

SUMMARY OF ACLU'S UNIVERSAL PERIODIC REVIEW SUBMISSION



Time to End Extreme Sentencing in the United States

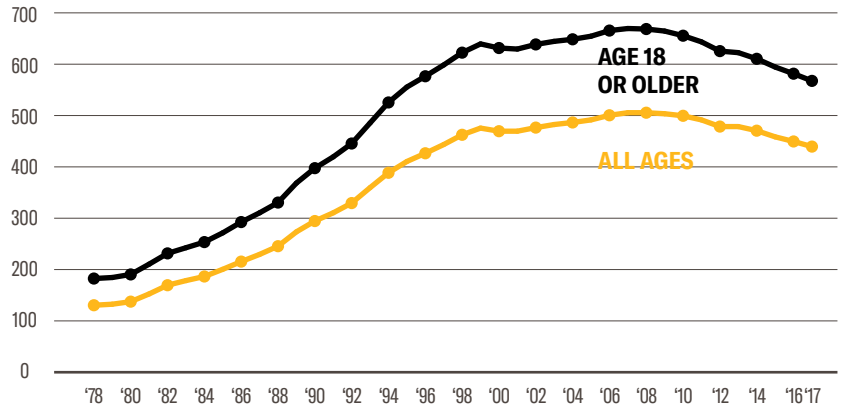
MASS INCARCERATION

IN 2017 THERE WERE
2.2 MILLION PRISONERS
IN THE UNITED STATES.¹
1 IN 7 ARE SERVING
LIFE SENTENCES.²

NEARLY 12,000 PEOPLE
HAVE BEEN SENTENCED
TO LIFE FOR CRIMES
COMMITTED AS JUVENILES.³

PER CAPITA RATES OF INCARCERATION IN THE UNITED STATES FROM 1976⁴

NUMBER OF PRISONERS PER 100,000 PEOPLE



MASS INEQUALITY

**BLACK MEN ARE
6× MORE LIKELY**
THAN WHITE MEN
TO BE INCARCERATED⁵

BLACK AND LATINX PEOPLE REPRESENT

28%

OF THE U.S. ADULT
GENERAL POPULATION



AND

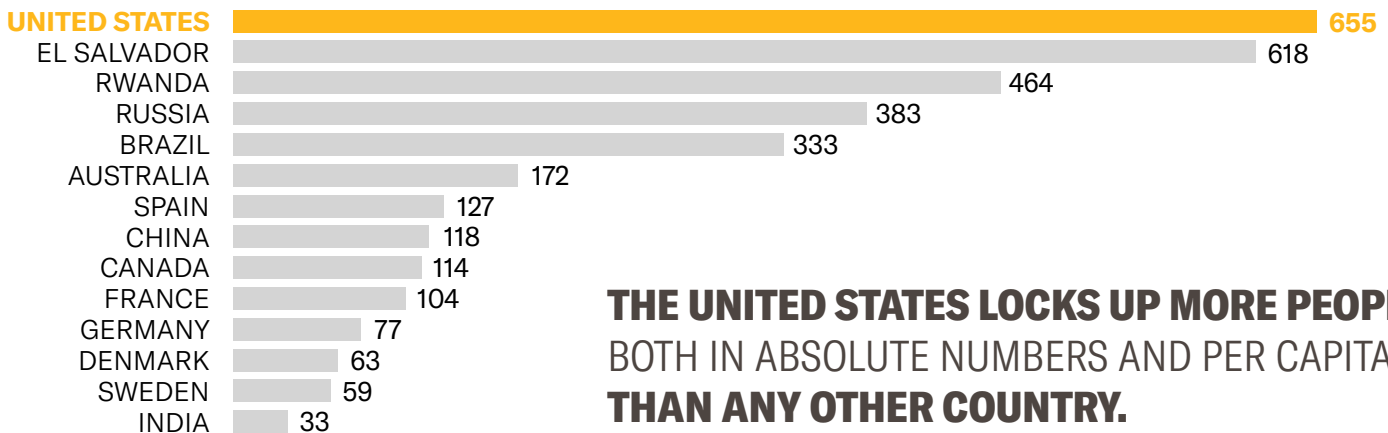


56%

OF THE U.S. ADULT
PRISON POPULATION⁶

HOW WE COMPARE

INTERNATIONAL RATES OF INCARCERATION PER 100,000 PEOPLE IN 2019⁷



**THE UNITED STATES LOCKS UP MORE PEOPLE,
BOTH IN ABSOLUTE NUMBERS AND PER CAPITA,
THAN ANY OTHER COUNTRY.**

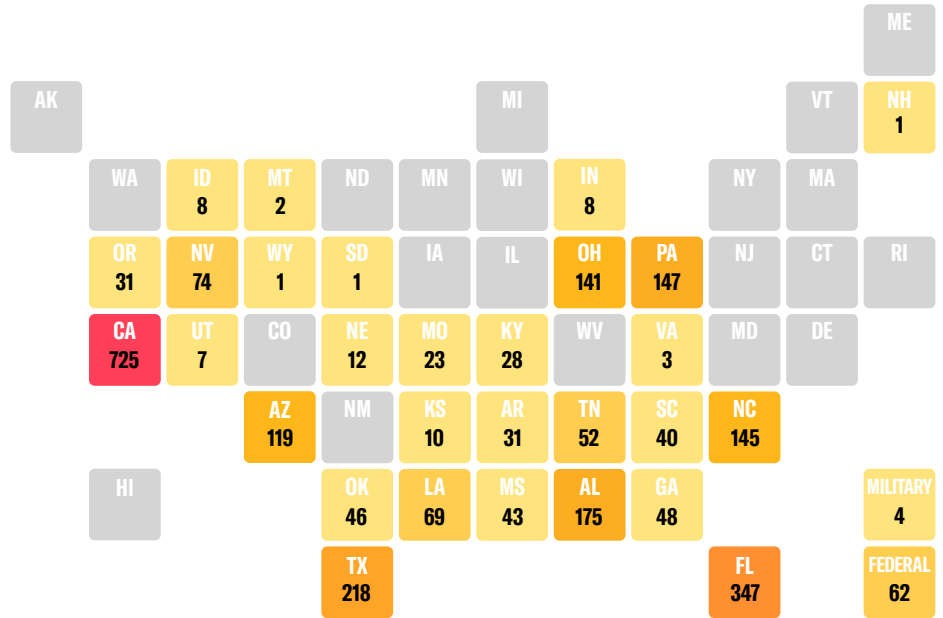
THE DEATH PENALTY

29 STATES AND THE FEDERAL GOVERNMENT FORMALLY RETAIN THE DEATH PENALTY.

2,617 PEOPLE WERE ON DEATH ROW AS OF JANUARY 1, 2020.

CALIFORNIA, FLORIDA, & TEXAS, ACCOUNT FOR NEARLY HALF OF ALL PEOPLE ON DEATH ROW

NUMBER OF CURRENT DEATH ROW INMATES IN EACH STATE ⁸



RECOMMENDATIONS



SENTENCING REFORM:

- Eliminate mandatory minimums for drug crimes and three-strikes laws and apply them retroactively
- Pass federal legislation that allows anyone who has served 10 years or more to apply for resentencing
- Pass legislation that limits life sentences to 20 years and ends mandatory life in prison without parole and eliminates juvenile life without parole



EXECUTIVE CLEMENCY REFORM:

