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 INCARCERATED ⁵

BLACK AND LATINX PEOPLE REPRESENT

28% OF THE U.S. ADULT GENERAL POPULATION AND 56% OF THE U.S. ADULT PRISON POPULATION ⁶

HOW WE COMPARE

INTERNATIONAL RATES OF INCARCERATION PER 100,000 PEOPLE IN 2019 ⁷

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

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

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

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

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

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.
6 John Gramlich, The Gap Between the Number of Blacks and Whites in Prison is Shrinking, Pew Research Center (Apr. 30, 2010)