



**EDITORS**

Douglas A. Berman  
Frank O. Bowman, III  
Steven L. Chanenson  
Nora V. Demleitner  
Jelani Jefferson Exum  
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

**EDITORS' NOTES**

*FSR* frequently covers sentencing stories in the states because federal policymakers and practitioners always can, and always should, draw insights from sentencing experiences in other jurisdictions. Recent legislative developments provide yet another reason for followers of federal sentencing to keep a watchful eye on state trends: the new landmark federal reform legislation, the FIRST STEP Act, garnered widespread and bipartisan support in large part because it drew significantly from successful state-level reform efforts.

Given that federal sentencing laws and practices focus so much on drug offenses, state reforms in this arena may provide particularly important lessons. This Issue of *FSR* spotlights recent efforts by a handful of states to reclassify all drug possession offenses from a felony to a misdemeanor. Though the federal system prosecutes relatively few simple possession cases, recent developments in the states can still provide an important window into broader political and policy issues that all drug sentencing reforms engender.

This *FSR* Issue also benefits from a separate article covering another notable piece of federal legislation that Congress enacted during the final month of 2018, an amendment to federal restitution statutes called the "Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018." *FSR* was fortunate to get victim advocates Paul Cassell and James Marsh, who litigated child pornography restitution issues up to the Supreme Court and thereafter advocated for a congressional response to the Supreme Court's ruling, to prepare for this Issue the first major article about this notable new legislation.



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@ucpress.edu.

See <http://fsr.ucpress.edu/content/subscriptions-and-single-issues> 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 <http://www.ucpress.edu/journals.php?p=release>. University of California Press does not begin accepting claims for an issue until thirty (30) days after the mail date.

For complete abstracting and indexing coverage for the journal, please visit <http://fsr.ucpress.edu>. All other inquiries can be directed to customerservice@ucpress.edu.

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](http://www.copyright.com). To reach the CCC's Customer Service Department, call (978) 750-8400 or write to [info@copyright.com](mailto: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 at <http://fsr.ucpress.edu>. Submit all other permissions and licensing inquiries through the University of California Press's Reprints and Permissions web page, <http://www.ucpress.edu/journals.php?p=reprints> or via email: [jpermissions@ucpress.edu](mailto:jpermissions@ucpress.edu).

Printed by The Sheridan Press, Hanover, PA.  
© 2019 Vera Institute of Justice. All rights reserved.

## Federal Sentencing Reporter Directory

### 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*

### Volume 26 (October 2013–June 2014)

- No. 1 *White-Collar Sentencing*
- No. 2 *New Momentum for Federal Sentencing Reform*
- No. 3 *Critical Issues in the Use of Risk Assessments, Prior Record Enhancements, and Probation/Parole Revocation*
- No. 4 *Is the Drug War Ending or Retrenching?*
- No. 5 *Gauging the Enduring Impact of Sentencing Reforms*

### Volume 27 (October 2014–June 2015)

- No. 1 *Doing the Right Thing: The Evolving Role of Human Dignity in American Sentencing and Corrections*
- No. 2 *Military Sentencing: Another Federal Sentencing System (Part 1)*
- No. 3 *Military Sentencing: Another Federal Sentencing System (Part 2)*
- No. 4 *The Risk Assessment Era: An Overdue Debate*
- No. 5 *Assessing USSC Amendments to Economic Crime Guidelines*

### Volume 28 (October 2015–June 2016)

- No. 1 *Sentencing Reform Distinctly Paced by Congress and the Supreme Court*
- No. 2 *Parole in America & the Status of Federal Sentencing Reform Legislation*
- No. 3 *Sentencing a Decade after Booker*
- No. 4 *Supervision: A Path to Successful Reentry or a Ticket to Prison?*
- No. 5 *Changing Punitiveness*

### Volume 29 (October 2016–June 2017)

- No. 1 *Justice Reinvestments*
- Nos. 2-3 *Advice for the New Congress and Administration*
- No. 4 *Sentencing Then ... and Now: Judicial Perspectives on Judicial Perspectives*
- No. 5 *Obama's Clemency Project: Looking Back*

### Volume 30 (October 2017–June 2018)

- No. 1 *Assessing DOJ's Charging and Sentencing Policies*
- No. 2 *Sentencing in the Nation's Heartland*
- No. 3 *Has the Role of U.S. Attorneys Been Changing?*
- Nos. 4-5 *Managing Collateral Consequences in the Information Age*

### Volume 31 (October 2018–June 2019)

- No. 1 *The Norwegian Sentencing and Correctional Systems*