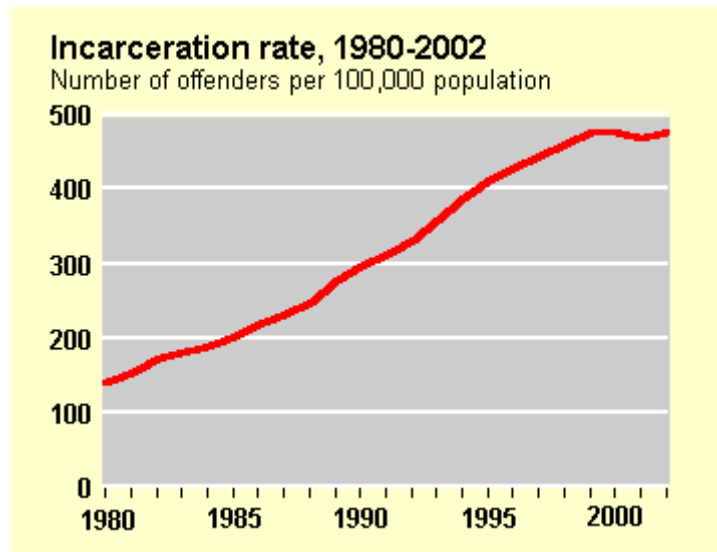


REPORT OF THE ABA JUSTICE KENNEDY COMMISSION FACT SHEET

The United States imprisons more people than any other country in the world.

- The nationwide inmate population today is about 2.1 million people. In California alone, there are more than 160,000 persons behind bars.
- Between 1974 and 2002, the number of inmates in federal and state prisons rose from 216,000 to 1,355,748, a more than six-fold increase.
- The likelihood of an American going to prison sometime in his or her life more than tripled between 1974 and 2001.
- According the U.S. Department of Justice Bureau of Justice Statistics, the number people incarcerated under state and federal jurisdictions per 100,000 of the total population grew from 139 in 1980 to 476 in 2002.

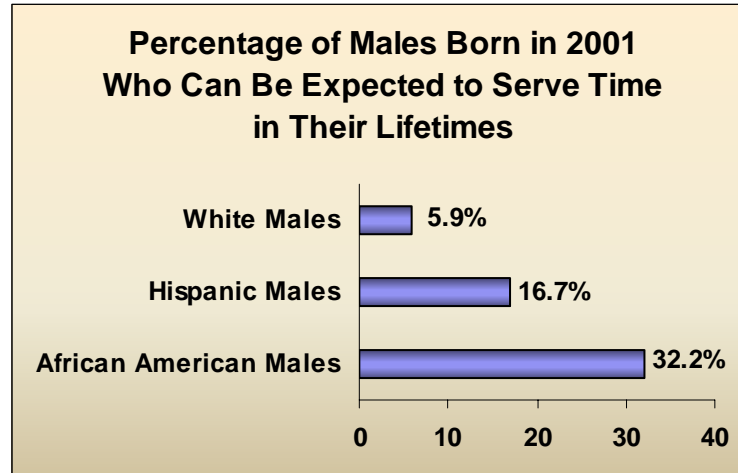


Source: Correctional Populations in the United States, 1997 and Prisoners in 2002, U.S. Department of Justice Bureau of Justice Statistics

- In countries such as England, Italy, France and Germany, the incarceration rate is about 1 in 1,000 persons.
- Between 1982 and 1999, direct expenditures on corrections by federal, state and local governments jumped from \$9 billion to \$49 billion, an increase of more than 440%.

Over-reliance on incarceration disproportionately affects minorities.

- An African American male born in 2004 has a 32.2 percent likelihood of being incarcerated sometime during his lifetime.



- An African American male born in 2001 has a 1 in 3 chance of being imprisoned during his lifetime, compared to a 1 in 6 chance for a Latino male and a 1 in 17 chance for a white male. If current rates of incarceration continue, 32.2 percent of African American males born in 2001 will be incarcerated at some point in their lives, compared to 16.7 percent of Hispanic males and 5.9 percent of white males.
- About 10 percent of African-American men in their mid-to-late 20s are behind bars. In some cities more than half of young African-American men are under the supervision of the criminal justice system.
- More than 60 percent of the people behind bars in America are people of color.
- In 1999, African-Americans constituted 13 percent of drug users, Hispanics, 11 percent, and whites, 72 percent. In that same year, African-Americans constituted 35 percent of drug arrests, 53 percent of drug convictions, and 58 percent of those in prison for drug offenses.

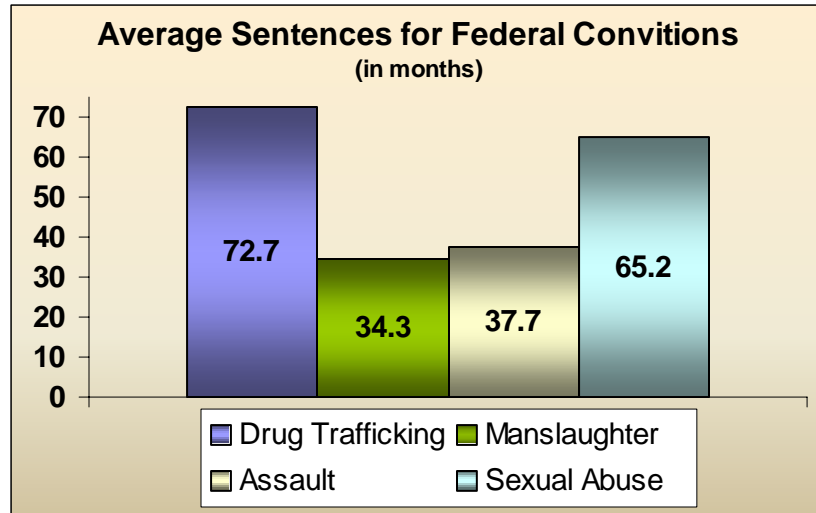
Criminal justice systems do not prepare people to successfully reenter society.

- Approximately 95 percent of all inmates are eventually released.
- Nationwide, more than 650,000 inmates will be released from prison in 2004.
- According to the Criminal Justice Institute, the national recidivism rate in 2000 was almost 34 percent.

- In California, the state with the highest recidivism rate in the country, more than 55 percent of inmates released from prison return within 2 years.

Drug laws, particularly mandatory minimum sentences for drug crimes, are the largest driver of expanding prison populations.

- Between 1980 and 1990, the number of drug arrests almost doubled – from 581,000 to 1,090,000



- In 2001, the average federal drug trafficking sentence was 72.7 months, the average federal manslaughter sentence was 34.3 months, the average assault sentence was 37.7 months, and the average sexual abuse sentence was 65.2 months.
- In state court, the average sentence imposed in state courts for felony drug trafficking was 35 months.