

Testimony of De-Ann Coffman  
United States Sentencing Commission  
Public Hearing on Retroactivity  
November 13, 2007

I am De-Ann Coffman. I want to thank the Commission for giving me this opportunity to testify. I am here to share my personal perspective. When I was 21 years old I was sentenced to life plus 5 years in federal prison for the role I played in my boyfriend's drug operation. After numerous appeals and many years in prison my sentence was lowered to 85 years. While that still sounds like a very long time, as I saw it, at least I had a release date. Were it not for President Clinton's commutation of my sentence, I would not have left federal prison until I was 95 years old, were I to live that long. Instead, I was freed in January 2001 after serving nearly ten years in federal prison.

To be clear, the crack cocaine amendment would not have helped me. I am really here to speak for the many women serving sentences for crack cocaine that I know from my time in prison. I will try to tell you what I think they would say if they were given the opportunity to be here as I have.

If they were here, I believe they would tell you how much it means to them that you have lowered crack cocaine sentences. The Commission has provided important leadership to challenge this terrible sentencing law and taken a very meaningful step towards reform. I ask you, for the sake of the women I served with, to now take the next step.

The Sentencing Commission has been in the forefront of exposing the severity of crack cocaine penalties. You have explained how crack sentences do not fit the crime; how they condemn low-level participants such as street dealers, girlfriends and couriers to kingpin-size

sentences; and how they result in racial disparity. People serving sentences for crack cocaine are immensely heartened by your efforts. You have helped others raise their voices against this injustice. You have given judges and lawyers and advocates, like FAMM, the information they need to fight to change these laws.

You know all this already. What I think you don't know is what it feels like to serve a sentence that the Commission and all these others know is unjust and say is unjust and yet are unable to correct. I woke up every day for the first five years with my first thought being I may never leave here. It is profoundly frustrating. By any assessment, my sentence was too long and yet no one in the criminal justice system could do anything to shorten it.

People convicted of crack cocaine offenses serve years longer in prison than they would serve were they sentenced for powder cocaine. They keep hearing how wrong this is and cannot understand why, if so many people and even the Sentencing Commission feel this way, why nothing changes. So the years stretch on. It is intolerable and at times unbearable.

As someone who has spent time in prison, I can testify that every day and every month is hard—it puts a strain on the person in prison. It puts a strain on the people outside of prison waiting for a loved one to come home. To those who are not in prison, reducing a sentence by 10, 15, 20, or 25 months may not seem worth the trouble of extra court proceedings or paperwork. To someone in prison it means making it home before you get that phone call that one of your parents is dead, that one of your children has resorted to the streets because their mother and father are both in prison for what seems like a lifetime. Every day counts, every second counts—once lost, neither that time nor those people can ever be replaced.

So you can imagine why your taking this first step to correct that injustice means so much to me and to the women I have left behind in prison. I feel their pain each and every day of my life.

Today, you are considering whether to permit people serving guideline sentences for crack cocaine the opportunity to apply for a sentence reduction. To declare the guideline amendment retroactive would be an act of justice. I was the beneficiary of an act of justice. When President Clinton commuted my sentence, I was literally handed my life back. Certainly being freed from prison was enormous; but that clemency meant something else as well. That day I was important, that day I counted, that day I was no longer just a number. I cannot begin to tell you what that means. It meant that someone who had the power to correct an unjust sentence cared enough to do so for me. I had almost given up believing that such a thing could happen.

You have that same power. You have the power to correct unjust sentences in thousands and thousands of cases. If you exercise it, you are telling nearly 19,500 people not only that their sentences are indefensibly long, but that you will not tolerate this injustice. By doing so you are telling these prisoners that what happens to them matters to you; that *they* matter to you. And, in the process, you may even help restore some of the lost faith in the criminal justice system.

I speak for every woman I served time with. May you hear my voice thousands of times today in my effort to convince you to exercise your power to do justice in these cases.

Thank you for letting me speak to you today on their behalf.