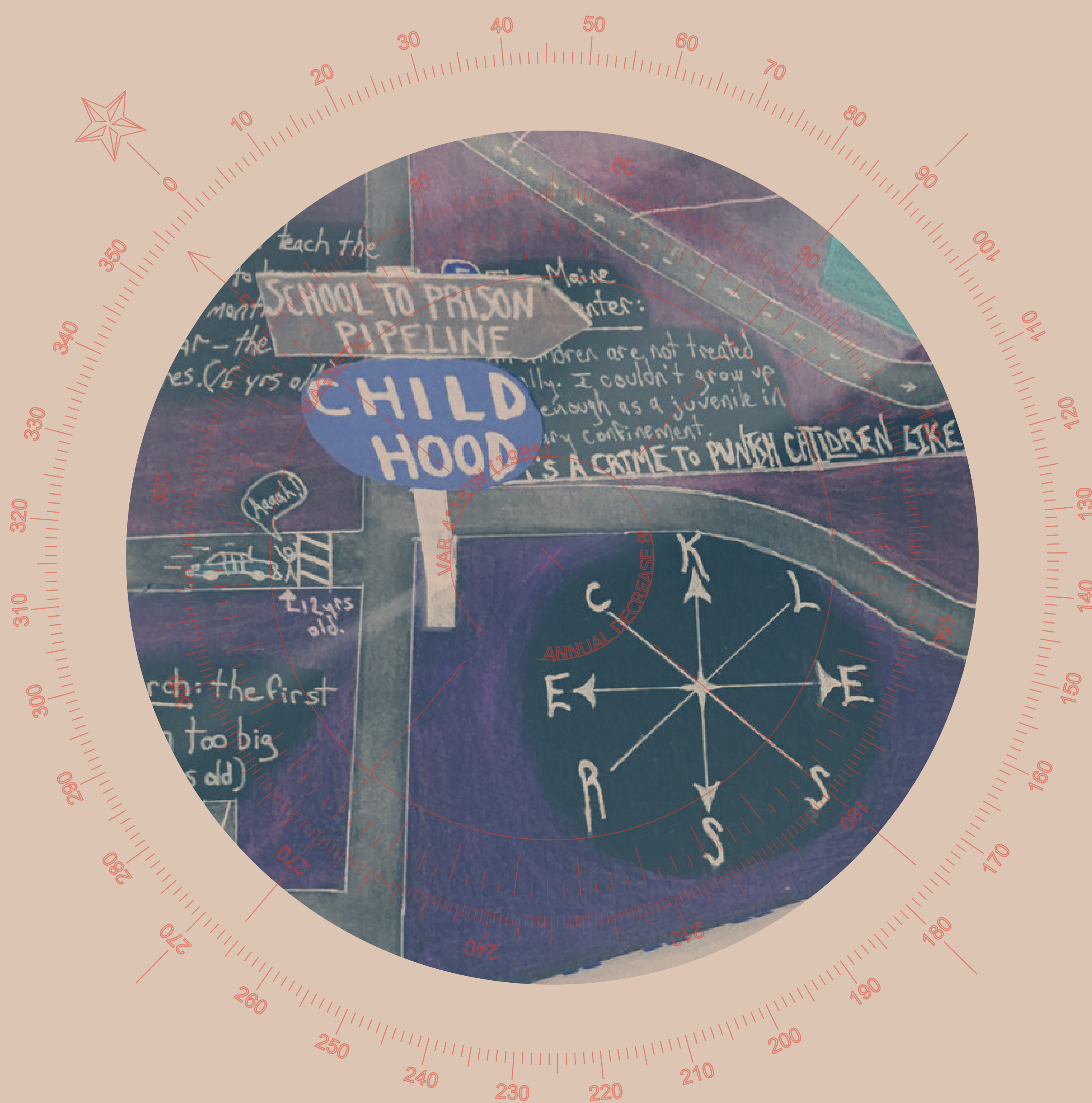


A SNAPSHOT OF SOLUTIONS

Re-Vision the prison system: In Sweden, the Correctional Officers fill both security and rehabilitative roles. Officers are assigned to specific prisoners and actively monitor and assist with planning and progress toward their life after release. In “open prisons,” prisoners and staff eat together, do not wear uniforms, and prisoners are able to commute to jobs and visit family while electronically monitored. As the director general of prisons explains, “It has to be a goal to get them back out into society in better shape than they were when they came in.” (The Guardian, Jan. 15, 2015)

Implement Restorative Justice and Restorative Practices: There are numerous restorative initiatives taking place throughout the criminal justice process, from pre-arrest to post-sentencing, including juvenile diversion programs, victim-offender dialogue, conflict resolution among prisoners, preparation for release, and community re-entry.



