



# VICTIMS OF MASS INCARCERATION

## The New Jim Crow For Women

BY: JAMILA T. DAVIS

**A**fter reading a newly published Fact Sheet about Mass Incarceration, on the top bunk in my 5 1/2 x 9 cubicle in federal prison, I had a revelation that startled me for a moment. Even though I've been called every name in the book by my prosecutor, former U.S. Attorney Christopher Christie, and labeled as the 25 year old "mastermind" who deserved to serve a decade plus sentence behind bars, the truth is I am a victim. Like many others trapped in prisons across this country, I am a victim of mass incarceration.

First hand, I have witnessed what I believe to be the root cause of mass incarceration, Over-Sentencing. In 2008, I was sentenced to 12 1/2 years for bank fraud, as a real estate investor. My alleged victim was the now-defunct Lehman Brothers Bank. Just 59 days after I was sentenced, the bank collapsed and the world discovered the rampant, fraudulent mortgage lending practices of the bank. After the evidence surfaced, it was proven that Lehman was not a victim at all, rather a mass-victimizer, yet I remain trapped behind bars. Even worst, I am not alone in suffering injustices.

The U.S. leads the world with the largest prison population. Even though the U.S. population consists of only 5% of the world's population, it holds 25% of the world's prison population. Currently, there are over

2 million Americans behind bars, and the numbers continue to steadily grow. From 1970 to present, the prison population has increased seven fold! Consequently, a quarter of the nation's adult population has a criminal record, and our country spends a quarter of a trillion dollars each year on criminal justice. Do the statistics correctly

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portray Americans to the world as the most dangerous country, filled with heathens who commit far more serious crimes than any other nation? Could this really be true? Or, is there another explanation for our country's mass incarceration epidemic?

History paints a clear picture of how our country got enthralled into mass incarceration. In 1987 the Sentencing Reform Act of 1984

(SRA) was enacted as a part of the War on Drugs. With this new legislation, stricter laws and penalties were enforced by the federal government, and most states followed suite. Prior to these changes, the maximum term of imprisonment for the possession of any drug, in any amount, in the U.S. judicial system was one year, which is consistent with the sentencing norms in many countries today. After 1987 that penalty was increased drastically from one year to life in prison without the possibility of parole. Not only did the new laws effect drug offenders, they increased punishment for all federal offenders, eliminating federal parole and decreasing good time allowances. Additionally, the U.S. Sentencing Guidelines were also enacted in 1987 mandating judges to sentence all defendants in accordance to the new harsher sentencing scales. Consequently, the number of prisoners behind bars skyrocketed!

The goal of the War on Drugs initiative was to decrease crime, yet the public now knows it was dreadfully unsuccessful. More disheartening, it was destructive! Thousands were imprisoned for significant periods of time, serving no constructive purpose. Consequently, the population of federal prisoners grew from approximately 24,000 inmates in 1980 to roughly 220,000 inmates today. Out of this large population, only 5% of federal prisoners are violent offenders.

**Jamila Davis**

Age: 36  
 Conviction: Bank Fraud  
 Sentence: 151 months (12 1/2 years)  
 Sentencing District:  
 The District of New Jersey  
 Time Served: 5 1/2 years

**Cost of Incarceration: \$315,000**

“The hardest part of my sentence is being away from my family for so long. I watched my children grow up without me. I missed birthdays, graduations and all the major holidays. I believe I should have been punished for my actions, but a 12 1/2 year sentence was way too harsh!”

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 Visit [www.WomenOverIncarcerated.org](http://www.WomenOverIncarcerated.org) for full profile story.

Federal prisoner Jamila T. Davis' profile picture on the 2014 WomenOverIncarcerated.org Calendar.

The rest are non-violent offenders, of which many are serving lengthy sentences. As a direct result of mass incarceration, the Bureau of Prisons (BOP), the entity that houses federal prisoners, is currently 40% over capacity. And, no viable solution has been proposed to combat this serious issue. Instead of addressing the root problem - defective sentencing legislation - this problem still remains unaddressed!

There is a smart, cost effective, solution to address the issue of over mass incarceration within the U.S. federal prison system that can be enacted rather quickly. The government can easily revert back to the old pre-1987 laws; reinstating federal parole and increasing good time allowances. This would restore families and save tax payers billions of dollars. It would seem like this is the most logical simple solution, so why haven't measures been taken to correct this vital issue? Who is holding up the process? And, who stands to benefit most from the

prison sector that is currently in place? The answers to those questions would explain why our country's mass incarceration epidemic still exists.

Most people could care less about mass incarceration, because they feel it doesn't personally effect them. Therefore, the American people have not made a demand for change. Six years ago I didn't believe it would personally affect me either, but today I am a victim of the wrath. Behind bars, I am surrounded by a slew of professionals, including former doctors, lawyers and politicians that also never thought they'd be victims of the fiery reigns of mass incarceration. Who's next?

As times have changed, so has the U.S. prison population. More and more women are behind bars in America. According to the Bureau of Justice, in a 20 year span the rate of incarceration for women has increased 800%. Women are no longer exempt from prosecution. More vulnerable and willing

to except a plea deal versus trial, females have become easy targets of mass incarceration. Consequently, families across our nation are being destroyed, with nearly 3 million children (most under the age of 10) with a parent in prison.

Confined behind bars, there is little we can do as prisoners, but as a free citizen you can create change! Therefore, I would urge all Americans to take a second look at this cruel epidemic that has proven to destroy families and demoralize our country. When you see the faces and the backgrounds of many of us serving lengthy sentences for non-violent crimes, including tax evasion, you will most likely be shocked! The check of one wrong box on an application can lead anyone to prison, no matter how old you are, and even if it is your first offense. Please view the slide show at [www.WomenOverIncarcerated.org](http://www.WomenOverIncarcerated.org) to gain a greater visual of who is serving time behind bars.

After viewing this slide, and re-examining the facts, please answer this question: Do you feel the sentences that were handed down to me, and the women in the slide, represent justice? Then, decide, if you believe we are victims of mass incarceration? Your opinion certainly counts! Without you, we have no voice!

Did you know that ALL federal offenders must serve a little over 85% of their sentences (with good time credit) because of the absence of federal parole? Consequently, federal offenders often serve double, or in some cases more than triple, the time of state offenders who commit the same or similar crimes. Please help to level the scales of justice by supporting the WomenOverIncarcerated prison reform movement. Go to [www.womenoverincarcerated.org](http://www.womenoverincarcerated.org) and sign the online petition today. Your support can make a difference. Please, SPEAK OUT!

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Jamila T. Davis (@JamilaTDavis), creator of *The High Price I Had To Pay Book Series*, is a motivational speaker, prison reform activist and the author of several books geared to empower the young and the old. At the age of 25, she was a multimillionaire, high-flying real estate investor with ties to the hip-hop world. At age 31, she was sentenced to 12 1/2 years in federal prison for her role in a multimillion-dollar bank fraud scheme. While imprisoned, Davis has helped to change the lives of many through her inspirational books and cautionary tales, based on her real-life experiences. To shed light on the lengthy sentences of non-violent, female federal offenders and to rally for sentencing reform, she has also sparked the creation of a prison reform movement and advocacy group, WomenOverIncarcerated.org. To support Jamila T. Davis's plight for reform please go to [www.womenoverincarcerated.org](http://www.womenoverincarcerated.org) and sign the online petition today! Also follow her journey to freedom at [www.jamiladavis.com](http://www.jamiladavis.com) or [www.facebook.com/authorJamilaTDavis](http://www.facebook.com/authorJamilaTDavis).