

1 The Board of Directors recommends this resolution be sent to a Committee of the General
2 Synod.

3
4 **DISMANTLING DISCRIMINATORY SYSTEMS OF MASS INCARCERATION**
5 **IN THE UNITED STATES**
6

7 **Submitted By Connecticut Conference, Justice and Witness Ministries (A Covenanted**
8 **Ministry of the United Church of Christ), Michigan Conference, Missouri Mid-South**
9 **Conference, Pennsylvania Southeast Conference and the Southwest Conference**

10
11 **A Resolution of Witness**
12

13 **SUMMARY**

14 The United States imprisons more of its own people than any other country in the world. While
15 the U.S. comprises 5% of the total global population; it alone accounts for a staggering 25% of
16 the world's prison population. Indeed, more than 2.2 million people are currently incarcerated
17 in U.S. prisons and jails, while more than 5 million additional persons are under the supervision
18 of its justice system, either on probation or on parole. All totaled, there are over 7 million people
19 currently subject to the U.S. criminal justice system.¹

20 Moreover, the U.S. prison population is far from representative of the nation's population as a
21 whole. For instance, while African American males comprise only 6% of the U.S. population,
22 they make up 40% of those in prison or jail. African American males have a 32% chance of
23 serving time at some point in their lives, while white males have only a 6% chance.

24 "Mass incarceration on a scale almost unexampled in human history is a fundamental
25 fact of our country today—perhaps the fundamental fact, as slavery was the
26 fundamental fact of 1850. In truth, there are more black men in the grip of the criminal-
27 justice system – in prison, on probation, or on parole – than were in slavery then. Over
28 all, there are now more people under 'correctional supervision' in America – more than
29 six million – than were in the Gulag Archipelago under Stalin at its height." ²
30

31 Accompanying these one million incarcerated African American males are 283,000 Hispanics,
32 whose own numbers represent a 219% increase in the last ten years. Hispanic males have a 17%
33 chance of serving time at some point in their lives as compared to 6% of white males, as noted
34 above.

35 Prisons and jails have become America's "new asylums." The number of individuals with
36 serious mental illness in prisons and jails now exceeds the number in state psychiatric hospitals
37 tenfold. Most of the individuals who are mentally ill in prisons and jails would have been treated
38 in the state psychiatric hospitals in the years before the deinstitutionalization movement led to
39 the closing of the hospitals, a trend that continues even today. Nationwide, people with mental
40 health conditions constitute 64% of the jail population.³

¹ U.S. Department of Justice, Bureau of Justice Statistics. U.S. Census Bureau.

² "The Caging of America," Adam Gopnik, The New Yorker Magazine, January 30, 2012.

³ U.S. Dept. of Justice, Bureau of Justice Statistics, *Mental Health Problems of Prison and Jail Prisoners* 2006.

41 Besides these shocking statistics, low income persons and young people are especially
42 vulnerable to becoming entrapped in our prisons and jails. The conclusion is clear that the
43 criminal justice system in this country constitutes a calamitous racial, health, and economic
44 injustice.

45 As people of faith, we are called to dismantle systems that violate human and civil rights. This
46 resolution is intended to mobilize members of the United Church of Christ to join the burgeoning
47 movement of faith and community organizations to halt the rapidly growing trend of mass
48 incarceration in this country and thereby dismantle the new caste system it has created.

49 **BIBLICAL, THEOLOGICAL AND HISTORICAL GROUNDING**

50
51 *Woe to you who issue unjust laws, who write oppressive statutes, to turn aside the*
52 *needy from justice, and to rob the poor of my people of their rights. (Isaiah 10:1-2a)*
53

54 *The spirit of the Lord is upon me, because he has anointed me to bring good news to*
55 *the poor. He has sent me to proclaim release to the captive and recovery of sight to*
56 *the blind, to let the oppressed go free. (Luke 4:18)*
57

58 *For just as the body is one and has many members, and all the members of the body,*
59 *though many, are one body, so it is with Christ. For in the one Spirit we were all*
60 *baptized into one body—Jews or Greeks, slaves or free—and we were all made to*
61 *drink of one Spirit. God has combined the members...so that there shall be no*
62 *division within the body, but the members may have the same care for one another. If*
63 *one member suffers, all suffer together with it; if one member is honored, all rejoice*
64 *together with it. (1 Cor. 12:12-13 and 24-26)*
65

66 As Christians professing the teachings of the Prophets and Gospels, we are responsible for
67 speaking and acting prophetically when the laws of the land are not just or fair to all
68 communities they are intended to serve and protect.
69

70 While laws within the U.S. justice system are generally clear and are intended to be carried out
71 without bias, statistics prove that current practices sustaining that system - from arrest to
72 incarceration - often *rob the needy and poor of their rights. We must proclaim release* when a
73 disproportionate number of the Body of Christ is held captive to systems that marginalize and
74 oppress based on the color of skin, ethnic heritage, age, gender, or economic situation. Indeed,
75 just as when *one part of the body suffers, the whole body suffers*, so too when one member of the
76 human family is affected adversely by an unjust system that denies access to the benefits of the
77 laws meant to protect all, the whole human family is adversely affected.. We are called to start a
78 movement of caring that affirms the God-given dignity of every person, and confronts the
79 systemic racism in the on-going tragedy of mass incarceration.
80

