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

**DISMANTLING DISCRIMINATORY SYSTEMS OF MASS INCARCERATION IN THE UNITED STATES**

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

**A Resolution of Witness**

**SUMMARY**

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

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

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

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

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

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¹ U.S. Department of Justice, Bureau of Justice Statistics. U.S. Census Bureau.
Besides these shocking statistics, low income persons and young people are especially vulnerable to becoming entrapped in our prisons and jails. The conclusion is clear that the criminal justice system in this country constitutes a calamitous racial, health, and economic injustice.

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

**BIBLICAL, THEOLOGICAL AND HISTORICAL GROUNDING**

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

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

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

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

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

For more than forty years, the United Church of Christ General Synod has affirmed its commitment to improving the criminal justice systems of state and federal governments, motivated by its belief that prisons should be primarily institutions for the training and reform of
inmates and vehicles of rehabilitative and restorative justice. To sell prison facilities to private companies for the purpose of profit disregards this fundamental belief. Indeed, the privatization (corporate ownership and management) of the prison industrial complex, which has a vested interest in promoting and sustaining the practice of mass incarceration, has become a serious issue in this country, particularly impacting persons who do not have sufficient financial resources for an adequate defense.

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

MUTUAL ACCOUNTABILITY

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

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

INSTITUTIONAL CAPACITY

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

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

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

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

2) Collect and maintain current state and county prison data and document personal experiences of the systemic injustice inherent within their boundaries.
3) Pressure local lawmakers to endorse public policies that promote government accountability for both prison management and justice system reform, oppose the corporate ownership of prison beds, and implement restorative justice programs.

4) Renew efforts to engage in Sacred Conversations on Race, specifically addressing the crisis of mass incarceration arising from racist and classist presuppositions and practices.

5) Encourage local congregations to work with the local parole office to create safe and sacred spaces where formerly incarcerated persons are allowed to gather to identify and support their re-entry into the community.

6) Encourage local congregations to support or establish literacy centers and mentoring programs specifically to meet the educational needs of children, youth, and their parents.

**PROBABILITY OF INFLUENCING SOCIAL CHANGE**

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

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

**TEXT OF THE MOTION**

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

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

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

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

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

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

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

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

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

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

6 Treatment Advocacy Center: TACReports.org/treatment-behind-bars.
juveniles who interface with the court system are functionally illiterate and 70% of inmates in prison cannot read above fourth grade reading level. Inmates who receive no reading help have a 70% chance of returning to prison; this risk reduces to 16% for those who receive such assistance.\textsuperscript{7}

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

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

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

\textbf{FUNDING}

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

\textbf{IMPLEMENTATION}

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

\textsuperscript{7} U.S. Department of Justice and the National Institute for Literacy.