



FAMILIES AGAINST MANDATORY MINIMUMS ANNUAL REPORT 2017



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From the President

2017 was a unique year for FAMM in many ways, most notably because it was the first year without our founder, Julie Stewart, serving as president. Many people, including me, wondered whether FAMM would be able to maintain the high level of effectiveness it had achieved during Julie's 26 years at the helm.



I am happy to report that the answer is yes.

From mandatory minimum reform in the states to presidential commutations and Supreme Court victories in the nation's capital, FAMM didn't skip a beat. When the new administration in Washington, D.C., threatened past gains in reform, we looked for opportunities to make progress on our priorities.

We also expanded our scope of work to tackle prison reform. FAMM has always believed that too many people are serving too long in our prisons, but we also have been troubled by the lack of programming, treatment, and job training they get while they are there. In 2017, we conducted a first-of-its-kind survey of federal prisoners so that we could educate

lawmakers, the press, and the public about how our prisons are failing to help people get back on their feet.

One thing did not change at FAMM in 2017: our focus on the families and individuals who bear the burden of harsh sentencing and prison laws. We care about public safety as much as anyone, but we know that our current approach is unnecessarily harming families and communities without making us safer.

FAMM has been fortunate to secure the support of thousands of individuals and foundations over the years. In 2017, we were honored to receive support from a new major force in criminal justice reform, the Chan Zuckerberg Initiative. With their help and that of our longstanding FAMM donors, FAMM is prepared to tackle even bigger challenges in the years ahead on behalf of the families who too often are ignored in our policy debates.

Thank you for supporting FAMM's mission and work.

Sincerely,

Kevin
Kevin A. Ring



FAMM in the States: We launched more campaigns than ever before

In 2017, FAMM expanded its advocacy in the states, building support for sentencing and parole reforms and expanding the use of executive clemency.



Florida

FAMM continued to lead the efforts to reform many of Florida's draconian sentencing laws. We collaborated with diverse organizations to introduce important safety valve legislation for low-level drug crimes. The proposals (SB 694/ HB 481) authorize judges to depart below the otherwise applicable mandatory minimum sentences in drug cases under certain circumstances.



Cynthia Powell was not an addict. She was not a dealer, and she had never been arrested. But desperately trying to make ends meet one month, this devoted grandmother sold 35 of the pills she took to manage her diabetes to a confidential informant—for \$300. Next thing she knew, she was arrested, charged, and convicted. Her sentence? A 25-year mandatory minimum sentence in a Florida state prison.

The law that sent Cynthia away for 25 years was designed to deter drug trafficking by punishing severely the kingpins and other “major players” in Florida’s drug trade. Cynthia is no drug kingpin, and Florida’s mandatory minimums were never intended to cover petty drug sales like hers.

Now Cynthia, known inside as “Mama” because she is so good at taking care of other people, has been incarcerated for more than 14 years and has 11 more to go. Had she sold two fewer pills, her sentence would have been 15 years. And under reforms passed in 2014, if she were convicted today of the same offense, she would be sentenced to seven years. Cynthia’s continued incarceration does nothing to make Florida safer.



Iowa

For the second year in a row, FAMM assisted in the passage of important sentencing reform legislation in Iowa. With our help, Hawkeye state leaders eliminated mandatory minimum sentences for low-level drug offenders. The reform will impact roughly 300 lowans each year. The bill also made about 200 current prisoners eligible for parole starting July 1, 2017. Additionally, the bill allows judges to reconsider and adjust sentences for low-level drug offenders within a person's first year in prison. Finally, the bill addresses racial bias in state sentencing law by reducing the disparity between crack and powder cocaine sentences from 10 to 1 to 2.5 to 1.

Pennsylvania

For the second year in a row, FAMM spearheaded the effort to keep drug-related and gun-related mandatory minimums out of Pennsylvania. FAMM helped to organize and testified at a key Senate hearing on the topic, provided briefing papers to lawmakers and staff, and worked with a diverse group of allies in the state. As a result of FAMM's efforts, thousands of people received fairer, individualized sentences for their crimes.

