

# RETHINKING INCAR CERA TION

DOMINIQUE DUBOIS GILLIARD

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## STUDY & ACTION GUIDE FOR SMALL GROUPS

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A publication of the Anástasis Center for Christian Education and Ministry

## Rethinking Incarceration Study and Action Guide for Small Groups

Revision 1.0

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*Rethinking Incarceration* is authored by Dominique Gilliard

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# Study & Action Guide: For Small Groups

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### A Publication of *The Anastasis Center for Christian Education and Ministry*

**The Anástasis Center for Christian Education and Ministry** (previously named New Humanity Institute) is a Christian education organization dedicated to resourcing Christian leaders and churches with curriculum and training on restorative justice and healing atonement to holistically teach and proclaim the healing of humanity in Jesus Christ. The Anástasis Center creates curriculum that brings the story of Jesus into dialogue with modern movies, songs, and art; early Christian understandings of human nature into dialogue with trauma studies and neuroscience; and Christian restorative justice into dialogue with ethnic studies, political science, and law. To see the community of people using this curriculum, and be part of the conversation, please check

<https://www.anastasiscenter.org/study-action-rethinking-incarceration>.

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In addition, Justin is passionate about teaching people how to align their theological convictions with their vocation, financial stewardship, and marketplace endeavors. He also enjoys discipling next-gen leaders, and currently serves as a youth group leader at Highrock Brookline church as well as a campus minister with InterVarsity Christian Fellowship. Justin lives in Allston, MA with his wife Mee, holds a degree in Finance from Boston College, and spends most of his free time obsessing over the Green Bay Packers.

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# SESSION ONE: THE WAR ON DRUGS

## Rethinking Incarceration, Chapter 1 -- LEADER'S NOTES

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### Agenda for Group Session

- Introduction and Ground Rules
  - Discussing *Rethinking Incarceration*, ch.1
  - Proposed Action Steps
  - Prayer
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### The Main Idea

Discussing Dominique Gilliard's book *Rethinking Incarceration* will bring up at least two major questions. First, are things really that bad? Second, can we really do anything about it? These Leader's Notes will slightly over-prepare you for the discussion. This is because lots of good questions come up, for which we would like you to be prepared. Do not try to use all the material below. Be thoughtful about where your group is, and how much of this material you use.

*Note to leader: This is an important introduction. Allow people to sit with the discomfort of the quotations and facts.*

### Key Takeaways for the Group

The most important point to make here is that "law and order" has not been unbiased and race-neutral. The "War on Drugs" in particular was devastating, and carried out very differently among black and brown populations as it was in white populations.

### Possible Objections, Possible Responses

**Question:** Are you saying that all police officers are racially biased? Or that we should not honor the police?

**Answer:** Not at all.

- Gilliard says in his Introduction that he absolutely admires and appreciates police 'officers who uphold their sworn duty to protect and serve' (p.2).



## RETHINKING INCARCERATION: ADVOCATING FOR JUSTICE THAT RESTORES

- But the problem involves other roles, like prosecutors, and factors like school discipline and mental health and immigration policies. Gilliard does believe that ‘police bear a disproportionate share of the criticism for an inept system’ (p.3).
- For more information about problems in the American police system, please see:
  - o The Illusion of Meritocracy in Policing, Part 1 | A Long Repentance Post #10, by Sangwon Yang and Mako Nagasawa:  
<https://newhumanityinstitute.wordpress.com/2018/12/03/the-illusion-of-meritocracy-in-policing-part-1-a-long-repentance-post-10-new-humanity-institute-san-gwon-yang-mako-nagasawa/>
  - o The Illusion of Meritocracy in Policing, Part 2 | A Long Repentance Post #11, by Sangwon Yang and Mako Nagasawa:  
<https://newhumanityinstitute.wordpress.com/2019/01/07/the-illusion-of-meritocracy-in-policing-part-2-a-long-repentance-post-11-new-humanity-institute-san-gwon-yang-mako-nagasawa/>
  - o The Illusion of Meritocracy in Policing, Part 3 | A Long Repentance Post #12, by Sangwon Yang and Mako Nagasawa:  
<https://newhumanityinstitute.wordpress.com/2019/01/22/the-illusion-of-meritocracy-in-policing-part-3-a-long-repentance-post-12-new-humanity-institute-san-gwon-yang-mako-nagasawa/>

**Question:** Are you saying that we shouldn’t punish drug use? Drug trafficking?

**Answer:** No, punishments of some sort still have a place. But one of the points being raised in this book is why does the U.S. punish drug use and drug trafficking so heavily? Other countries don’t do that.

## Discussion Questions

1. Is it hard to believe that the “War on Drugs” was an overreaction? Racially motivated?
  - a. First of all, compare the U.S. to other countries. See Gilliard’s comparison, on p.21, of crime rates in Finland, Germany, and the U.S.
  - b. Also, the “War on Drugs” under Nixon and Reagan was a continuation of how drug enforcement policy was used against racial and ethnic minorities earlier in U.S. history. “The first anti-opium laws in the 1870s were directed at Chinese immigrants...”
2. Why do you think racial perceptions of criminality – especially drug use – are so different from the reality?