"I'm amazed at the talent that's in him and the striving to make life better for himself under the circumstances and also the others that are there. I sent him money for Christmas and he used most of it to help somebody who needed a pair of shoes. Because that other inmate never had anyone to visit him or provide anything extra.

I watched a documentary about prisons in Germany and thought, "Oh, I wish he was there. They believe everybody deserves a chance to better themselves and then go back into society. I wish if this had to happen, it had been there. Then he would have a second chance."

WHAT CAN DEATH ROW TEACH US?

Death row is a microcosm of our over-incarcerated nation. Almost all residents are low-wealth. They are disproportionately racial and ethnic minorities. Most endured multiple adverse childhood experiences, from violence to physical and sexual abuse to impoverished conditions and high crime neighborhoods. Psychological disorders, including depression, bipolar disorder, and trauma-related disorders, are rampant, and mental illness is itself a risk factor for landing in jail.

To add to this perspective, hundreds have been convicted who were actually innocent of the crime.

Often, we imagine those on death row are the “worst of the worst.” Yet, only 1% of murders in the US have resulted in a death sentence. Are those living on death row really the “worst,” or are they simply those with the “worst” contributing factors: The least competent lawyers, the lowest income levels, the most aggressive DA’s, and the darkest skin color?

A SNAPSHOT OF OUR NATIONAL STATE OF INCARCERATION

The US incarcerates more of its population than any other country in the world. We now hold 25% of the world’s prisoners. The US also spends about 70 billion dollars on corrections every year.

Effect on Families: More than 10 million children have parents who have been in prison or jail. Half these children are younger than 10. Almost 3 million children have a parent who is currently incarcerated. The effects of this massive prison population stretch to the very foundations of our society.

Poverty/Wealth: The American prison system is filled with some of the poorest people in this country, people who lack both a quality education and access to good jobs. Indeed, boys born into households in the bottom 10% of earners are 20 times more likely to be in prison on a given day than children born into the top 10%. As far as the relationship between wealth and the death penalty, the former warden of California’s San Quentin Prison has said bluntly that capital punishment is “a privilege of the poor.”

Mental Illness: Department of Justice statistics state that 64 percent of local jail inmates, 56 percent of state prisoners, and 45 percent of federal prisoners suffer from serious mental illnesses. Many more suffer from other mental issues. The US prison system is now the largest mental health treatment facility in the country.

Equity: Across the country, African Americans are incarcerated in state prisons at a rate that is 5.1 times the rate for whites. In Iowa, Minnesota, New Jersey, Vermont, and Wisconsin, the disparity is greater than 10 to 1. Additionally, people convicted of murdering a white person are far more likely to receive a death sentence than those convicted of killing a person of color.

A SNAPSHOT OF NORTH CAROLINA'S DEATH ROW

More than **75%** of the **142** death row residents were convicted before 2001, when obsolete laws were finally reformed.

- **131** were tried before reforms aimed at preventing false and coerced confessions, as well as mistaken eyewitness identification. Mistaken eyewitness identification is the biggest contributor to wrongful convictions, playing a role in more than 70% of cases where people have been exonerated.
- **103** were sentenced before there was an Indigent Defense Services overseeing the competence of defense attorneys. As the ABA stated, legal defense for death row inmates was simply inadequate, with poorly financed, often incompetent defense lawyers who failed to uncover and present crucial evidence or at times to prepare any strategy at all, who appeared in court under the influence of drugs or alcohol, or who failed to even attend hearings.
- **103** were tried when the law forced prosecutors to go after the death penalty in almost every first-degree murder case, even when they believed the circumstances called for mercy or there were questions of innocence.
- **119** were tried before defendants had the right to see the evidence in the prosecutor's file, a disclosure which helps prevent prosecutorial misconduct. For instance, death sentences in many states originate from only a handful of counties. In North Carolina, a former prosecutor in Robeson County was listed for a time in the Guinness Book of World Records as the world's deadliest DA. This prosecutor committed misconduct in more than 36% of his death penalty prosecutions.
- **104** were sentenced before a law barring the execution of people with intellectual disabilities. In 2002, the US Supreme Court ruled that executing people with intellectual disabilities violated the ban on cruel and unusual punishment.

(All information taken from the Dept of Justice Bureau of Justice Statistics, Center for Death Penalty Litigation, Death Penalty Information Center, Prison Policy Initiative, and the Sentencing Project.)