Maryland

When Baltimore City sought to propose a new mandatory minimum jail sentence for illegal handgun possession, FAMM sprang into action. FAMM reached out to City Council members, submitted testimony against the bill, and immediately voiced outrage on social media. FAMM also alerted our members in Maryland. Thanks in part to our efforts, the council approved a watered-down bill that did not add new mandatory minimums.

FAMM joined with several state-based organizations to create the Maryland Juvenile Lifer Parole Representation Project. The project provides representation for people serving life sentences in Maryland's prisons for crimes committed as juveniles. The project works to make sure that the approximately 200 inmates identified receive pro bono representation. The project has recruited and trained many local lawyers to take on this effort.

New York

FAMM teamed up with the National Association of Criminal Defense Lawyers (NACDL) to establish the NACDL/FAMM State Clemency Project. The program helps recruit, train, and provide support to pro bono attorneys who assist state prisoners in submitting petitions to have their sentences commuted. The project is working with Gov. Cuomo of New York to develop the necessary processes and procedures to enable volunteer lawyers to help prisoners seeking clemency pursuant to the governor's initiative.

Tennessee

In 2017, FAMM jumped into the fight to eliminate Tennessee's drug-free school zone laws. We began reaching out to lawmakers and educating the public on the unintended consequences of the issue. Originally created to shield children from the illegal distribution and purchase of drugs, the law has been unfairly applied in cases where children are not involved or even in the vicinity of the unlawful transactions. FAMM launched a public education campaign to highlight the stories of families impacted by the law. The campaign also elevated the voices of national conservative thought leaders in an effort to show bipartisan support for reform.



Terrance Davis

A distance of 101 feet. For Terrance Davis, that length was the difference between 12 years in prison—with the possibility of parole after serving four years—and the sentence he got: 22 years without parole.

Terrance was 24 and selling small amounts of powder cocaine when one of his customers told the police about him. Law enforcement set up a controlled buy, and Terrance was arrested. The drug sale occurred around 11 p.m. inside Terrance's apartment, which was just over 900 feet from a school. That night, there were no children anywhere near Terrance's apartment, and school wasn't even in session. But under Tennessee law, because the sale occurred in a drug-free school zone (within 1,000 feet of a school), his sentence was considerably longer than it would have been if Terrance had been in a different part of his apartment complex.

As with many drug sentencing laws designed to catch kingpins and deter crime, laws like the one that sentenced Terrance don't necessarily work. Some of the delineated zones are so large that they cover entire cities, which means that small-time dealers like Terrance end up doing much longer sentences than public safety demands. The zone in Tennessee is one of the most restrictive.

Terrance knows what he did was wrong. He knows that he should pay for his crime. But he is dismayed at the length of his sentence because of a matter of 101 feet, and by how the law seems to view him. "Like child rapists and multiple rapists," court documents say, "defendants dealing drugs in school zones who are sentenced to the minimum term in their sentencing range will serve literally 100% of their sentences."

Meanwhile, Terrance's wife, Joi Davis, has made it a mission to learn all she can about the law that put him behind bars and is his biggest supporter. "Terrance has sat in prison for almost 15 years when he could've been working in the community sharing his testimony to help others not take his path." Joi is growing into a strong and vocal advocate, working with FAMM to share her family's story and work for reform.



2017 Federal Efforts

The chances of passing broad federal sentencing reform shrank dramatically with the 2016 presidential election and the subsequent confirmation of Jeff Sessions as attorney general. Yet, FAMM was able to block harmful new mandatory minimums proposed by the Trump administration and found ways to continue recent progress and lay the groundwork for meaningful reform in the coming years.

Halfway Houses

As news of the closure of 16 halfway houses spread, scores of prisoners and their family members wrote to FAMM. Prisoners described being required to spend more time in prison and less time in halfway houses, or no time at all, because of closures. Many of these prisoners have served five, 10, or 15 years and more in prison, and said they need the services that halfway houses provide to find jobs and housing. FAMM urged policymakers to look into the issue and expand federal halfway house capacity. FAMM was successful in securing a congressional oversight committee hearing in December of 2017. FAMM remains committed to the issues and continues to closely monitor the effects of the halfway house closures on families and prisoners.