- a. Because the image of criminality has always been forced upon the African-American community, more recently through the media. As Gilliard will argue in the coming chapters, that continues in the form of stereotyping and implicit bias. The ‘War on Drugs’ and ‘getting tough on crime’ was coded language for ‘African-Americans are criminal,’ without having to use explicitly racial language. But it shows up explicitly in other ways.
  - i. Dylann Roof, the 21 year old white male who shot 9 African-Americans in Charleston, SC said to them, ‘I have to do it. You rape our women and you’re taking over this country.’ Notice he had to attribute criminality to the black community to make them less than human.
  - ii. Police officers often have an implicit bias about black people being more criminal.<sup>1</sup>
    - 1. This might be a reaction to job stress and trauma.
    - 2. This might be a combination of the job of policing and the type of person it attracts.
    - 3. This might be, in a few cases, the result of people with white supremacist views becoming police officers.
- b. But the challenge here is not so much to see incarceration as an extension of slavery per se, but to see slavery as a preliminary form of perceiving others as criminal.
  - i. First, many Christians believed that ‘the curse of Ham’ from Genesis 9 was black skin, and that it was a mark of moral inferiority.<sup>2</sup> So white colonizers justified colonialism and slavery as the appropriate punishment for a tendency to be criminal.
  - ii. Second, during slavery, it looked like being shackled like prisoners in chain gangs. Why? Because criminals in England and Europe were shackled in chains.
  - iii. During slavery and Jim Crow segregation, white people hung black people (and a few others) on trees. Why? Because criminals in Europe were hung on gallows.
- c. So when white Americans had the chance to enforce laws in a lopsided way, to confirm their own racial bias about the criminality of black people, they did. This is what the War on Drugs did.
  - i. Gilliard notes how the ‘war on drugs’ had racial motivations and effects. In the U.S., drug use has for a long time been stereotyped to certain ethnic groups, as the quote from Drug Policy shows.
  - ii. Reference the documentary *The House I Live In*, which goes through this history. Watch the trailer: <https://www.youtube.com/watch?v=QsBDvxy5qQY>. Ty Burr of *The Boston Globe* says, “I’d hate to imply that it’s your civic duty to see *The House I Live In*, but guess what – it is.”

3. Why is it so easy to overlook people who are incarcerated? Is it a psychological or spiritual issue?
  - a. Part of the problem of racism in the U.S. is the psychology of criminality. Once we think we can blame people for something, anything, they fall into another category for us, the ‘criminal’ category.
    - i. The notorious Stanford Prison Experiment – although it is not a good example for how to run a psychology experiment! – by psychologist Philip Zimbardo suggested this. The 2015 movie about the experiment shows the dynamics well. In the experiment, some students were asked to play guards and others were asked to play prisoners. Dr. Zimbardo played the warden, and didn’t hold ‘guards’ accountable for abusing ‘prisoners.’ The ‘guards’ started abusing the ‘prisoners.’ Racism is similar. There is often no accountability, and you really start believing in the criminality of ‘the other.’
  - b. Psychologist Paul Bloom argues that it’s not that we *dehumanize* other people. We *humanize* them, in order to find them morally at fault for something, *and worthy of punishment*.
    - i. “A lot of the cruelty we do to one another, the real savage, rotten terrible things we do to one another, are in fact because we recognize the humanity of the other person... Consider the rhetoric of white supremacy. White supremacists know about the humanity of Jews and black people and whoever else they’re discriminating against – and it terrifies them. One of their slogans is, “You will not replace us.” Think of what that means. That’s not what you chant if you thought they were roaches or subhuman. That’s what you chant at people you’re really worried about, people who you think are a threat to your status and way of life.”<sup>3</sup>
  - c. Michelle Alexander in her book *The New Jim Crow*, points out that it’s easy to write off people who are convicted of a crime because we somehow write them off. That’s why it was easy to rally around Rosa Parks: She was a model citizen. But people who are already convicted of crimes don’t have that aura.
  - d. Thinking about criminal justice is a *spiritual discipline*:
    - i. Christian theologian Michael Ignatieff says: “The abuse of justice in prisons continues to repose on the lazy, unreflecting belief on the part of the general public that prisoners deserve nothing better. [The] degradation of prisoners degrades all of us because it is in the name of all of us that they suffer their penalties... People [may be] too lazy to think through the consequences of strong emotions.”<sup>4</sup>

## Application and Advocacy

*Leaders may want to suggest a few possibilities from the list below, based on your participants’ interests or even professions.*

## RETHINKING INCARCERATION: ADVOCATING FOR JUSTICE THAT RESTORES

**Action:** The Black Body Survival Guide trains black people to know their rights in relation to the police. In light of the Sandra Bland police incident in 2015, this is especially important:

<http://www.theblackbodysurvivalguide.com/>

**Action:** Be educated about policing

- Check if your city police department is citizen led, such as the Police Commissioner being a citizen appointed by the Mayor. Police departments that promote from within tend to reinforce the same culture and resist transparency.
- Implicit racial bias training for police officers has been shown to make a difference. Ask if your local police department does training in it.
- Body cameras worn by police officers have been shown to make a difference when they deal with routine stops, checks, and use force when they need to.

**Action:** Take interest in elections for Prosecutors

- Put public pressure on elected city prosecutors
- Check the Families Against Mandatory Minimums website ([www.famm.org](http://www.famm.org))
- Check the Real Justice PAC organized by Shaun King ([www.realjusticepac.org](http://www.realjusticepac.org)). They make recommendations on prosecutors' elections. Very helpful.

**Action:** Let's write to our congresspeople to repeal 'three strikes laws.'

- Leader: research your state and any movements to repeal three strikes laws in your state. Examples:
  - o California:  
[http://ballotpedia.org/California\\_Proposition\\_36,\\_Changes\\_in\\_the\\_%22Three\\_Strikes%22\\_Law\\_\(2012\)](http://ballotpedia.org/California_Proposition_36,_Changes_in_the_%22Three_Strikes%22_Law_(2012))
  - o Delaware:  
<http://www.delawareonline.com/story/opinion/contributors/2015/03/27/long-past-time-repeal-three-strikes-law/70564530/>

**Action:** We can encourage our representatives to repeal mandatory minimum sentencing. Judges used to have discretion about giving lighter sentences for first time offenders, or if they see that the defendant has a supportive community (like family, church, advocates) that will help with rehabilitation, school, employment, and character development. That's what gave prosecutors so much power. Let's write to our congresspeople to repeal mandatory minimums and 'three strikes laws.' Follow proposals from groups like Families Against Mandatory Minimums ([www.famm.org](http://www.famm.org)). You can go to the FAMM website, click on the button 'Get Involved' or 'For Lawmakers' and see how they track the bills going through Congress, and write your Congressperson.

