



Let justice roll like a river

U.S. CRIMINAL JUSTICE POLICY



Leading the world in incarceration, the U.S. struggles to find a balance between justice and punishment. Since the 1970s, the primary focus of criminal justice policy has been getting criminals off the streets. This narrative has led to a great increase of prisoners, mostly incarcerated for nonviolent offenses, and large racial disparities in the criminal justice system.

Our criminal justice system creates more problems than it solves. Isaiah 1:17 calls us to learn to do good, to seek justice and to correct oppression. This verse highlights our call to enhance the voices of those sinned against and disadvantaged but first we must learn how to do so.

In this country, who is sinned against? Who is causing oppression and what does justice look like? These are important but complex questions in our aim to seek fairness in the U.S. criminal justice system. Let us learn these answers so that we may extend love to our neighbors that is patient, kind, rejoicing in the truth, hopeful and persevering (1 Corinthians 13:4-7).

As Christians, we must have hearts that resemble the heart of God, letting our love translate into actions. Let justice roll like a river (Amos 5:24)! ✨

MCC photo/Cherelle M. Deissus

A replica of a jail cell in the Louisiana State Penitentiary, known as Angola. In March 2017 MCC sponsored a "pipeline to prison" learning tour to Louisiana with 19 participants.

Reforming the U.S. criminal

by Cherelle Dessus

The U.S. criminal justice system—created to punish, keep communities safe and rehabilitate—has failed to do so. U.S. prisons hold 25 percent of the world’s prisoners while the U.S. makes up just five percent of the world’s population and has relatively low levels of crime. This system of “mass incarceration” has crippled many communities while also allowing others to profit.

The desire to fight crime has left the U.S. with ineffective, overcrowded and dehumanizing prisons and jails. These places have become warehouses, housing those with mental illnesses, those impoverished, and those with skin colors yet to be accepted in this country. U.S. prisons

and jails contain more people with mental illnesses than psychiatric hospitals. Guards are not trained to handle or treat those with illnesses who are prisoners.

A system of mass incarceration

Various systemic issues cause people to enter into the criminal justice system. Our government’s policy choices reinforce racism and poverty. African-Americans are incarcerated at more than five times the rate of white

people, making up 34 percent of the entire correctional population.

Almost half of the prison population are incarcerated for drug offenses. Some contend that incarceration rates have increased to keep communities safe, but the majority of U.S. prisoners committed nonviolent offenses. Instead of providing equal treatment, communities of color and low-income communities are targeted and discriminated against.

The “war on drugs” has been an initiative by U.S. government officials and policymakers to reduce drug trafficking and drug use. This “war” has created unjust mandatory minimum sentences, removing proper judgment and discernment from U.S. judges while sending people to prison longer than necessary.

Many in the federal government still view criminal justice through this lens, seeing prisons as a way to control drug activity while underfunding drug prevention and treatment programs.

When families lose a loved one to the criminal justice system, they often lose a financial provider and caretaker, which can worsen a cycle of poverty. Furthermore, conditions in U.S. prisons and jails make it difficult for families to continue healthy relationships with those in prison. Once convicted, many individuals are sent far away from their homes, making frequent visitation unlikely.

Making prison phone calls is extremely expensive—sometimes as high as 10 dollars a minute—and can hinder the ability of some families to contact their imprisoned loved ones. Although efforts have been made to limit these costs, federal courts have upheld the right of phone companies to a free market, no matter the cost.

Returning home can be an overwhelming process. When people are released from prison, they discover

Bring in the harvest

“Transformed people transform people” is one of the slogans for our ministry here in Philadelphia. I serve as the chaplain for the Philadelphia Prison System’s detention center, prison coordinator for Crossroads Community Center, and co-pastor of Christ Centered Church with Pastor Juan Marrero. Together, we partner with MCC to attain peace and justice for the streets and prisons of Philadelphia.

As a chaplain I coordinate spiritual services, distribute religious literature, provide one-on-one counseling sessions and teach weekly Bible studies for those inside the walls of the prison. I also distribute prison care kits to those who are indigent inside the prison. Periodically, I am asked to join planning events at the prison to effectively help those who are returning to society.

Since its opening in 2011, Christ Centered Church has cherished returning citizens as a monumental part of our ministry. About 65 percent of our membership were once incarcerated. Our approach comes from understanding what God has called us to do and how we are to accomplish our assignments. We believe in the grace God has given us to minister effectively to this demographic of individuals.

God decided to deploy [Juan and me] in the Fairhill community of Philadelphia, the same community where we were both at one point ourselves participants in the large open air drug market. After our transformation, God equipped us to serve this community, addressing violence, drugs and incarceration through a spiritual lens.

Ron Muse works for MCC East Coast as a peacemaker for the prisons and streets of Philadelphia.



Ron Muse teaches a Bible study in a Philadelphia prison.

