisan support for reform

The hallmark of The Sentencing Project’s federal legislative advocacy was the introduction and sponsorship of the bipartisan Sentencing Reform and Corrections Act of 2015 (SRCA). We were one of the key organizations leading the effort to forge broad consensus for the passage this major sentencing reform bill. In October, Marc Mauer was invited to testify on the legislation before the Senate Judiciary Committee. His testimony emphasized that the legislation would promote a more rational and effective federal sentencing structure, would enhance public safety, and would address racial/ethnic disparities in the federal courts. By the end of the year the Judiciary Committees in both houses had approved versions of the bill, for consideration by the full House and Senate in the new year.

The value of persistence

Among its key provisions, the SRCA addresses many of the issues that have been at the core of our mission. It would reduce heightened penalties that apply to repeat drug offenses; eliminate the three-strikes mandatory life in prison provision; give federal judges more sentencing discretion; limit solitary confinement for juveniles in federal custody; and retroactively apply the Fair Sentencing Act, which decreased the disparity in sentencing between powder and crack cocaine.
Protecting hard-won gains

In 2015 The Sentencing Project built additional support for effective programs that help prisoners re-integrate successfully into the community upon their release; challenged proposals in Congress to weaken the social safety net, including food assistance for people convicted of felony drug offenses; and joined in an amicus brief to the U.S. Supreme Court advocating for retroactive application of its 2012 ruling that sentences of mandatory life without parole sentences for juveniles convicted of homicide are unconstitutional.

The Des Moines Register

School-to-prison pipeline costly to state

December 20, 2015

“Black Iowans make up 3.3 percent of the population but account for 25 percent of Iowa’s prisoners. In the classroom, blacks make up 5 percent of the students and more than 18 percent of those removed for disciplinary measures. “The similar disparities... are no coincidence,” says Nazgol Ghandnoosh, a research analyst for The Sentencing Project. It’s a connection that she and other critics describe as the school-to-prison pipeline. Ghandnoosh is the author of the 2014 report “Black Lives Matter,” which concluded that, despite progress in racial justice in the past 50 years, criminal justice disparities have persisted and even worsened. [...] School discipline, even for noninjury incidents, can lead to criminal convictions and placement in juvenile detention centers. “Student behavior is not what’s driving this. A big part of it is implicit bias.” ”
In 2015, The Sentencing Project’s research and analysis captured broad media attention, with citations from over 700 media outlets across the country.

**Media presence**

In 2015 The Sentencing Project served as a trusted source of research and analysis for over 700 newspapers, radio stations, and prominent websites, including:

- ABC (Australia)
- Above the Law
- Al Jazeera America
- All Things Considered (NPR)
- Amarillo Globe-News
- American Constitution Society
- American Thinker
- Arizona Daily Sun
- Arkansas Online
- Associated Press
- Atlanta Black Star
- Baltimore Sun
- BBC
- Best of the Left
- Black Agenda Radio
- Black Voice News
- Bloomberg News
- Boston Globe
- Budapest Business Journal
- Business Insider
- CBS News
- Chicago Reader
- Christian Science Monitor
- Chronicle of Higher Education
- CNN
- Cosmopolitan
- Courier-Journal
- C-SPAN
- Cyprus Mail
- Daily Journal
- Dallas Sun Times
- Danish Broadcasting Corporation
- Decode DC
- Delaware Online
- Des Moines Register
- Dispatch Times
Shaping public opinion

Our staff authored commentaries published in the *New York Times* on reducing prison populations, in the *San Francisco Daily Journal* on life without parole, in the *News Gazette* (Champaign, IL) on decarceration strategies, and in *The Hill* on bipartisan efforts for criminal justice reform. We have also become a prominent social media voice for reform. Our social media accounts grew substantially in 2015, with our Facebook fans increasing by 70% and our Twitter followers more than doubling over the year.

Public presentations

**Academic and Research Institutions**
- American Society of Criminology
- American University
- Baruch College
- Boston University
- Bowie State University
- Brooklyn (NY) Public Library
- Cabrini College
- Columbia University
- DePaul University
- Georgetown University
- Harvard Law School
- International Institute for the Sociology of Law (Spain)
- Mt. St. Mary’s University
- Pennsylvania State University Law School
- Roger Williams University School of Law
- The New School
- University of Baltimore Law School
- University of Maryland
- University of Miami Law School
- University of Missouri - Kansas City
- University of Missouri Law School
- University of Toledo Law School
- Wake Forest University
- Washington University in St. Louis

**Civil Rights Organizations**
- Congressional Black Caucus Foundation
- Connecticut African American Affairs Commission
- National Action Network
- North Carolina Commission on Racial and Ethnic Disparities

**Criminal Justice Practitioners**
- Administrative Office of the U.S. Courts
- American Bar Association
- International Community Corrections Association
- Middle Atlantic States Correctional Association
- U.S. Bureau of Justice Assistance

**Religious Organizations**
- Ecumenical Advocacy Conference
- National Conference of Black Churches
- Payne Theological Seminary
- Riverside Church
- Washington Interfaith Strategy Conference
Marc Mauer speaks as a featured panelist at the 2015 Young Elected Officials Network National Convening. Moderated by Van Jones, the panel discussed racism, violence, militarization, and misconduct in the criminal justice system. Photo: Young Elected Officials Network.