THE CAMPAIGN FOR COMPASSIONATE RELEASE

FAMM fought hard to raise awareness of the Federal Bureau of Prisons’ chronic failure to grant compassionate release to very sick and elderly prisoners who pose no risk to public safety. FAMM established the Campaign for Compassionate Release, a coalition of 22 diverse organizations that supports the creation, expansion, and robust use of compassionate release. The Campaign produced an easy-to-understand animated explainer video that unpacks the federal program.

In addition, FAMM presented three videos that highlight how the families of prisoners seeking compassionate release are often unintended victims of the failures of the process. “Nobody Cared” tells the story of Warren Rossin, who finally got compassionate release after applying several times, but only because he had his fierce and persistent daughter to navigate the application process. “5 to Life” is a documentary about Allison Rice, who was not allowed to be with her father when he died, alone and in prison, just weeks after being denied compassionate release. “Time-Sensitive” is the story of Debbie DiMasi, who refused to stop trying for the only thing that could save her husband Sal.



FINDINGS OF THE FAMM SURVEY

A. Jobs

When we asked prisoners about their employment, we found that types of jobs they hold and the number of hours they work vary widely. Some do not always get to choose what job they will work; corrections officers, when a prisoner is new to the institution. Many prison jobs exist in areas such as kitchen staff, librarians, sanitation orderlies, and landscapers.

FINDING 1: Nearly every prisoner has a job, but not all are very greatly within and among institutions.

**1% OF RESPONDENTS
SAID THEY HAVE A JOB**
n=685

**7% OF RESPONDENTS
SAID THEY HAVE A JOB THAT
IS RUNNING**
n=762

Some of survey respondents said they have a job. Some do not because there are simply not enough jobs for everyone.

Some jobs exist only to keep the institution running, such as sanitation orderlies, which means they are not well paid. Another 12 percent worked in the kitchen and 3 percent had other jobs that contributed to the institution.

Some prisoners who held and praised jobs and reported that they were helpful in reducing their risk of recidivism, including plumbing, welding, and commercial cooking.

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USING TIME TO REDUCE CRIME: Federal Prisoner Survey Results Show Ways to Reduce Recidivism

By Kevin Ring and Molly Gill

FAMM
SENTENCES
THAT FIT.
JUSTICE
THAT WORKS.

MAY 2017



FINDING 2: Prisoners had mixed reviews of mental health programs in federal prison.

More than half of those who responded to a question about the effectiveness of mental health programs in federal prison said it was either not helpful or of limited help, and fewer than half of those who responded said they would be willing to participate in a secular version of such a program.

Counseling did not alter my mood one way or the other comfortable enough to divulge any information but I never know what they may put in your record

Some prisoners who held and praised jobs and reported that they were helpful in reducing their risk of recidivism, including plumbing, welding, and commercial cooking.