MCC photo/ Brenda Burkholder

justice system



that having a criminal record in the U.S. is similar to wearing a scarlet letter. In some jurisdictions people with a criminal conviction are barred from public housing or other forms of assistance. More than six million Americans are not able to vote due to a felony conviction. These forms of disenfranchisement echo the systems of control imposed during slavery and then Jim Crow.

Instead of leading the way in punitive measures, we must lead in restoration and rehabilitation, supporting those returning to their families and communities. We must allow people to be assessed based on their professional qualities instead of their criminal records, to have voting rights, to have access to education and professional training in prisons, and to have valuable communication with loved ones.

Recommendations for future policy

Making room for true justice and equality is at the heart of transformation for this country. Criminal justice reforms must include sentencing changes, changes in prison conditions, separating criminal and mental health systems, providing alternatives to prison and giving proper support to returning citizens.

During the last Congress, there was much hope for criminal justice reform. The Sentencing Reform and Corrections Act (SRCA) gained momentum and would have changed key aspects of our justice system going forward. Despite bipartisan support, the Sentencing Reform and Corrections Act never passed. Unfortunately in the current Congress, there is little appetite for moving similar legislation forward.

It is critical that advocates ask Congress to make criminal justice

reform a priority. Reform legislation should include removing mandatory minimums for drug offenses to allow judges to use their own discretion when sentencing and should reduce the racial disparities that exist in our current criminal justice system.

Reforms should also ensure that people are assessed and treated for mental illnesses and substance abuse rather than placed in prisons that cannot truly assist or heal them. In addition, the use of solitary confinement should be limited. Humane alternatives should be explored that effectively address prisoners' mental health needs, rather than exacerbating them through isolation.

In order to reduce recidivism and to enable returning citizens to be successful, reforms should help prisoners communicate more easily with their families and give those who are incarcerated educational and professional support to return to their homes with valuable skills.

To become a country that lives out its values of liberty, justice and freedom for all, we must make it our goal to create a system that moves toward greater equity and justice, where prisons are rehabilitative and a last resort, and where proper support is provided to returning citizens. ✨

“Pipeline to prison” learning tours

In September 2015 MCC East Coast hosted the first “Pipeline to prison” learning tour in Philadelphia and Lancaster, Pa. This was followed in March 2017 by an MCC Central States learning tour in New Orleans, partnering with a local grassroots organization, Communities Rising.

The tours exposed participants to the oppressive structures that lead to mass incarceration and the criminalization of marginalized groups. Participants wrestled with the systemic and spiritual complexities of mass incarceration through studying books like *The New Jim Crow* and packing prisoner care kits as a tangible way to respond.

The tours connected broader advocacy efforts with work being done locally. Participants visited prisons, juvenile justice facilities and local organizations supporting those in prison as well as those returning to our communities.

They heard the impact of incarceration on those working to be successful upon their release and their families who have had to shoulder the responsibility of caring for children while a loved one is absent. They heard from organizations whose work is carried out through a restorative lens that looks at systemic issues as well as relationships impacted, including those who have been harmed and those who have caused harm.

Learning tour participants commented that the learning tour helped them understand how their comfort is tied up with the slavery and oppression of others, helped them realize the need to listen to local community leaders, made them realize the importance of asking “who benefits?” and taught them the need to address their own white privilege.

Lorraine Stutzman Amstutz is restorative justice coordinator for MCC U.S.

Below: Participants in the March 2017 “Pipeline to prison” learning tour.



Endesha Juakali

Christ has set us free

Hundreds of years ago, our nation put those considered less than human in shackles; less than one hundred years ago, we relegated them to the other side of town; today we put them in cages.

—Michelle Alexander, *The New Jim Crow* (The New Press, 2012)

The U.S. criminal justice system is badly broken and has become a system of racial control, as described powerfully by Michelle Alexander in *The New Jim Crow*. These worship resources provide tools for prayer, reflection and confession, as well as the bold proclamation that God's power sets us free from spiritual and physical bondage.

Gathering song

As you gather, reflect on the richness of God's grace to all of us by singing or listening to "Amazing grace" (*Hymnal: A Worship Book* 143).

Prayers

Take time to pray as a congregation for those who are in prison, their families, those who have experienced crime and those who work for a more restorative and just criminal justice system.

Litany

Leader: The United States locks up more people than any other country.
Congregation: *Oh Lord, have mercy.*

Leader: The LORD looks down from the holy height, to hear the groans of the prisoners.
Congregation: *Break these chains of oppression, O Lord.*

Leader: African-Americans are incarcerated at five times the rate of white Americans.
Congregation: *Oh Lord, have mercy.*

Leader: African-Americans are shot and killed by police at 2.5 times the rate of white people.
Congregation: *Oh Lord, have mercy.*

Leader: The LORD sets the prisoners free; the LORD opens the eyes of the blind.
Congregation: *Break these chains of oppression, O Lord.*

Leader: There are more African-American men in prison right now than there were in slavery before the Civil War.
Congregation: *Oh Lord, have mercy.*

Leader: The LORD has sent me to proclaim liberty to the captives and release to the prisoners.
Congregation: *Break these chains of oppression, O Lord.*

All: For freedom Christ has set us free.