## RETHINKING INCARCERATION: ADVOCATING FOR JUSTICE THAT RESTORES

- Federal Level
  - See this article by Sarah Childress, “Feds to Reconsider Harsh Sentencing for Drug Offenders,” PBS, April 9, 2014;  
<http://www.pbs.org/wgbh/pages/frontline/criminal-justice/locked-up-in-america/feds-to-reconsider-harsh-prison-terms-for-drug-offenders/>
- State Level:
  - Massachusetts. As of June 2015, Senator Sonia Chang-Díaz (D-Boston) and Representative Mary Keefe (D-Worcester) have filed an omnibus bill backed by our coalition to improve Massachusetts’ systems of criminal justice, end mass incarceration, and re-invest in our communities through job and educational opportunity expansion. It’s called the Justice Reinvestment Act (SD1874/HD3425). A coalition of 130 community groups called Jobs Not Jails rallied to support a part of the Act, on overturning mandatory minimum sentencing and reforming bail protocols. See:
    - Jobs Not Jails website (<http://jobsnotjails.org/jnj/>)
    - Article about Massachusetts reconsidering mandatory minimums (<http://www.mcan-pico.org/news/jobs-not-jails-hearing-report-back>)
    - Article “4 Things To Know About The Mass. Debate On Mandatory Minimum Sentences”  
<http://www.wbur.org/2015/06/10/mandatory-minimum-sentences-primer>)

## Notes

1. Chris Mooney, 'The Science of Why Cops Shoot Young Black Men,' *Mother Jones*, December 1, 2014; <http://www.motherjones.com/politics/2014/11/science-of-racism-prejudice>;

German Lopez, 'How Systematic Racism Entangles All Police Officers – Even Black Cops,' *Vox*, May 7, 2015; <http://www.vox.com/2015/5/7/8562077/police-racism-implicit-bias>.

But, a formal study done by psychologists shows that good training of police officers does reduce bias: 'Across the Thin Blue Line: Police Officers and Racial Bias in the Decision to Shoot,' *American Psychological Association, Journal of Personality and Social Psychology*, 2007, Vol.92, No.6; <http://www.apa.org/pubs/journals/releases/psp-9261006.pdf>.

2. Ibram X. Kendi, *Stamped from the Beginning: The Definitive History of Racist Ideas in America* (New York: Nation Books, 2016)

3. Sean Illing, 'Why Humans Are Cruel,' *Vox*, February 26, 2018; <https://www.vox.com/science-and-health/2017/12/14/16687388/violence-psychology-human-nature-cruelty>

4. Michael Ignatieff, 'Imprisonment and the Need for Justice', *Theology*, 95/764 (1992) p.98

# SESSION TWO: SLAVERY, CONVICT LEASING & PRIVATE PRISONS

Rethinking Incarceration, Chapter 2 -- LEADER'S NOTES

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## Agenda for Group Session

- Introduction and Ground Rules
  - Discussing *Rethinking Incarceration*, chs.2 and 4 (pages 60 - 64)
  - Proposed Action Steps
  - Prayer
- 

## The Main Idea

This session focuses on tracing legal but immoral practices like the Black Codes and convict leasing (Gilliard, ch.2) through to private prisons (Gilliard, ch.2 and 4). The paradigm shift we are inviting people to make is to see that slavery continued in a new form. That is, white Americans adapted the tools of racial oppression to continue their sexual and economic oppression. The use of prison labor today continues that trend.

*Note to leader: Allow people to sit with the discomfort of the quotations and facts.*

## Key Takeaways for the Group

The most important point to make here is that the 13th Amendment was a legal loophole that allowed slavery to technically continue. It continued through convict leasing. It now continues through the use of prison labor, especially with private prison companies.

The action steps are to find a company/product that uses prison labor, and request that the company change its practices. Or, find a political figure who receives contributions from private prison companies, and call for change.

## Discussion Questions

1. Is it hard to believe that the “War on Drugs” was an overreaction? Racially motivated?

2. Last time, we talked about the psychological and spiritual tendency to criminalize other people, in this case black Americans particularly. This time, we will talk about the legal and institutional basis by which it happened in the U.S. What if people were set up for entrapment? Are they being set up?
  - a. Part of the problem here has to do with how many hurdles the black community had to face in order to keep their families intact, grow wealth, and develop their communities, churches, and colleges.
  - b. Another issue here is that the perception that black people are more criminal than white is at least partly manufactured. To the degree that black communities do face challenges of crime, a large portion of that is due to pressures and stresses placed on them by white America.
3. White America still wanted cheap labor from black people in a modified form of slavery called convict leasing. How did that continue after slavery was formally abolished? What does this show you about how “law and order” often works?
  - a. Atlanta’s bricks (p.36)
  - b. Alabama’s state revenue in 1898 (p.37 – 39)
  - c. What are your reactions to this? How easily slavery could continue in a modified, adapted form. It was all “legal,” but deeply immoral. It is important to point out several other effects:
    - i. The growth of local police power: “Convict leasing, interestingly enough, resulted in power being taken from the state level and given to those on the local level. As a result, sheriffs became quite powerful soon after the Civil War ended as “County sheriffs and judges had dabbled with leasing black convicts out to local farmers, or to contractors under hire to repair roads and bridges, beginning almost immediately after the Civil War.” The economic empowerment awarded to sheriffs created an incentive for them to convict and lock up as many freedmen as possible in order to keep a steady supply of labor. Entire economies eventually formed around the convict lease system, including the development of a speculative trade system in convict contracts.”<sup>1</sup>
    - ii. White elites pitted working class whites against blacks, in the end creating racial solidarity to prevent class solidarity. For example, in “Tennessee, its leaders ... decided that the demands of fiscal responsibility dictated abolition when the expense of maintaining the militia at convict stockades – a cost incurred by an armed rebellion on the part of free miners who



were displaced by convict gangs – proved greater than the income from the leasing contract.”<sup>2</sup>

4. How do privatized prisons continue in this tradition of ‘convict leasing’? (p.41 – 45 and p.60 – 64)
  - a. What role does the 13th Amendment play? Penal servitude is a legal form of slavery. If it were its own legal category, we would avoid this problem.
  - b. What companies today outsource labor to prisons? This may surprise you. Here is an example from 2015, which may or may not reflect corporate behavior today. But be specific, as the action step could be to go talk to the management of a company, put public pressure on a company, or boycott it.

“On average, prisoners work 8 hours a day, but they have no union representation and make between .23 and \$1.15 per hour, over 6 times less than federal minimum wage. These low wages combined with increasing communication and commissary costs mean that inmates are often released from correctional facilities with more debt than they had on their arrival. Meanwhile, big businesses receive tax credits for employing these inmates in excess of millions of dollars a year. While almost every business in America uses some form of prison labor to produce their goods, here are just a few of the companies who are helping prisoners ‘pay off their debt to society,’ so to speak.