FAMM
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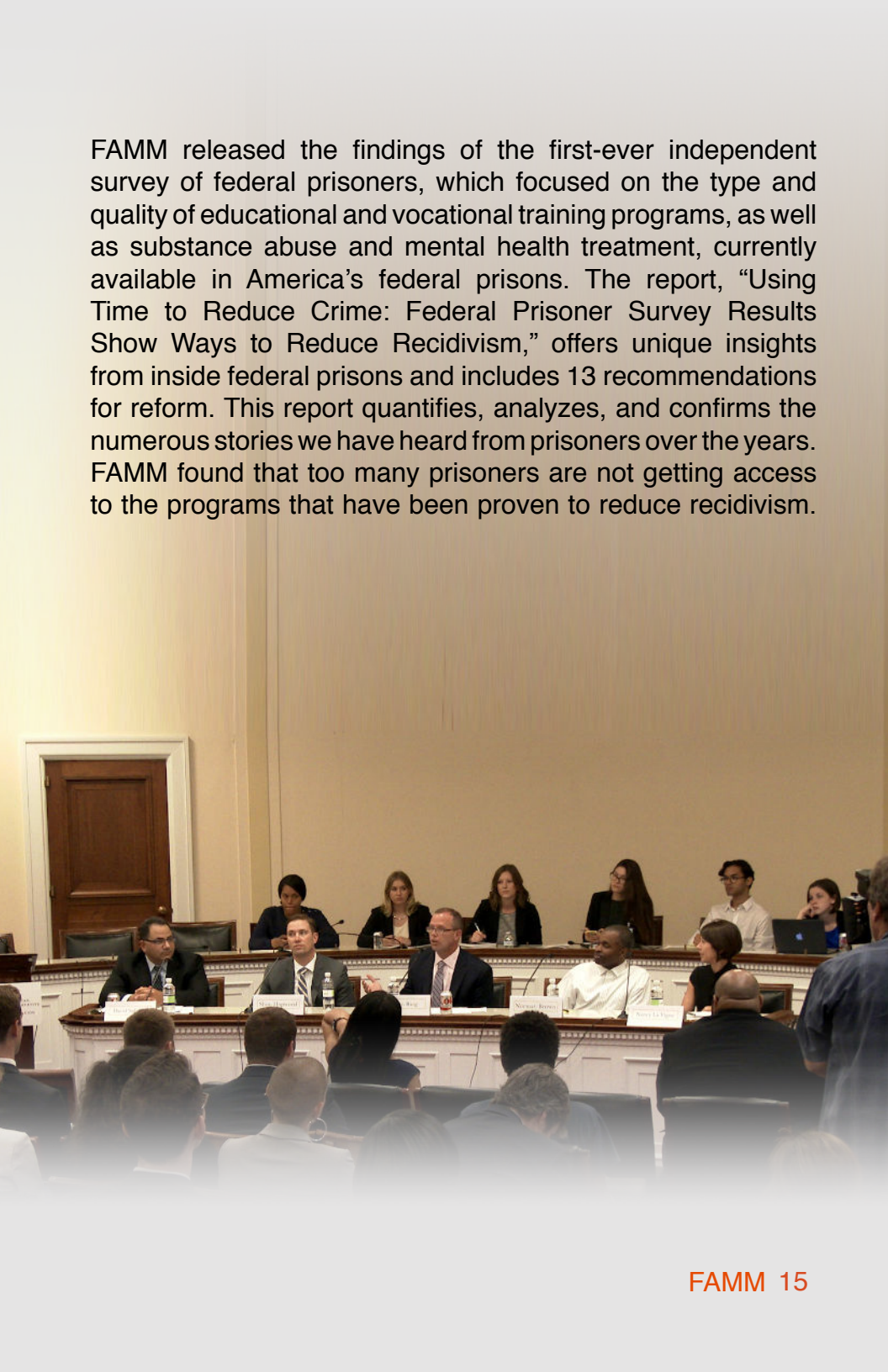
AUTHORS

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President
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Families Against Mandatory Minimums

ACKNOWLEDGMENTS

We are grateful to the thousands of federal prisoners who shared their experiences and ideas with us. Thanks also to Enrique Hualqui and Rabiah Burks for their support in conducting this report. Finally, we wish to acknowledge the support of all our donors, including the Charles Koch Foundation, which provided funding for the report.



Supreme Court: *Dean v. United States*

A longstanding advocate of judicial discretion, FAMM filed a friend-of-the-court brief in *Dean v. United States*. FAMM celebrated when a unanimous U.S. Supreme Court issued a decision allowing judges more freedom when deciding prison sentences. The Court underlined its commitment to protecting judicial discretion, ruling that courts may take into account the length of a mandatory minimum sentence when deciding how much additional time to impose on other counts of conviction.

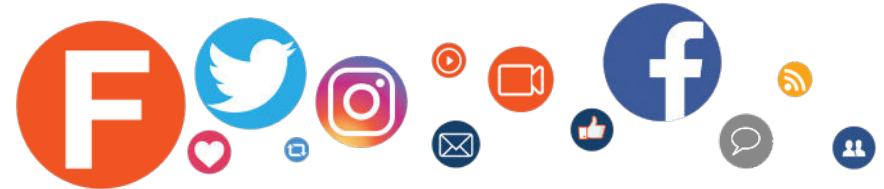


Presidential Commutations

FAMM celebrated President Obama's final commutation grants in January 2017. All told, President Obama commuted the sentences of 1,715 individuals who were serving excessive prison terms. FAMM was proud to be a founding member of Clemency Project 2014, the massive pro bono project that helped to identify federal prisoners who were eligible.