—*Texts: Psalm 102:19–20, Isaiah 61:1, Psalm 146:7–8, Galatians 5:1*

Confession

In silence, spend time confessing the ways in which we in the United States, including we as Christians, have created a system of mass incarceration out of fear, ignorance and indifference. Ask for courage to confront these injustices and our own complicity in them.

Reflection

End the time of silent confession by listening to "Break every chain," sung by Tasha Cobbs (available on YouTube).

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UPCOMING EVENTS

January 26, 2018

High school essay contest deadline
washington.mcc.org

April 20–23, 2018

Ecumenical Advocacy Days
Washington, D.C.
advocacydays.org

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All biblical quotes are from the New Revised Standard Version, unless otherwise noted.

Facts about mass incarceration



5

U.S. percent of global population

25

U.S. percent of prisoner population

1 in 2

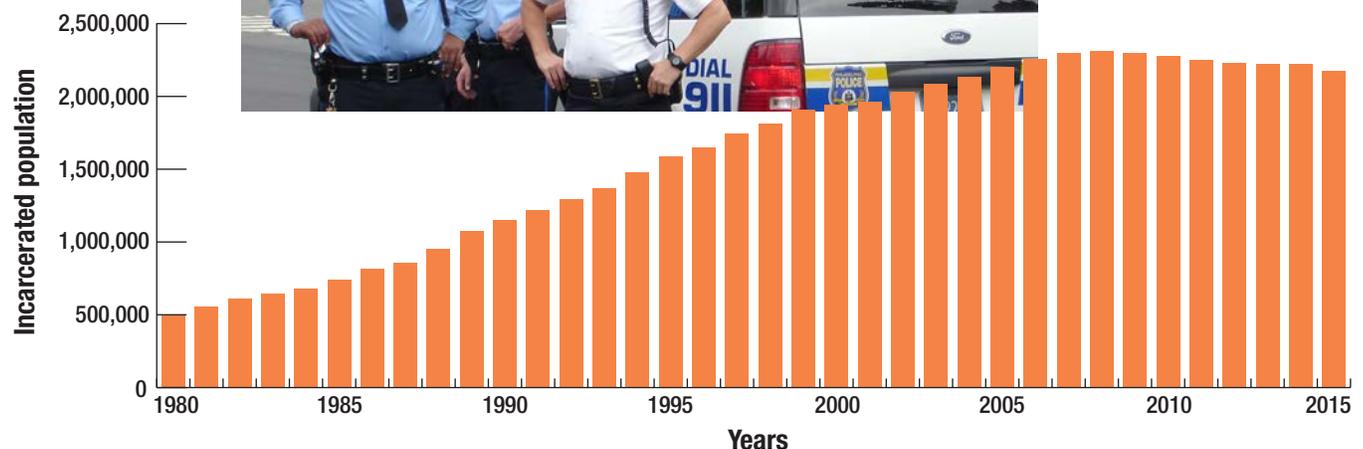
Federal prisoners who are there because of drug charges

2.2 million

Adults incarcerated in U.S. federal, state and county prisons and jails

10
Rate at which African-Americans are incarcerated for drug offenses compared to white people, despite using drugs at comparable rates

Number of people in local, state and federal prison (1980–2015)



POLICY PRINCIPLES

U.S. criminal justice policy should...



1 Remove mandatory minimums.

While some criminal justice policies have changed over the years at the state and local levels, mandatory minimums for drug convictions have remained at the federal level. **Rather than imposing a mandatory minimum sentence, judges should be given discretion in sentencing.**

2 Support people with mental illness.

U.S. officials need to make clear separations between our criminal justice and mental health systems. **People with mental illnesses need to be able to access treatment and should not be criminalized.**

3 Limit solitary confinement.

The use of solitary confinement as a means of control should be reduced and eliminated. It is costly and causes serious harm when prisoners are held in isolation for extended periods of time. Instead, the U.S. should explore humane alternatives that address the mental health needs of prisoners.

4 Improve family communications.

Strong familial relationships are at risk when loved ones go to prison. **Policies should ensure that all of those in prison have access to communication with their family members.** Whenever possible, individuals should be placed in prisons close to home with affordable phone prices to contact their families.

5 Support reentry.

U.S. policy must allow returning citizens to thrive in their communities. While in prison, individuals should be given the educational and professional resources to help them become financially stable when they are released. Former prisoners should be given the right to vote and access to employment, affordable housing and temporary government benefits.



Wikimedia Commons

Resources for learning more

MCC Washington Office
washingtonmemo.org/criminal-justice

"13th": Documentary film
avaduvernay.com/13th

The New Jim Crow
Michelle Alexander, New Press, 2012

The Sentencing Project
sentencingproject.org

Families Against Mandatory Minimums
famm.org

National Association for the Advancement of Colored People
naacp.org