- Whole Foods... purchases artisan cheese and fish prepared by inmates who work for private companies. The inmates are paid .74 cents a day to raise tilapia that is subsequently sold for \$11.99 a pound.
- McDonald’s... purchases a plethora of goods manufactured in prisons, including plastic cutlery, containers, and uniforms. The inmates who sew McDonald’s uniforms make even less money by the hour than the people who wear them.
- Wal-Mart... states that “forced or prison labor will not be tolerated by Wal-Mart”, [but] basically every item in their store has been supplied by third-party prison labor factories. Wal-Mart purchases its produce from prison farms where laborers are often subjected to long, arduous hours in the blazing heat without adequate sunscreen, water, or food.
- Victoria’s Secret. Female inmates in South Carolina sew undergarments and casual-wear. In the late 1990’s, 2 prisoners were placed in solitary confinement for telling journalists that they were hired to replace “Made in Honduras” garment tags with “Made in U.S.A.” tags. [VS] declined to comment.

## RETHINKING INCARCERATION: ADVOCATING FOR JUSTICE THAT RESTORES

- Aramark... which provides food to colleges, public schools and hospitals, has a monopoly on foodservice in about 600 prisons in the U.S. Despite this, Aramark has a history of poor foodservice, including a massive food shortage that caused a prison riot in Kentucky in 2009.
- AT&T... laid off thousands of telephone operators—all union members—in order to increase their profits. [T]hey have consistently used inmates to work in their call centers since '93, barely paying them \$2 a day.
- BP... spilled 4.2 million barrels of oil into the Gulf coast, [then] sent a workforce of almost exclusively African-American inmates to clean up the toxic spill while community members, many of whom were out-of-work fisherman, struggled to make ends meet. BP's decision to use prisoners instead of hiring displaced workers outraged the Gulf community, but the oil company did nothing."<sup>3</sup>

- c. How cheap is the labor? (do a bit of internet research)
- d. As we consider what prisoners might do with any money they earn, watch this video:

Phone calls for prisoners:

<http://www.truth-out.org/news/item/20759-fifteen-things-that-we-re-learned-about-the-prison-industrial-complex-in-2013>, scroll down to the video, under point #6

- e. How much money have private prison companies made in recent years?
- f. How do private prison companies impact politics? The quotations show the perverse incentives to keep building prisons, especially private prisons, and especially in rural white areas. Their population increases because of the additional prison population, but without any relational interactions, or even financial cost because the prison is paid for by a private company, or funded through the state, not the municipality. So they get more demographic power and economic activity.

Consider reading to your group this comparison with Germany's prison system: "Earlier this summer, we led a delegation of people concerned about the United States criminal justice system to visit some prisons in Germany and observe their conditions. What we saw was astonishing. The men serving time wore their own clothes, not prison uniforms. When entering their cells, they slipped out of their sneakers and into slippers. They lived one person per cell. Each cell was bright with natural light, decorated with personalized items such as wall hangings,

plants, family photos and colorful linens brought from home. Each cell also had its own bathroom separate from the sleeping area and a phone to call home with. The men had access to communal kitchens, with the utensils a regular kitchen would have, where they could cook fresh food purchased with wages earned in vocational programs. [...] Truly transformative change in the United States will require us to fundamentally rethink values. How do we move from a system whose core value is retribution to one that prioritizes accountability and rehabilitation? In Germany we saw a potential model: a system that is premised on the protection of human dignity and the idea that the aim of incarceration is to prepare prisoners to lead socially responsible lives, free of crime, upon release.”<sup>4</sup>

## Application and Advocacy

*Leaders may want to suggest a few possibilities from the list below, based on your participants' interests or even professions.*

**Action:** Find corporations that use prison labor, or sell products made from prison labor. Ask their managers why this practice exists. Consider escalating to a boycott of that product, or store. Then, to call more media attention to it, like a local newspaper.

**Action:** Call your Congressperson. Or better yet, attend a public forum (this is where our elected officials become the most responsive, because the media is there). Ask where s/he stands on the use of private prisons. Demand change.

## Notes

1. Devon Bowers, "Slavery By Another Name: The Convict Lease System," *The Hampton Institute*, October 30, 2013; <http://www.hamptoninstitute.org/convictleasesystem.html#.XDXvflxKiM->
2. Matthew J. Mancini, "Race, Economics, and The Abandonment of Convict Leasing," *The Journal of Negro History* 63:4 (1978) p.340; cited by Devon Bowers, above
3. Kelley Davidson, "These 7 Household Names Make a Killing Off of the Prison-Industrial Complex," *U.S. Uncut*, August 30, 2015 writes, 'From dentures to shower curtains to pill bottles, almost everything you can imagine is being made in American prisons. Also implicit in the past and present use of prison labor are Microsoft, Nike, Nintendo, Honda, Pfizer, Saks Fifth Avenue, JCPenney, Macy's, Starbucks, and more. For an even more detailed list of businesses that use prison labor, visit [buycott.com](http://buycott.com), but the real guilty party here is the United States government. UNICOR, the corporation created and owned by the federal government to oversee penal labor, sets the condition and wage standards for working inmates.'
4. Nicholas Turner and Jeremy Travis, "What We Learned From German Prisons," *New York Times*, August 6, 2015

# SESSION THREE: IMMIGRATION & INCARCERATION

## Rethinking Incarceration, Chapter 3 -- LEADER'S NOTES

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### Agenda for Group Session

- Introduction and Ground Rules
  - Discussing *Rethinking Incarceration*, ch.3
  - Proposed Action Steps
  - Prayer
  - Assign Articles to Read by Next Week
- 

### The Main Idea

Discussing Dominique Gilliard's book *Rethinking Incarceration* together with issues of immigration will almost certainly bring up lots of feelings and opinions. In this case, remember that the aim of this study and action guide is simple: To find places of biblical agreement and conviction regarding incarceration, and to act accordingly. These Leader's Notes will slightly over-prepare you for the discussion. This is because lots of good questions come up, for which we would like you to be prepared. Be thoughtful about where your group is, and how much of this material you use.

