

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.<sup>1</sup>

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." <sup>2</sup>  
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.<sup>3</sup>

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<sup>1</sup> U.S. Department of Justice, Bureau of Justice Statistics. U.S. Census Bureau.

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

<sup>3</sup> 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**

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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)*  
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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.  
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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

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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.

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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.

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### 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.
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### **PROBABILITY OF INFLUENCING SOCIAL CHANGE**

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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.<sup>4</sup>  
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."<sup>5</sup>

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

<sup>5</sup> 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.<sup>6</sup>

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

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<sup>6</sup> Treatment Advocacy Center: [TACReports.org/treatment-behind-bars](http://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.<sup>7</sup>

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.

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#### 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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<sup>7</sup> U.S. Department of Justice and the National Institute for Literacy.