

**URGENT**

Vote expected  
**THIS WEEK**

April 10, 2003

Members  
United States Senate  
Washington, D.C. 20510

**RE: NAACP OPPOSITION TO S. 151, THE "CHILD  
ABDUCTION PREVENTION ACT OF 2003"**

Dear Senator;

On behalf of the National Association for the Advancement of Colored People (NAACP), the nation's oldest, largest and most widely-recognized grass roots civil rights organization, **I am writing to urge you to oppose the conference report to S. 151, the "Child Abduction Prevention Act of 2003" in its current form.**

While the issue of child abduction is a serious, heart-wrenching and too often tragic issue that deserves to be dealt with aggressively at a federal level, **Title IV of the final bill would radically limit federal judicial discretion to impose just sentences for almost all federal offenses; not just those relating to child abduction.** Because this provision overrules a key Supreme Court decision and constitutes a dramatic encroachment on the judiciary, it is opposed not only by civil rights organizations across the board, but also by Supreme Court Chief Justice Rehnquist, the Federal Judicial Conference, the Federal Sentencing Commission, the American Bar Association, the Federal Bar Association as well as countless law professors, prosecutors and public defenders.

The potential impact of this provision on the African American community and on ethnic minority American communities throughout the nation is almost incomprehensible. Racial bias in our nation's criminal justice system is widespread and well documented. For

example, according to reports from the US Department of Justice and the US Department of Health and Human Services, people of color commit drug offenses at a rate proportional to our percentage of the US population, roughly 25% for African Americans and Hispanic Americans combined. Yet almost 75% of the people charged in this nation with a drug offense are either Hispanic or African American.

The impact this racial bias has on our communities is devastating. According to the US Department of Justice report issued just last week, an alarming 12% of all African American men between the ages of 20 and 34 are in jail or in prison. One out of every three black men born in the United States will spend time behind bars in their lifetime.

The federal prison system now holds over 160,000 inmates, more than any single state prison system. Furthermore, the federal prison population has more than quadrupled in the last 20 years for mostly non-violent offenses even while the rate of incarceration has actually slowed in many states. Under Title IV, the growth rate is predicted to be staggering.

I hope that you will consider the far-reaching impact this legislation will have on individual lives as well as whole communities and even our nation. I urge you again to oppose the final conference report unless Title IV is eliminated or at least amended to address only child abduction cases.

Thank you in advance for your attention to this matter. If you have any questions, I hope that you will feel free to contact me at (202) 638-2269.

Sincerely,

Hilary O. Shelton  
Director

HOS/cnk