*Note to leader: Consider passing out or emailing out the participants' guide for Session Three before your actual meeting, so people have time to read and digest it. Think about how quickly or slowly people process. Since this is a live and contentious issue, you are likely to get opinions from all sides. Still, you as the leader can call people to Jesus to do the internal spiritual and emotional work we must do, just to cut through all the misinformation and think and feel in a fuller way about the issue of immigration.*

### Key Takeaways for the Group

The most important point to make here is that immigrant detainees are especially vulnerable to imprisonment because they have no legal rights and almost no advocates to speak up for them.

### Possible Objections, Possible Responses

**Question:** Are you saying that we should have no borders?

**Answer:** Not at all.

- But at the very least, we should be in agreement that separating children from their parents is absolutely immoral. Representative Ted Lieu (D-CA) said before Congress, “Ripping kids away from their parents is immoral. I believe in Jesus Christ. Every single thing in the Gospel goes against family separation.”<sup>1</sup>
- Furthermore, the Trump Administration is playing favorites: “First lady Melania Trump’s parents, Viktor and Amalija Knavs, became United States citizens Thursday using a family unification program that’s been repeatedly attacked by President Trump as “chain migration.” Trump has repeatedly called for the end of a long-standing U.S. policy allowing citizens to sponsor their parents and siblings for legal residency.”<sup>2</sup>
- We also need to take responsibility for the havoc that U.S. policy has caused in Latin America.

**Question:** Are you saying that people who work for ICE or border patrol are all evil?

**Answer:** No. We are not making carte blanche statements like that. I hope good people work in those roles.

- We can be sensitive, though, to how these types of jobs often draw white supremacists, and what kind of culture can develop in these organizations. We need to care about the people who serve as government agents as well. Keep in mind:

“The National Border Patrol Council, the union representing Border Patrol agents across the country, is featured in a new video that includes white nationalists and anti-Muslim extremists. The video, titled “Killing Free Speech,” was endorsed by the union and recently shown by agents at a private screening in San Diego. The video is also expected to be shown in Texas, Los Angeles, and Washington, D.C., according to union representative Terence Shigg, president of the San Diego chapter of the NBPC. The nearly hour-and-a-half-long video refers to Democrats as “dark and evil” and features a bevy of American and European far-right, anti-Muslim white nationalists who make a correlation between gang rapes, Islam, and immigration. The documentary also features members of the Proud Boys, a hate group designated by the Southern Poverty Law Center, that often aligns with white nationalists and are known for being misogynists and anti-Muslim. The Proud Boys participated in the deadly “Unite the Right” rally in Charlottesville, Virginia, and in mid-October several members of the Proud Boys were arrested in New York City after a violent street confrontation with anti-fascists.”<sup>3</sup>

**Question:** But look at Muslim immigration into Eastern and Western Europe. It’s causing major problems. Are you saying that countries do not have the right to maintain their own culture? [The response to this question is more involved, but please do read it as the responses below might be helpful for general reasons.]

**Answer 1:** We are talking about the relationship between incarceration and immigration. You’re raising a different question, which is worthwhile, but it goes beyond the scope of this

series.

**Answer 2:** The comparison is the wrong framing.

- *On Muslims:* Fear that American Muslims will install Sharia law is highly questionable. Fifty-one percent of American Muslims favor gay marriage, for instance; whereas fifty-eight percent of white evangelical Christians and fifty-three percent of Mormons are opposed.<sup>4</sup>
- *On Immigration:* Maintaining stable public schools and other institutions (the integrity of labor unions, supply of housing and health care, etc.) seems like a respectable goal, but we are not in danger of overwhelming those systems.
- *On Language:* All Christians are called to live in the paradigm of Pentecost (Acts 2). That is, Jesus calls us to celebrate the Spirit of God speaking through other languages. We do not fear the people who speak those languages, because it opens up new missionary opportunities. I (Mako) would support a policy of English being the national language. Doing so would empower new Spanish-speaking immigrants to serve on juries, for example, understand American laws, and vote. So, requiring English can very much be a mark of *invitation* and *inclusion*, and not exclusion. Conversely, we must not stigmatize other languages, or stop making signs in other languages, etc. We can also firm up requirements and expectations that American children learn other languages.
- *On Culture:* Jesus calls us to respect how people of different ethnic and cultural groups express their praise and live their lives faithfully towards him. Therefore, there is a principled Christian multi-culturalism. We see this in a preliminary form when Paul calls Gentile Christians to respect Jewish Christian customs and traditions (Romans 14 – 15); he forbids cultural genocide and spiritual imperialism. Paul also calls Jewish Christians to not impose (imperialistically) Jewish physical circumcision, sabbath, and kosher laws on Gentile Christians (Galatians 2 – 6).
- *On Christianity in America:* Behind much of this fear of losing “culture” among white evangelical Americans is the notion that the Puritan settlers started a “national covenant” with God. The Puritans read themselves into Deuteronomy as if they were biblical Israel – fleeing persecution, crossing a sea, arriving at an abundant land, and claiming to be an exceptional nation. This was not appropriate, biblically. In fact, it was heretical.

## Discussion Questions

1. Let people read the timeline of child separations from their parents. How much have you followed the migration, the child separation policy, and its results? What have your feelings and thoughts been towards it?
  - a. If the question comes up whether the child detention centers should be compared to prisons: Yes. The detention centers can indeed be considered incarceration centers, much like the Japanese-American incarceration camps during World War II (which Dominique Gilliard discusses in the start of chapter 4). The Trump Administration said that migrants should be “punished” for trying to break American immigration laws, even though they are legally seeking asylum, which is legal under both American and international law. The Administration also said



that child separations should be viewed by Latin American would-be migrants as a deterrent.<sup>5</sup>

- b. The traumatic effect on children is hard to quantify but certainly immense.
2. Dominique Gilliard names the possibility that immigration law is being used to entrap Latinos and incarcerate or deport them. Do you agree or disagree? Why?
- a. What do you think of Trump's rhetoric about Mexicans being rapists and drug traffickers (from his campaign), his accusation that Judge Curiel is unable to do his job fairly because of his Mexican heritage, and "the caravan" during the lead-up to the November 2018 midterm elections?
  - b. The Trump Administration has also targeted Vietnamese, and probably other, immigrants as well:

