

**EDITORS**

Douglas A. Berman
 Frank O. Bowman III
 Steven L. Chanenson
 Nora V. Demleitner
 Judge Nancy Gertner (Ret.)
 Mark D. Harris
 Paul J. Hofer
 Michael M. O'Hear

EDITORS EMERITI

Marc Miller
 Aaron Rappaport

FOUNDING EDITORS

Daniel J. Freed
 Marc Miller

ADVISORY BOARD

Albert W. Alschuler
 Andrew Ashworth
 Judy Clarke
 Richard S. Frase
 Roger W. Haines Jr.
 Thomas W. Hillier II
 Magdeline E. Jensen
 Marc Mauer
 Linda Drazga Maxfield
 Barbara Meierhoefer
 Jon O. Newman
 Charles J. Ogletree
 Dale G. Parent
 Kevin R. Reitz
 Jon M. Sands
 Michael E. Smith
 Kate Stith
 Michael Tonry
 Ronald F. Wright
 Kimba M. Wood
 Franklin E. Zimring

EDITOR'S NOTES

This Issue of the *Federal Sentencing Reporter* is focused around a set of primary materials and related commentary that generally address the size and scope of our national prison populations, but also places a special spotlight on the on-going review and reform of laws, policies, and practices that lead to the imprisonment of drug offenders. Recent Issues of *FSR* have highlighted the robust current discussions among leading Democrats and Republicans concerning the need for significant reform of modern federal sentencing. The materials in this Issue focus especially on how the broader reform debate is finding particular expression in the arena of federal drug sentencing laws and policies.

All observers of recent legal and political developments in this arena are sure to conclude that the long-running "war on drugs" has entered a new phase in recent years. As suggested by the title of this Issue, *Is the Drug War Ending or Retrenching?*, these developments raise dynamic and uncertain questions about the likely future of federal drug sentencing law and policy. While some may be eager to view recent developments as a signal that the war on drugs is finally coming to an end, others might believe (or even hope/fear) that they reflect a persistent fighting force deciding it can be more effective if it retrenches and regroup. This Issue of *FSR* seeks to provide a battlefield perspective on these matters while the future of the drug war remains so very uncertain.



Please send articles and editorial correspondence to:

Publication Manager
Federal Sentencing Reporter
E-mail: berman.43@osu.edu

Federal Sentencing Reporter (ISSN 1053-9867, e-ISSN 1533-8363) is published five times a year (February, April, June, October, December) by University of California Press, 155 Grand Avenue, Suite 400, Oakland, CA 94612-3764 for the Vera Institute of Justice. Periodicals postage paid at Oakland, CA, and additional mailing offices. POSTMASTER: Send address changes to *Federal Sentencing Reporter*, University of California Press, 155 Grand Avenue, Suite 400, Oakland, CA 94612-3764. E-mail: customerservice@ucpressjournals.com.

See www.ucpressjournals.com for single issue and subscription orders, and claims information. Domestic claims for nonreceipt of issues should be made within 90 days of the mail date; overseas claims within 180 days. Mail dates can be checked at www.ucpressjournals.com/ucpress.asp?page=ReleaseSchedule. University of California Press does not begin accepting claims for an issue until thirty (30) days after the mail date.

Inquiries about advertising can be sent to adsales@ucpressjournals.com. For complete abstracting and indexing coverage for the journal, please visit www.ucpressjournals.com. All other inquiries can be directed to customerservice@ucpressjournals.com.

Copying and permissions notice: Authorization to copy article content beyond fair use (as specified in Sections 107 and 108 of the U.S. Copyright Law) for internal or personal use, or the internal or personal use of specific clients, is granted by The Regents of the University of California on behalf of the Vera Institute of Justice for libraries and other users, provided that they are registered with and pay the specified fee through the Copyright Clearance Center (CCC), www.copyright.com. To reach the CCC's Customer Service Department, call (978) 750-8400 or write to info@copyright.com. For permission to distribute electronically, republish, resell, or repurpose material, and to purchase article offprints, use the CCC's Rightslink service, available on JSTOR at <http://www.jstor.org/r/ucal>. Submit all other permissions and licensing inquiries through the University of California Press's Rights and Permissions website, www.ucpressjournals.com/reprintInfo.asp, or via e-mail: journalspermissions@ucpress.edu.

Printed by The Sheridan Press, Hanover, PA.

© 2014 Vera Institute of Justice. All rights reserved.

Federal Sentencing Reporter Directory

Volume 18 (October 2005–June 2006)

- No. 1 *The State of Blakely in the States*
- No. 2 *Defense Perspectives on the Post-Booker World*
- No. 3 *Taking Stock a Year After Booker*
- No. 4 *Sentencing at the Supreme Court*
- No. 5 *Toward Real Reform: The Constitution Project Recommendations; Model Federal Sentencing Guidelines*

Volume 19 (October 2006–June 2007)

- No. 1 *Victims and Sentencing I: Victim Impact Evidence, the Crime Victims' Rights Act and Kenna*
- No. 2 *Victims and Sentencing II: Beyond the CVRA*
- No. 3 *Claiborne & Rita: Reasonableness Review in the Supreme Court*
- No. 4 *Information-based Sentencing Analysis*
- No. 5 *Assessing Crack-Cocaine and Mandatory Minimum Sentencing Provisions*

Volume 20 (October 2007–June 2008)

- No. 1 *Learning from Libby*
- No. 2 *Prisoner Reentry*
- No. 3 *White-Collar Sentencing*
- No. 4 *Debates and Realities Surrounding Crack Retroactivity*
- No. 5 *American Criminal Justice Policy in a "Change" Election*

Volume 21 (October 2008–June 2009)

- No. 1 *Thoughts for the U.S. Sentencing Commission*
- No. 2 *Sex Offenders: Recent Developments in Punishment and Management*
- No. 3 *ABA Roundtable on "Second Look" Sentencing Reforms*
- No. 4 *On the Shoulders of Giants*
- No. 5 *"Fast-Track" Sentencing*

Volume 22 (October 2009–June 2010)

- No. 1 *Decreasing Incarceration in the Federal System*
- No. 2 *Booker at Five*
- No. 3 *State of Emergency: The California Correctional Crisis*
- No. 4 *Common Problems and Different Solutions*
- No. 5 *Judicial Discretion: A Look Forward and a Look Back Five Years After Booker*

Volume 23 (October 2010–June 2011)

- No. 1 *Life Without Parole*
- No. 2 *Criminal Justice Policy Two Years After the Change Election*
- No. 3 *The Fair Sentencing Act and Its Legal Aftermath*
- No. 4 *Advice for the U.S. Sentencing Commissioners*
- No. 5 *Sentencing and Social Science*

Volume 24 (October 2011–June 2012)

- No. 1 *Sentencing Within Sentencing*
- No. 2 *Federal Child Pornography Sentencing*
- No. 3 *Considering Costs and Other Data*
- No. 4 *Prisoner Rights and Habeas Corpus: Assessing the Impact of the 1996 Reforms*
- No. 5 *The Post-Booker Advisory Guidelines: Problem or Solution?*

Volume 25 (October 2012–June 2013)

- No. 1 *Tracking TRAC's New Sentencing Data*
- No. 2 *Right to Assistance of Counsel: New Developments, Open Questions*
- No. 3 *Risk, Sentencing & Reform*
- No. 4 *Realigning California Corrections*
- No. 5 *Examining the U.S. Sentencing Commission's Latest Federal Sentencing Reports*