2017 Communications and Media Highlights

Online Communications and Social Media Outreach



FAMM is constantly evaluating our online platforms to strengthen our ability to reach our communications goals. Below is a list of the different tools we use and our average reach.

- FAMM.org: Our website averages 27K monthly users and 65,000 monthly page views.
- Corrlinks: FAMM uses Corrlinks to communicate with approximately 39,000 federal prisoners each month.
- Facebook: Our Facebook followers are mostly affected families. Likes: 42.7K | Followers: 41K | Avg Monthly Reach: 53,000 people
- Twitter: FAMM is followed by a mix of advocates, affected individuals, like-minded nonprofits, lawmakers, and journalists. Followers: 7,054 | Tweet impressions (reach): 2.4M people

FAMM in the Media

Our legal experts regularly serve as subject matter experts on criminal justice issues for news organizations such as the Wall Street Journal, AP, the Washington Post, the New York Times, Rolling Stone, and more. FAMM regularly sends out press releases, op-eds, and statements to promote our issues and reports.

2017 Major Media Placements



Prisoner Profiles/Storytelling

FAMM's Storytelling team produced 10 profiles in 2017. The year proved to be a good chance for the team to focus on telling the stories of the states, beginning with Tennessee. With the help of local advocates and lawyers, plus our own outreach in the state prisons, we identified, researched, and wrote two powerful stories about people sentenced under the state's drug-free school zone laws. These stories produced some of our strongest family advocates as well. One third of our stories in 2017 were Family Perspectives, in line with our increased focus on sharing the painful experience of having a loved one behind bars. The stories of 2017 reflect the Storytelling team's mission to find moving stories that advocate reform, educate the public, and give voice to the struggles of prisoners and families.

2017 Prisoner Profiles



Jodi Richter
Calvin Bryant
Cynthia Powell
Sara Moore
Terrance Davis
William Forrester

2017 Success Stories

Katie Hoyle

Family Perspectives

My Story: Danielle W.
My Story: Cassie M.
My Story: Kaylee G.

Multimedia/Video Production

FAMM's in-house multimedia production services produce low-cost, high-quality videos to better engage the public and legislators.

2017 Videos

Profiles

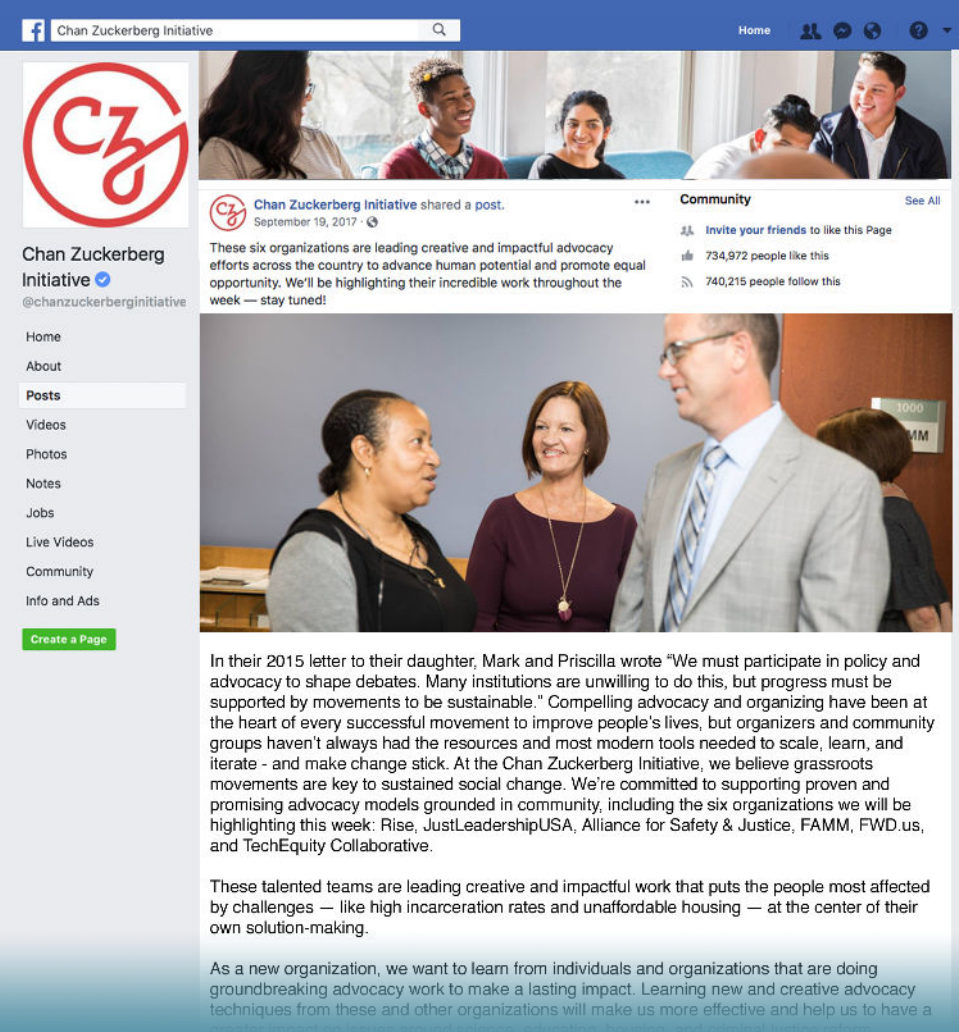
Shirley Schmitt: "She Never Sold a Single Ounce for Profit"
Jeff Woods: Sober and Stuck in Prison
Cynthia Powell: 25 Years for 35 Pills
Michael Giles: No Ordinary Defendant
Shon Hopwood
Nobody Cared: A Compassionate Release Story
A Loss in the FAMMily
"I know exactly what they mean"