"In its insatiable quest to rid the U.S. of immigrants, the Trump administration has been rounding up Vietnamese refugees who have been in the country for more than a quarter of a century and trying to send them back to Vietnam — despite a formal bilateral agreement that refugees who arrived here prior to the 1995 normalization of relations between the two countries would not be sent home."<sup>6</sup>

3. Consider also the Trump Administration's false claim that thousands of criminals or terrorists come through the U.S.-Mexico border, on foot. What have you learned, in these discussions, about how portraying people as "criminals" or "terrorists" evokes fear, desire to blame and punish, etc.?
- a. Fear is a major factor. One fascinating psychological study found: "Children with Williams syndrome, a rare genetic disorder that makes them lack normal social anxiety, have no racial biases."<sup>7</sup> Williams syndrome causes people to be hypersocial. They lack a gene which causes inhibition and jitters. The fact that they have no racial typing or categorizing suggests that those of us who do make racial or ethnic categories do so because of fear.
  - b. "Othering" people. The more you identify with an offender, the more you want a consequence to be educational and restorative, like if your cousin robbed a store and got caught. The less you identify with an offender, the more you want to write that person off as unredeemable.
4. Consider what Representative Alexandria Ocasio-Cortez (D-NY) said after President Trump's Oval Office televised address to the nation on January 8, 2019. This is important to consider carefully because of how "law and order" has been manipulated in the U.S. to entrap people into the "criminal" category. In what sense is what we're seeing "law and order"?
- a. "Law and order" can be manipulated so that only some people get the "law and order." Consider how many times white Americans get light sentences (e.g. Brock Turner, the white Stanford swimmer who raped an unconscious woman), or none

at all (e.g. the American bankers who did not face any prosecution at all for the financial crisis of 2008 – 09)

- b. Constitutional lawyer and author of *The New Jim Crow*, Michelle Alexander notes that “law and order” is often used very selectively, against minority groups. Dominique Gilliard quotes her on p.48. Read this to your group:

“The rhetoric of “law and order” was first mobilized in the late 1950s as Southern governors and law enforcement officials attempted to generate and mobilize white opposition to the Civil Rights Movement. In the years following *Brown v. Board of Education*, civil rights activists used direct-action tactics to force reluctant Southern States to desegregate public facilities. Southern governors and law enforcement officials often characterized these tactics as criminal and argued that the rise of the Civil Rights Movement was indicative of a breakdown of law and order. Support of civil rights legislation was derided by Southern conservatives as merely “rewarding lawbreakers.” For more than a decade—from the mid-1950s until the late 1960s—conservatives systematically and strategically linked opposition to civil rights legislation to calls for law and order, arguing that Martin Luther King Jr.’s philosophy of civil disobedience was a leading cause of crime.”

Note that George Wallace, Barry Goldwater, Richard Nixon, Ronald Reagan, Bill Clinton, and Donald Trump all ran on “law and order” platforms. It’s very often “code language” or “dog-whistle politics” for “getting tough on minorities.”

5. Consider the similar industrial and economic connections between mass incarceration and deportation, particularly in the privatization of both prisons and detention centers. Who benefits in the immigrant-industrial system? How do politicians partner with corporations in this system?
  - a. Private Prison Corporations stand to gain a lot. They have donated to “law and order” politicians, both Republican and Democratic.
  - b. Banks also stand to profit. Read this to the group:

“Like many businesses, these private prisons depend on debt financing from banks such as Wells Fargo and JP Morgan Chase to conduct their day-to-day operations, finance new facilities, and acquire smaller companies. For example, a 2016 report from *In The Public Interest* noted that Geo Group and Core Civic had \$900 million in lines of credit from six banks: Bank of America, JPMorgan Chase, BNP Paribas, SunTrust, U.S. Bancorp, and Wells Fargo. In doing so, these banks are complicit in and profiting from both mass incarceration and the criminalization of immigration.”<sup>8</sup>

- c. Politicians who (1) are willing to scapegoat immigrants for crime, and (2) welcome campaign contributions from private prison companies.
6. How do the economic concerns of private prisons affect the care of detainees?
- a. The private sector has no inherent interest in caring for detainees. Especially because detainees are not U.S. citizens. What rights do they have?
  - b. If private prison companies receive promises from lawmakers to keep beds filled, then the system is especially perverse. One major concern is prisons will hold child detainees until they are 18 years old, at which point ICE will deport them.
7. How might we honor God as reflected in these Scriptures?
- a. Exodus 20:16; Matthew 19:18. No lying, bearing false witness.
    - i. It's one of the Ten Commandments, and Jesus quoted it as authoritative. At the very least, it is binding for Jews, Christians, and Muslims. Lying, especially bearing false witness about our geographical neighbors, is immoral by itself.
    - ii. It is additionally deeply sinful to stoke fears and anger towards an innocent scapegoat. Immigrants are not more likely to commit crimes than American citizens. In fact, they are far less likely.
    - iii. It is not likely, and at least very debatable, that immigrants are "taking our jobs." Jobs are not a zero-sum game. The presence of more people generates jobs and economic activity. In fact, American citizens regularly leave demanding and low-paying and low-status jobs, like farm work.
  - b. Exodus 22:21 – 22. Caring for strangers, aliens, widows, orphans.
    - i. The context of this statement is: God had just delivered Israel out of Egypt. The idea is that God calls His people to be kind to others, because they have a memory of being strangers and foreigners in Egypt. Widows and orphans are especially vulnerable, and deserving of care. This is repeated in the New Testament in James 1:27, for example.
    - ii. If people ask if there is a clear and direct New Testament equivalent to taking care of strangers and outsiders, the simplest connection point is Luke 14:12 – 14. Jesus calls his followers to invite to "table fellowship" the poor, lame, sick, blind (a list of people who are marginalized, and in addition, sometimes thought to be accursed by fate or God). "Table fellowship" is not just sharing a meal at a homeless shelter. It is welcoming others into your own life and space. In that cultural context, eating a meal with someone was to declare your solidarity and social equality with that person. "Table fellowship" was Jesus' expression for his community and outreach to others.
  - c. Matthew 18:1 – 6 and Matthew 19:13 – 14. Caring for children.
    - i. This passage is fairly straightforward, as it's from Jesus. "Children" are both "real children," and "new believers."