81 For more than forty years, the United Church of Christ General Synod has affirmed its
82 commitment to improving the criminal justice systems of state and federal governments,
83 motivated by its belief that prisons should be primarily institutions for the training and reform of

84 inmates and vehicles of rehabilitative and restorative justice. To sell prison facilities to private
85 companies for the purpose of profit disregards this fundamental belief. Indeed, the privatization
86 (corporate ownership and management) of the prison industrial complex, which has a vested
87 interest in promoting and sustaining the practice of mass incarceration, has become a serious
88 issue in this country, particularly impacting persons who do not have sufficient financial
89 resources for an adequate defense.

90
91 Especially since the Civil Rights Movement, the UCC has produced and proclaimed various
92 resolutions and pronouncements defending and promoting basic human rights; however, such
93 resolutions and pronouncements have required continual reaffirmation because of ongoing
94 infringements of civil liberties. Racial and class bias has only worsened in recent years. The
95 current climate of disenfranchisement through economic and legal injustice now requires the
96 UCC once again to rearticulate its vision of and commitment to the common good vis-à-vis the
97 problem of mass incarceration, with attention to supporting viable grassroots movements and
98 facilitating constructive political discourse.

99

100 **MUTUAL ACCOUNTABILITY**

101

102 The Samuel DeWitt Proctor Conference conducted nine statewide justice commission hearings
103 to listen to the stories of those who through personal experience and/or family connections have
104 been directly impacted by the current trend of mass incarceration. The findings from those
105 hearings are summarized in *Bearing Witness: A Nation in Chains* (2014). We will rely upon that
106 report and others to ensure that the voices of those most impacted are heard.

107

108 Please see the next section on Institutional Capacity for an outline of the action plan, the specific
109 outcomes of which will be the responsibility of resolution co-sponsors.

110

111 **INSTITUTIONAL CAPACITY**

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113 The success of this resolution is built on the assumption that the national setting will provide
114 network coordination and national policy advocacy; however, local and regional social change is
115 dependent upon conference and local leadership engagement.

116

117 Justice and Witness Ministries will convene Conference working group members who will
118 advise on key activities that support the movement in their areas. All UCC conferences will be
119 encouraged to participate. Justice and Witness Ministries will track and report on the numbers of
120 Conferences and United Church of Christ congregations involved in this effort. The National
121 Working group will collaborate with members of the United Church of Christ Network of Prison
122 Chaplains and the United Church of Christ Mental Health Network to in order to enhance our
123 understanding of the various and complex issues that inmates experience.

124

125 Each of the co-sponsoring Conferences will appoint a volunteer working group to lead efforts to:

126

1) Encourage local congregations to engage in prayer, consciousness raising, and
127 education about the crisis of mass incarceration;

128

2) Collect and maintain current state and county prison data and document personal
129 experiences of the systemic injustice inherent within their boundaries.

129

- 130 3) Pressure local lawmakers to endorse public policies that promote government
131 accountability for both prison management and justice system reform, oppose the corporate
132 ownership of prison beds, and implement restorative justice programs.
- 133 4) Renew efforts to engage in Sacred Conversations on Race, specifically addressing the
134 crisis of mass incarceration arising from racist and classist presuppositions and practices.
- 135 5) Encourage local congregations to work with the local parole office to create safe and
136 sacred spaces where formerly incarcerated persons are allowed to gather to identify and
137 support their re-entry into the community.
- 138 6) Encourage local congregations to support or establish literacy centers and mentoring
139 programs specifically to meet the educational needs of children, youth, and their parents.
- 140

PROBABILITY OF INFLUENCING SOCIAL CHANGE

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142
143 United Church of Christ leaders across the country are in the best position to advise on issues of
144 local and regional importance. In order to strengthen the national movement, Justice and Witness
145 Ministries will coordinate with ecumenical and interfaith partners who have identified this issue
146 as a top priority, including but not limited to Ecumenical Advocacy Days, the National Council
147 of Churches of Christ in the USA, Christian Churches Together, and the Samuel Dewitt Proctor
148 Conference.

149
150 It is our judgment that this situation calls on the General Synod use its BOLD PUBLIC VOICE
151 AND WITNESS to bring attention to and address this national crisis through the following
152 resolution.

TEXT OF THE MOTION

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156 WHEREAS, since the 1980s, non-violent drug offenses have led to substantial sentencing of
157 people of all races; however, punishment lodged against African Americans has been extreme.
158 For example, the rate of drug use among White and African Americans is the same, African
159 American men comprise 66% of the people in prison for drug use.

160
161 WHEREAS, African American men are currently more likely to be controlled by the criminal
162 justice system, prosecuted more often, sentenced for longer terms, often prohibited from voting,
163 and disqualified from serving on a jury, all the while continuing to suffer discrimination in
164 employment, housing, and federal assistance.