Events

Maryland Parole Project Training
Prison Report Briefing

Explainers

What Is Compassionate Release? An explainer
Prison Report Video
Shocker: Who Really Sends People to Prison for Extreme Sentences?



Chan Zuckerberg Initiative Grant

In 2017, FAMM gained a major ally—the Chan Zuckerberg Initiative (CZI). FAMM was one of several recipients to receive a CZI Advocacy Innovation Grant. This grant allows FAMM to identify and engage more affected families and highlight their stories. We were able to redouble our efforts to amplify the voices of the mothers and fathers, sons and daughters, and sisters and brothers who know firsthand how and why our justice system needs to change.

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Annual gifts of \$1,000+

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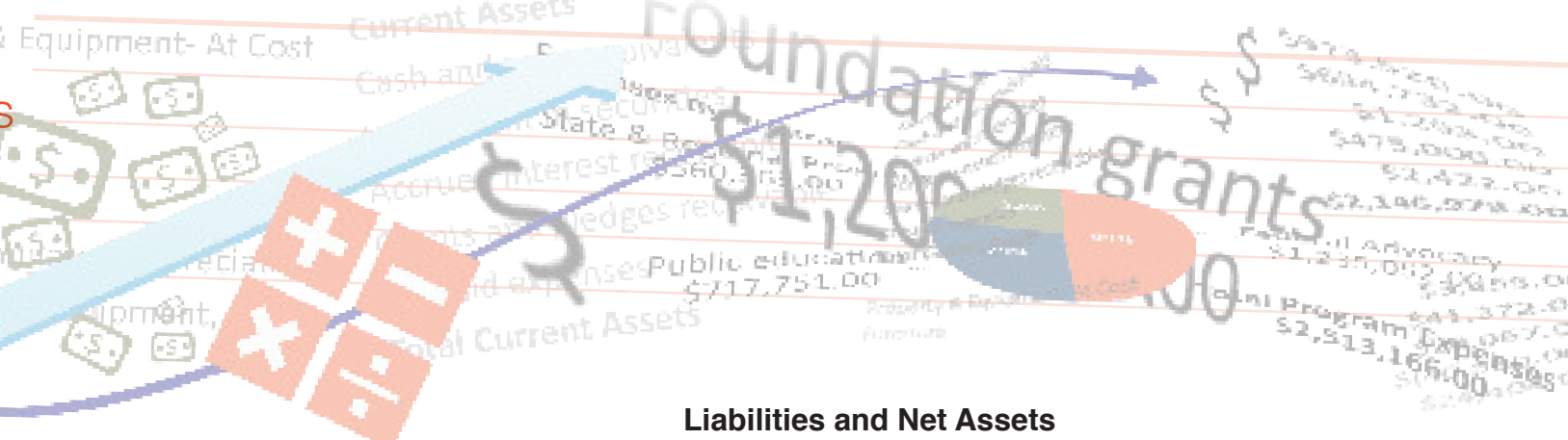
Squire Patton Boggs LLP