- ii. In fact, the “new believers” Jesus is talking about are Gentiles. He had taken his Jewish disciples out into Gentile lands (Mt.15:21 – 28, 29 – 39; 16:13 – 20) to teach them about mission to the Gentiles, and welcoming them into the family of God. So these “children” are actually “foreigners”! In both cases, Jesus feels very strongly that we need to care for children.
- iii. Whether the “children” are literal children, or metaphorically children who are new believers from another group of people.
- d. If someone brings up Romans 13 (obey the law, the state, the civil authority), as Attorney General Jeff Sessions did, respond in the following way:
  - i. Migrants crossing the U.S.-Mexico border ARE obeying asylum laws.
  - ii. Laws are not automatically moral by themselves. Romans 13 still requires Christians to speak to those in power, and play a role in the public sphere. Laws protect people from being harmed by other people (Gen.9:5 – 6; Rom.13:1 – 7), so Christians must put forward a general human rights platform, and protect the vulnerable.
  - iii. Watch comedian Stephen Colbert, on *The Late Show*, as a Catholic, respond to Jeff Sessions invoking Romans 13 (*The Late Show with Stephen Colbert*, June 14, 2018):  
<https://www.youtube.com/watch?v=j4KaLkYxMZ8>

## Application and Advocacy

*Leaders may suggest possibilities from the list below, based on your participants’ interests or even professions.*

**Action:** Call your Congressperson to stop the family separation and child detention policies. Ask what can be done to provide ethical oversight of the Department of Homeland Security.

**Action:** Call your Congressperson to stop the use of private prison companies to detain immigrants.

**Action:** Look into how American imperialism in Latin America contributes to mass migration. We tend to believe that migrants are drawn to America solely on the basis of wanting the American Dream. But we ignore brutal realities about how we have destabilized elections, supported dictators in the past, and encouraged American corporations to drive people into poverty over products like cheap bananas. We also ignore how American drug policies affect South America drug production, cartels, crime, and government corruption.

# Notes

1. Randall, “Rep Ted Lieu Defies Orders Not to Play Audio of Child Detainees,” *AsAm News*, December 31, 2018;  
<https://asamnews.com/2018/12/31/rep-ted-lieu-defies-orders-not-to-play-audio-of-child-detainees/>
2. Democracy Now, “Melania Trump’s Parents Become U.S. Citizens Through Process Trump Wants to Eliminate,” *Democracy Now*, August 10, 2018;  
[https://www.democracynow.org/2018/8/10/headlines/melania\\_trump\\_s\\_parents\\_become\\_us\\_citizens\\_through\\_process\\_trump\\_wants\\_to\\_eliminate](https://www.democracynow.org/2018/8/10/headlines/melania_trump_s_parents_become_us_citizens_through_process_trump_wants_to_eliminate)
3. Melissa del Bosque, “Border Patrol Union Endorses Extremist Video Featuring White Nationalists,” *The Intercept*, October 23, 2018;  
<https://theintercept.com/2018/10/23/border-patrol-union-killing-free-speech-video/>
4. Jason LeMiere, “Majority of U.S. Muslims Now Support Gay Marriage, While White Evangelical Christian Remain Opposed,” *Newsweek*, May 1, 2018;  
<https://www.newsweek.com/muslim-white-evangelical-gay-marriage-907627>
5. Julia Edwards Ainsley, “Exclusive: Trump Administration Considering Separating Women, Children at Mexico Border,” *Reuters*, March 3, 2017;  
<https://www.reuters.com/article/us-usa-immigration-children/exclusive-trump-administration-considering-separating-women-children-at-mexico-border-idUSKBN16A2ES> writes, “Part of the reason for the proposal is to deter mothers from migrating to the United States with their children, said the officials, who have been briefed on the proposal.”
6. Scott Martele, “Now Trump Is Targeting Vietnamese Refugees,” *Los Angeles Times*, September 5, 2018;  
<https://www.latimes.com/opinion/la-ol-enter-the-fray-in-yet-another-heavy-handed-1536161234-htmlstory.html>
7. Robin Nixon, “Individuals with Rare Disorder Have No Racial Biases,” *LiveScience*, April 12, 2010;  
<https://www.livescience.com/8189-individuals-rare-disorder-racial-biases.html>
8. Morgan Simon, “What Do Big Banks Have To Do With Family Detention? #FamiliesBelongTogether Explains,” *Forbes*, September 25, 2018,  
<https://www.forbes.com/sites/morgansimon/2018/09/25/what-do-big-banks-have-to-do-with-family-detention-familiesbelongtogether-explains/#4bed2112b6a>; see also In the Public Interest. “The Banks that Finance Private Prison Companies,” *The Public Interest*, November 2016,  
[https://www.inthepublicinterest.org/wp-content/uploads/ITPI\\_BanksPrivatePrisonCompanies\\_Nov2016.pdf](https://www.inthepublicinterest.org/wp-content/uploads/ITPI_BanksPrivatePrisonCompanies_Nov2016.pdf)

# SESSION FOUR: MENTAL HEALTH & INCARCERATION

Rethinking Incarceration, Chapter 4 (p.69 - 75 and articles) -- LEADER'S NOTES

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## Agenda for Group Session

- Introduction and Ground Rules
  - Discussing *Rethinking Incarceration*, ch.4 (p.69 - 75) and articles
  - Proposed Action Steps
  - Prayer
- 

## The Main Idea

This study guide follows Gilliard's material (ch.4), but dwells a little longer on the issue of how mental health and incarceration intersect. We are asking people to consider facing their fears about mental illness, and also to have more patience and compassion with those people who struggle with mental illness. We believe that Jesus is important here because he impacts our character, and that our institutions reflect our characters.

