

Coalition For Prisoners' Rights Newsletter

Vol. 47-D, No. 9

PO Box 1911, Santa Fe NM 87504

September 2022

DEATH BY INCARCERATION

The United States condemns one in every seven prisoners – more than 200,000 people – to die in prison. Over two-thirds of them are people of color. In September 2022, several human rights organizations submitted a 31 page complaint to the United Nations, pointing out that the United States is committing torture and violating the prohibition against racial discrimination by condemning people death by incarceration through extreme sentences of "life" and "life without the possibility of parole (LWOP)".

As we know, death by incarceration is the devastating consequence of our cruel and racially discriminatory criminal legal system. As a person with such a sentence points out: "These sentences of death by incarceration are disproportionately handled down to people of color of limited education, with fewer resources and they have failed to make communities safer. Death by incarceration sentences have not reduced crime...and they create prison environments of hopelessness which is a danger in and of itself. The recidivism rate of those who were paroled from death by incarceration sentences is lower than any other group of 'offenders'".

Black and Latino people are disproportionately sentenced to death by incarceration nationwide, with significant racial disparities in rates of release and parole. There are also considerable racial disparities at the charging and trial states, which, in turn, impact sentencing.

The Committee Against Torture is the official body that administers the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, which the United States has ratified. When the U.S. ratifies a treaty, its mandates become part of domestic law under the U.S. Constitution's Supremacy Clause.

Both the Committee Against Torture and the UN special rapporteur on torture have recommended the abolition of LWOP for juveniles. *The United States is the only country that allows the sentencing of youth to life without parole – of which 70% so sentenced are children of color.*

After the police murder of George Floyd, the International Commission of Inquiry on Systemic Racist Police Violence Against People of African Descent in the United States issued a 188 page report documenting racial profiling at every stage of the criminal legal system. As we know, both traffic and street stops are common precursors to police killings and uses of excessive force which have a disparate impact on people of African descent, Indigenous Peoples, persons of Hispanic/Latino origin and Asian descent and undocumented migrants.

In the United States, people of color are charged with the death penalty, sentenced to death and executed in disproportionate numbers compared to "white" people. The methods of putting people to death amount to torture. Brutal physical torture was used almost exclusively against Black suspects in Chicago for 20 years beginning in the 1970s and sanctioned at the highest level of the Chicago Police Department, the Cook County State's Attorneys' Office and Mayor Daley's office.

Torture survivors still remain behind bars because of coerced confessions, as are many other predominately persons of color who have been and continue to be, subjected to all forms of physical and psychological torture –throughout the United States.

In 2011, the U.N. special rapporteur on torture called for a prohibition on solitary confinement beyond 15 consecutive days – but it remains common in the U.S...

Resources

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