Glenn M. Willard

Williams & Connolly LLP

Amy Mason Saharia
Chanakya A. Sethi

2017 Financials



Current Assets

Cash and cash equivalents	\$972,204
Investment in securities	\$997,666
Accrued interest receivable	\$2,022
Grants and pledges receivable	\$1,188,800
Other receivables	\$1,770
Prepaid expenses	\$34,413
Total current assets	\$3,198,055

Property & Equipment—at Cost	
Furniture	\$3,495
Equipment	\$77,393
Software	\$20,067
Less: accumulated depreciation	\$(53,223)
Property and Equipment	\$47,732

Other Assets

Security deposit	\$16,668
Total other assets	\$16,668
Total assets	\$3,262,455

Liabilities and Net Assets

Liabilities

Accounts payable and accrued expenses	\$33,133
Accrued vacation payable	\$37,547
Payroll liabilities	\$18,127
Deferred rent	\$2,865
Total current liabilities	\$91,672

Net Assets

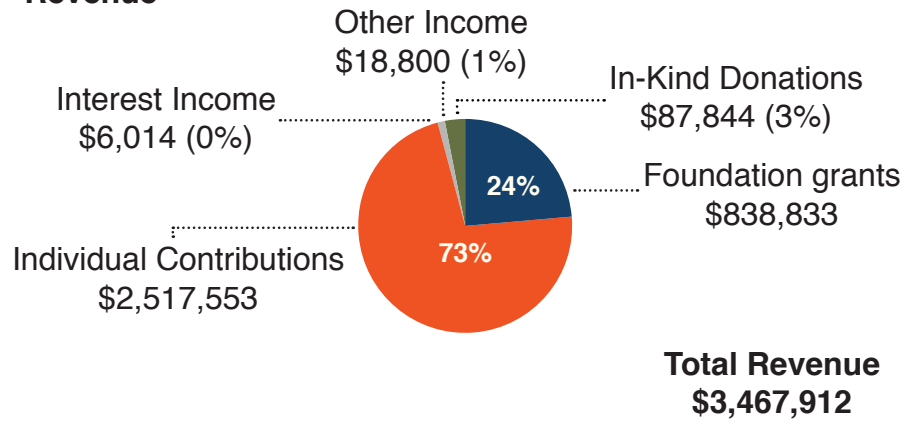
Unrestricted net assets	
Undesignated	\$918,283
Designated by board	\$990,000
Total unrestricted net assets	\$1,908,283
Temporarily restricted net assets	\$1,262,500
Total net assets	\$3,170,783

Total liability and net assets

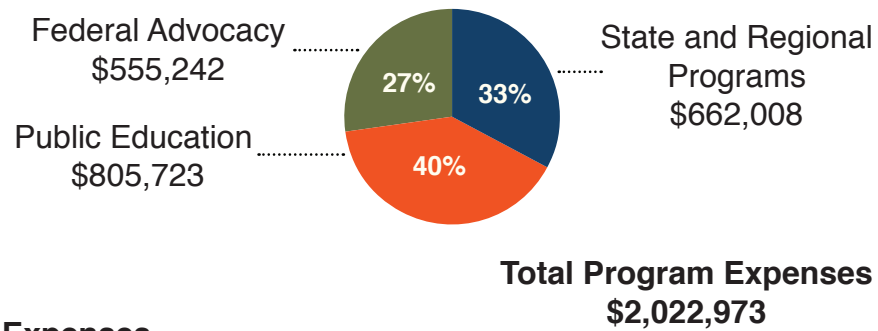
\$3,262,455

Financials continued

Revenue



Expenses by Program



Expenses