Reform Advocates
AFL-CIO
Bipartisan Summit on Criminal Justice Reform
Coalition for Juvenile Justice
Coalition for Public Safety
Delaware Center for Justice
Drug Policy Alliance
Institute for Civility in Government
JustLeadership USA
Missouri Second Chance Coalition
ReThink Justice DC
South Carolina Social Justice Forum
The Philanthropy Workshop
US Social Forum
Young Elected Officials
Here's One Thing Washington Agreed On This Week: Sentencing Reform

“Lawmakers called their new bipartisan bill a “landmark” in the area of criminal justice and said it represents a major retrenchment from tough mandatory sentencing laws adopted in a wave of drug-fueled violence during the 1980s and 1990s. Marc Mauer, executive director of The Sentencing Project, put it this way: “The Sentencing Reform and Corrections Act is the most substantial criminal justice reform legislation introduced since the inception of the ‘tough on crime’ movement and is the best indication we have that those days are over.””

—National Public Radio, October 3, 2015

Why Can't We End Mass Incarceration?

“On the morning of October 1st, half a dozen of the most powerful Democratic and Republican senators gathered for a news conference to announce new legislation titled “The Sentencing Reform and Corrections Act of 2015.” Calling it “the biggest criminal-justice reform in a generation,” Senate Judiciary Chairman Chuck Grassley hailed it as a true product of negotiation, containing provisions that each side disliked even as it was agreeable to all. “The bill certainly doesn’t contain everything we might have dreamed of, but there’s a lot to like in it,” says Jeremy Haile, federal advocacy counsel for The Sentencing Project.”

—Rolling Stone, October 26, 2015

Too Old to Commit Crime?

“The idea of a 20-year cap on federal prison terms with an option for parole boards or judges to add more time if necessary to protect the public. Such a policy would “control costs” in a system that is now 40 percent over capacity, Mr. Mauer told the task force, and would “bring the United States more in line with other industrialized nations.””

The Supreme Court considers reversing life sentences handed to minors

“According to the U.S. Department of Justice, after peaking at 107,000 in 1999, the number of minors behind bars fell year after year until it was cut nearly in half by 2013. Ashley Nellis of The Sentencing Project attributes the drop to a number of factors: alternatives to incarceration that reduce reoffending, improved community policing and “smaller institutions that prove to be much more effective at ‘treating’ juvenile crime than large congregate care prisons that are typical for adult offenders.””

—The Economist, October 17, 2015

U.S. Prison Population Drops to Lowest Level Since 2005

“The U.S. prison population dropped by 1 percent in 2014 versus the previous year, to about 1.56 million people, according to new statistics. [...] Marc Mauer, executive director of The Sentencing Project, a non-profit that advocates for changes in sentencing procedures, says the statistics are positive, but more work must be done to reduce the prison population. “On the one hand, it’s encouraging that we see at least a modest reduction in the overall prison population in these numbers,” he says, “but I think the emphasis is very much on the word ‘modest. A 1 percent decline coming after nearly four decades of a record rise in the prison population—it only goes so far.””

—Newsweek, December 17, 2014

A prosecutor seeks redemption. Can we allow prisoners the same?

“There are some signs that we are moving in a slightly more rational direction. California is releasing “lifers,” only a small fraction of whom are landing back in jail. The Supreme Court is chipping away at permanent sentencing for juveniles. Criminal justice reform is in vogue on Capitol Hill. [...] In testimony before Congress last week, before a task force charged with recommending improvements to the federal prison system, Marc Mauer of The Sentencing Project said it is time to get past “modest reforms” and boldly proposed that we cap federal sentences at 20 years. “How much punishment is enough?” he asked. “What are we trying to accomplish, and where does redemption come into the picture?””

—The Intercept, March 24, 2015
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The Honorable Gregory A. Weeks (Retired)
Superior Court of North Carolina
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Research Analyst

Jeremy Haile  
Federal Advocacy Counsel

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Donogh McDonald
Priscilla J. McMillan
Margaret Ratner
Martha Rayner
Returning Home Foundation
Mary E. Richards
Eve S. Rosahn
Peter Sagerson
San Francisco Foundation
Mark Schneider
Paul Southworth and
Mira Geffner
Michelle Sternthal
Susan Tucker
Karin and Nate Van Duzer
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Peter T. Vajda
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$250 to $499
Albert W. Alschuler
Nancy Brittain
Bennett Brummer
Emily Davidson
Donatic
Evan Gentry
Joe Goldenson
Karl D. Gregory
Suzanne Gylfe
Donald and Ann Hague
Peter Harnik
Trudy Ruth Hayden
Edward Herman
Cynthia E. Jones
Joseph Kelaghan
Janet Kramer

$100 to $249
Brian Abaluck
Accountable Bookkeeping
Services
Yossef Aelony
Adjoa A. Aiyetoro
Brian Alexander  
David and Francine Alexander  
Buzz Alexander  
Melanie Alvarado  
Glen A. Anderson  
Aviva Aron-Dine and  
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Nancy C. Atlas  
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Connor Bailey  
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Barbara A. Carson  
Michael Z. Castleman  
A. Charles Catania  
Debra Chaplan  
Isabel K. Chiquoine  
Catherine T. Clarke  
Diane Clarke  
Muriel Cohan  
Ann K. Colwell  
Thomas Connolly  
Peter Constable  
Patricia Cook  
Gilberto A. Cooper  
Ronald Corbett  
Elizabeth Crawford  
David Crosby  
Tom Croxton  
Jane Curtis  
Lytle T. Davis  
William Harold Davis  
Dawn Day  
Lawrence de Graaf  
Michele Deitch  
Bailey Delongh  
Donald Devey  
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Deborah Fins  
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Michael F. Friedman  
The Honorable Stuart A. Friedman  
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FINANCIAL STATEMENTS

REVENUE

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EXPENSES

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<td><strong>TOTAL</strong></td>
<td><strong>$1,290,742</strong></td>
</tr>
</tbody>
</table>
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.