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Advocacy and Legal Groups Urge U.N. to Call for Abolition of Life Sentences in U.S.

Groups argue “Death by Incarceration” is torture and violates ban on racial discrimination

September 15, 2022, New York – A national coalition of advocacy and legal groups today submitted [a complaint](#) to the United Nations saying the United States is committing torture and other gross human rights violations by condemning people to “Death by Incarceration” (DBI). The coalition is urging the U.N. to call for the abolition of life imprisonment, which, like mass incarceration, occurs in the U.S. more often than in any other country in the world.

Emerging from a growing movement led by incarcerated people and their families, the complaint includes testimony from some of the more than 200,000 people imprisoned in the United States under DBI sentences, which include life without parole (LWOP), life with parole, and “virtual life” sentences: sentences that exceed life expectancy. It comes just days before a hearing in [Commonwealth of Pennsylvania v. Derek Lee](#), a criminal appeal in the Pennsylvania Superior Court challenging LWOP sentences for felony murder, the term for when a death occurs during the commission of a felony even if the person sentenced either did not kill or did not intend to kill anyone. The complaint also comes days before a rally organized by the Coalition to Abolish Death by Incarceration in Harrisburg,

Pennsylvania, demanding that legislators support bills that would allow people serving DBI sentences the opportunity to come home from prison.

“DBI is literally a term of confinement that condemns men, women, and children to die in prison,” said **Robert Labar, Vernon Robinson, Charles Bassett, and Terrell Carter** in a letter included in the complaint. They are members of the Right 2 Redemption Committee, formed by people sentenced to LWOP in Pennsylvania. “In doing this, the state is making the argument that it has the moral right to strip a human being of all hope and dignity until they die.”

The complaint aims to draw international attention to the United States’ inhumane life sentencing practices. Responses by the U.N. to previous complaints have influenced U.S. policy. In 2011, for example, the U.N. Special Rapporteur on Torture [called for](#) a prohibition on solitary confinement beyond 15 days. Since then, lawmakers in various states have pushed for limits on solitary confinement, including a 15-day cap passed in New York State.

“Death by Incarceration is a structural and ideological pillar of the racist criminal punishment system in this country,” said **Bret Grote**, legal director of the Abolitionist Law Center. “With today’s submission, we are sending a defiant and determined message that Death by Incarceration is a crime of the state and there is a growing movement that intends to bring about its abolition.”

Death by Incarceration violates a range of interrelated human rights, the complaint argues. To deny people hope of life after prison is to inflict suffering so cruel it amounts to torture. DBI sentences also violate the prohibition on racial discrimination, as [more than two-thirds](#) of those serving them in the United States are people of color. And while in 2020 only 12.4 percent of the US population was Black, [46 percent](#) of all of those serving life sentences nationwide were Black. As the U.N. Committee against the Elimination of all Forms of Discrimination acknowledged in its review of U.S. compliance this summer, people “belonging to racial and ethnic minorities, including women, are overrepresented in the criminal justice system... and subjected to harsher sentences, including life imprisonment without parole....” The U.N. has called for abolition of other policies, such as the death penalty and juvenile LWOP, that disproportionately subject racial and ethnic minorities to the worst consequences of the criminal legal system. Because DBI sentences cause premature death, they also violate the right to life, and because they do not serve any legitimate purpose, they are an illegally arbitrary deprivation of liberty, the complaint argues.

“Life without the possibility of parole is a death sentence,” said **Joanne Scheer** of the DROP LWOP Coalition. “It is a concrete box with death as the only exit. California currently has over 5,100 individuals surviving this death sentence. Every year, 135 human beings are added to this tortured population, most of whom are youth under the age of 25. Add the tens of thousands of family members and loved ones who are enduring without hope alongside them and entire communities are devastated.”

The United States’ reliance on DBI sentences is a key driver of mass incarceration. The number of DBI sentences began to increase sharply when, after the Supreme Court struck down the death penalty in 1972, states enacted or stiffened DBI-sentence laws. The trend continued even after the Supreme Court reinstated the death penalty in 1976, and intensified in the 1980s with the dawn of the “tough on crime” era. Since 1984, the growth of the life-sentenced population has outpaced the growth of the overall prison population.

In a Harvard University Press book published in 2019, a study concluded that the people in the United States serving the most extreme DBI sentence, LWOP, make up [more than 80 percent](#) of those under the sentence worldwide, and [that more people](#) are serving DBI sentences in the United States than in the other 113 surveyed countries combined.

The United States is the only country in the world to sentence children under 18 to LWOP; in 2016, nearly [12,000 people](#) nationwide were serving life sentences for a crime they committed when they were younger than 18. Meanwhile, people older than 55 account for some [30 percent](#) of people in the United States serving DBI sentences.

Caroline Hansen, a RAPP Campaign Community Leader whose husband is serving an LWOP sentence in New York State prison, said, “These living death sentences are torture. There’s no other way to describe it. Some days my husband loses the will to live, knowing that the state has already decided on the circumstances of his death, even if the date is uncertain. People need to take accountability for the harm they have caused and do the hard work of transforming their thoughts and behaviors, but the worst five minutes of my husband’s life shouldn’t seal his fate forever. We can’t change the past but we can change ourselves, and that’s what he has done with every day of his 26 years behind bars. Our daughters and I have nothing to count down to. Will we be spending summers waiting hours outside in line in the suffocating heat for a chance to see him when I’m 80 years old? Will we be hoping against hope that frostbite doesn’t set in through winter as we wait outside to see him when I’m 90? Will he die alone chained to a bed in a cage? We have to end this torture because families across the country like mine are desperate for hope. We are desperate for people in positions of power to act.”

Organizations authoring the complaint:

[Abolitionist Law Center](#)

[Amistad Law Project](#)

[California Coalition for Women Prisoners](#)

[Center for Constitutional Rights](#)

[DROP LWOP Coalition](#)

[Drexel University Thomas R. Kline School of Law, Andy and Gwen Stern Community Lawyering Clinic](#)

[Release Aging People in Prison](#)

[The Sentencing Project](#)

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