

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/manafort-sentencing-highlights-problems-in-the-criminal-justice-system-but-not-in-the-way-many-claim>

Public Facing Advocacy Writing

There has been widespread outcry over Paul Manafort's sentencing.

Earlier today, [Judge Amy Berman Jackson sentenced Manafort to three and a half years in prison](#) for two conspiracy charges. In another case last week, Judge T.S. Ellis III sentenced Manafort convicted in that case of five counts of tax fraud, two counts of bank fraud, and one count of failure to report a foreign bank account [to 47 months in prison](#). In total, Manafort is facing seven and a half years in federal prison.

Federal sentencing guidelines for Manafort's first set of convictions recommended 19 to 24 years in prison, and many pointed out the glaring disparity between his sentence and the treatment that poor people and people of color receive in the criminal justice system every day. [Brooklyn public defender Scott Hechinger tweeted](#), For context on Manafort's 47 months in prison, my client yesterday was offered 36-72 months in prison for stealing \$100 worth of quarters from a residential laundry room. His tweet went viral and was picked up by national news. Others compared Manafort to [Crystal Mason, who was sentenced to five years in prison for mistakenly voting while on parole in 2016](#). After the second sentence was handed down, [Sen. Elizabeth Warren tweeted](#), Paul Manafort just got 43 more months for a new raft of crimes. Black men like Bernard Noble can get decades just for selling 2 joints. We need criminal justice reform so the well-connected play by the same rules as everyone else. Now.

There is no doubt that the criminal justice system treats wealthy white people far better than poor people and people of color. Research has shown that on average [black men are sentenced to 19 percent longer federal sentences than white men](#), even controlling for past criminal justice involvement and other factors. Further, people languish longer than 47 months in prison for crimes that cause much less harm than Paul Manafort's millions of dollars of tax and bank fraud. In 28 states people can receive five year sentences and sometimes even more for relatively small theft. In Massachusetts, for example, people can be sentenced to as much as five years in prison for stealing as little as \$250 worth of merchandise.

The criticism of Manafort's sentence did not stop with critiques of the troubling disparities in the criminal justice system. Many also condemned the sentence as too short. An [editorial in the Boston Globe](#) said Talk about a slap on the wrist, while an [op-ed on CNN.com written by a former federal prosecutor](#) decried, Simply put, Judge Ellis's sentence is an injustice. It fails to adequately punish Manafort for committing a series of deliberate crimes over many years.

The problem, however, is not that Manafort's sentence is too lenient it is that other sentences in the United States are much too harsh. We think three and a half years and 47 months in prison are short sentences only because we expect such a vastly longer norm. In other countries, the expectations are different. In [Germany and the Netherlands](#), for example, more than 90 percent of prison sentences are for two years or less. In Norway, the maximum prison sentence a person can receive for premeditated murder, no matter the number of victims, is 21 years. That's less than the maximum the federal sentencing guidelines recommended for Manafort's tax and bank fraud. In handing down the sentence Judge Ellis rightly recognized that our sense of an appropriate sentence is off kilter, calling the federal sentencing guidelines excessive. And research confirms that [lengthy sentences do not make society safer or deter crime](#). They do, however, damage people and communities, while costing tax payers billions of dollars.

Manafort's 47-month sentence may be an outlier in its leniency within the American system, but the answer is not to give him a longer prison sentence. Rather, everyone passing through the criminal justice system deserves a judge who thinks critically about lengthy sentencing guidelines, and provides individual consideration to that person. We do not need the courts to treat Manafort like everyone else. We need the courts to treat everyone else like a wealthy, privileged white man.

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