165 WHEREAS, Justice Commission Hearings on Mass Incarceration conducted by the Samuel
166 DeWitt Proctor Conference found evidence supporting author Michelle Alexander's position that
167 mass incarceration is the "New Jim Crow," creating a system of modern-day enslavement.⁴
168 According to the findings, "it is apparent that the system of mass incarceration in the U.S. is
169 replete with human rights violations by standards of the U.S. Constitution and the United Nations
170 International Standards of Conduct."⁵

⁴ Alexander, Michell. The New Jim Crow: Mass incarceration In the Age of Colorblindness, The New Press, New York, 2010.

⁵ Bearing Witness: A Nation in Chains, The Samuel DeWitt Conference, 2014.

171 WHEREAS, the private prison industry aggressively solicits contracts from federal and state
172 governments to provide facilities for prisoners, and specifically target detention of
173 undocumented immigrants; many of which contracts require a minimum of 90% utilization of
174 jail bed space. Texas leads the nation in the number of private prison beds, and New Mexico
175 outsources the largest percentage of its inmate population to private corporations (43.8%) in the
176 nation. Arizona, which now incarcerates over 13% of its prisoners in private prisons and is
177 known as the national epicenter for incarcerating undocumented immigrants.

178 WHEREAS, people of color bear the brunt of our “criminal justice” system, no one is exempt
179 from the problems of prosecutorial overreach, a poor public defender system, uneven sentencing,
180 unreasonable parole practices, lack of funding for re-entry programs, and the use of prisons to
181 house people for whom treatment for mental illness is not available.

182 WHEREAS, jails and prisons hold more individuals with serious mental illness than the largest
183 remaining state psychiatric hospital in 44 of the 50 states and the District of Columbia. In 2012,
184 there were estimated to be 356,268 inmates with severe mental illness incarcerated, at the same
185 time, there were approximately 35,000 patients with severe mental illness in state psychiatric
186 hospitals proving that the number of mentally ill persons in prisons and jails was ten times the
187 number remaining in state hospitals.⁶

188
189 WHEREAS, the growing prison industry is producing a vast underclass of former felons. The
190 situation regarding prisoner reentry is dire. About three-quarters of a million prisoners are being
191 released in the community each year. They face extreme hardship in housing, employment,
192 family reunification, health and mental health care, and general isolation and alienation. They
193 also suffer from debt (required restitution and associated parole and probation fees, fines, and
194 penalties, with little or no income), as well as possible voting and entitlement
195 disenfranchisement.

196 WHEREAS, estimates indicate that unduplicated expenditures to maintain the prison industrial
197 complex are \$300 billion per year. The burden of such expenditures has led to the increasing
198 privatization of that complex, especially in rural areas with small populations, where there is a
199 need for employment and other commerce, including suppliers of goods and services. As a
200 business, the first priority of private companies is profit; therefore, income for private prisons
201 depends entirely on maintaining a large and stable inmate population. But the demand for
202 guaranteed occupancy rates runs counter to efforts toward early release, alternative sentencing,
203 and other forms of restitution, especially in cases of non-violent crimes.

204 WHEREAS, private prisons are exempt from some fundamental legal reporting mechanisms,
205 including public reporting of crimes and escapes and the Freedom of Information Act. While
206 confirmed data is hard to find, reliable sources indicate that the largest percentage of persons
207 incarcerated in private prisons are African American men and women.

208 WHEREAS, according to the U.S. Department of Justice, the link between academic failure,
209 delinquency, violence, and crime is welded to reading. Reliable data indicates that 85% of

⁶ Treatment Advocacy Center: TACReports.org/treatment-behind-bars.

210 juveniles who interface with the court system are functionally illiterate and 70% of inmates in
211 prison cannot read above fourth grade reading level. Inmates who receive no reading help have a
212 70% chance of returning to prison; this risk reduces to 16% for those who receive such
213 assistance.⁷

214 THEREFORE BE IT RESOLVED, that the Thirtieth General Synod of the United Church of
215 Christ identifies mass incarceration as a critical human and civil rights issue in the U.S. because
216 of its disparate impact on and disenfranchisement of people of color, youth, and people with
217 limited economic resources; and

218 BE IT FURTHER RESOLVED that the Thirtieth General Synod of the United Church of Christ
219 reaffirms its commitment to speak and act prophetically to disrupt and dismantle the growing
220 prison industrial complex in the United States;

221 BE IT FURTHER RESOLVED, to turn this tide of institutionalized racism and economic
222 injustice by mass incarceration in the United States, that Justice and Witness Ministries,
223 Conferences, and local congregations are encouraged to provide opportunities for education,
224 mobilization, public witness, and public policy advocacy as outlined in the action plan.

225

226 **FUNDING**

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228 The funding for the implementation of the Resolution will be made in accordance with the
229 overall mandates of the affected agencies and the funds available.

230

231 **IMPLEMENTATION**

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233 The Officers of the Church, in consultation with appropriate ministries and other entities of the
234 United Church of Christ, will determine the implementing body.

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⁷ U.S. Department of Justice and the National Institute for Literacy.