- Expand executive clemency, in which the president or a state governor may order a commutation of a sentence
- A presumption of release for certain categories of persons; for example, people still serving time for drug-related offenses where laws have since changed



PAROLE AND FEDERAL RELEASE REFORM:

- Enact policies that allow people to file for elderly release after age 50 directly with the courts
- Expand presumptive parole models where the burden is on the parole board to provide evidence for why a person should remain in prison
- States should expand release eligibility for all offenses



END THE DEATH PENALTY:

- The federal government should impose a national moratorium on the use of the death penalty and Congress should pass legislation abolishing the federal death penalty.

NOTES

¹ Wendy Sawyer and Peter Wagner, Mass Incarceration: The Whole Pie 2019, Prison Policy Initiative (Mar. 19, 2019)

² Still Life: America's Increasing Use of Life and Long-Term Sentences, The Sentencing Project (2017)

³ Id.

⁴ Bureau of Justice Statistics, National Prisoner Statistics, 1978-2017; and U.S. Census Bureau, post-censal resident population estimates for January 1 of the following calendar year.

⁵ Bronson J. and Carson, E.A. (2019). Prisoners in 2017.

Washington, DC: Bureau of Justice Statistics.

⁶ John Gramlich, The Gap Between the Number of Blacks and Whites in Prison is Shrinking, Pew Research Center (Apr. 30, 2019)

⁷ Walmsley, R. (2019). World Prison Brief. London: Institute for Criminal Policy

⁸ Death Row Population Figures from NAACP Legal Defense and Educational Fund, Inc. "Death Row USA" (January, 2020).