*Note to leader: At the end of Session 3, or in the time between Session 3 and Session 4, divide up these three articles to people in your group to read. Each person should have one article. More than one person can have the same article. Do an internet search to find:*

*"Why Schools Over-Discipline Children With Disabilities"*  
*by Katherine Reynolds Lewis, The Atlantic, July 24, 2015*

*"Problems at School"*  
*by Association for Children's Mental Health*

*"America's Largest Mental Hospital Is a Jail"*  
*by Matt Ford, The Atlantic, June 8, 2015*

*Ask them to prepare for Session 4 by reading Dominique Gilliard's book, pages 69 - 75 (which will probably take only 10 - 15 minutes) and their article. Ask them to be prepared to summarize their article in 3 - 4 minutes as part of Session 4, and maybe take a question or two from the other members of the group. The key sections are listed for you, below, as well as the reasons why, and some points to highlight. You can assign two or more people to read the same article. But it would make the most sense for at least one person to read each article.*

## Key Takeaways for the Group

The most important point to make here is that there is a spiritual and emotional challenge we have to face as a society. We are afraid of mental health issues, as a society, and maybe as individuals. We would prefer not to examine them. But we need to if we are going to express God's love towards others in appropriate and sensitive ways, and express the image of God in us.

## Discussion Questions

1. The articles assigned to participants. Some highlights for you as the leader:

“Why Schools Over-Discipline Children With Disabilities”

Katherine Reynolds Lewis, *The Atlantic*, July 24, 2015

<https://www.theatlantic.com/education/archive/2015/07/school-discipline-children-disabilities/399563/>

Key Section:

“A report by UCLA’s Civil Rights Project released earlier this year found that just over 5 percent of elementary-school children with disabilities were suspended during the 2011-12 school year, more than double the overall suspension rate. Among secondary-school students, 18 percent of kids with disabilities were suspended, versus 10 percent overall. Even more striking, a third of all K-12 children with emotional disabilities—such as anxiety or obsessive compulsive disorder—were suspended at least once, according to Daniel Losen, the lead author of the UCLA report.

These discrepancies amount to what some researchers and advocates call “the discipline gap,” and it potentially matters for tens of millions of K-12 students with conditions such as oppositional defiant disorder, attention-deficit hyperactivity disorder, autism, and depression. These are often kids who can’t sit still, who challenge their teachers, or who struggle with social interactions, among other behavioral challenges—all of which can look like deliberate misbehavior or defiance and, in turn, lead to disciplinary action. The disparity widens when race is added to the mix: More than one in four black boys and one in five black girls with disabilities will be suspended in a given school year, according to Department of Education data.”

Significance:

- Starting with an article about children’s mental health is emotionally engaging. We are more sympathetic to children because we have an easier time sympathizing with those we presume are innocent. Not only that, we can glimpse how difficult life can be for individuals and families with mental health challenges.



## RETHINKING INCARCERATION: ADVOCATING FOR JUSTICE THAT RESTORES

- The article sets up interest in the next article topics, as well as in the next session, The School-to-Prison Pipeline.
- The UCLA Civil Rights Project is highly reputable in the field of education.
- The focus is national, although State-specific laws and trends will become important to consider, too.

“Problems at School”

*Association for Children’s Mental Health*

<http://www.acmh-mi.org/get-help/navigating/problems-at-school/>

Key Section:

“Addressing mental health needs in school is critically important because 1 in 5 children and youth have a diagnosable emotional, behavioral or mental health disorder and 1 in 10 young people have a mental health challenge that is severe enough to impair how they function at home, school or in the community.

Many estimates show that even though mental illness affects so many of our kids aged 6-17 at least one-half and many estimate as many as 80% of them do not receive the mental health care they need.

Being able to recognize and support kids mental health in schools matters because:

- Mental health problems are common and often develop during childhood and adolescence
- They are treatable!
- Early detection and intervention strategies work. They can help improve resilience and the ability to succeed in school & life.

In addition, youth with emotional and behavioral disorders have the worst graduation rate of all students with disabilities. Nationally, only 40 percent of students with emotional, behavioral and mental health disorders graduate from high school, compared to the national average of 76 percent; and, Over 50% of students with emotional and behavioral disabilities ages 14 and older, drop out of high school. This is the highest drop out rate of any disability group!”

Significance:

- This is a concise summary of the challenges we face with children and youth, again at the national level.
- It provides hope, because early intervention, treatment, and coaching can make a huge difference.

“America’s Largest Mental Hospital Is a Jail”

by Matt Ford, *The Atlantic*, June 8, 2015

<https://www.theatlantic.com/politics/archive/2015/06/americas-largest-mental-hospital-is-a-jail/395012/>

Key Section:

“What sort of crimes had these people been arrested for? One kid on the list had a tendency toward aggression, but officials emphasized that the overwhelming majority were “crimes of survival” such as retail theft (to find food or supplies) or breaking and entering (to find a place to sleep). For those with mental illness, charges of drug possession can often indicate attempts at self-medication. “Even the drugs of choice will connect to what the mental illness is,” Petacque-Montgomery told me. People with severe depression might use cocaine “to lift their mood.” Those who hear voices and have schizophrenia or bipolar disorder often turn to heroin to regulate their sleep. Marijuana use “is just constant for kids with ADD and depression,” she notes. “I’ll ask, ‘Can you eat or sleep without this?’ and they’ll say no.”

Chicagoans with mental illness end up in jail through a chain of small decisions by different local officials. Police officers can choose to take a mentally ill person home, to the hospital, to a shelter—or to jail. Prosecutors can choose whether or not to bring charges. Judges can choose to set higher or lower bail amounts, thereby determining whether poorer defendants can avoid pre-trial detention and keep their jobs and housing. But once a person reaches the jail, the local sheriff can’t simply decline to take them into custody.

In Chicago, that responsibility falls to Tom Dart, the 52-year-old sheriff of Cook County. Dart supervises about 6,900 sworn officers in the Cook County Sheriff’s Department. His jurisdiction encompasses the roughly 5.3 million people living in and around Chicago. As sheriff, Dart is also responsible for Cook County Jail, the largest single-site jail in the United States. Because so many people with mental illness pass through his custody, Cook County Jail can also be considered the largest mental-health facility in the nation. The jail has been run accordingly since Dart’s election in 2006. All incoming staff, including the 300 to 400 new correctional officers hired annually, now receive 60 hours of advanced mental-illness treatment training. His officers can’t simply be guards anymore, Dart emphasizes. “You have to be a doctor. You have to be a nurse. You have to be a social worker. You have to be all of these things.”

Significance:

- This Chicago prison - Cook County Jail - is one of the worst possible examples we can consider.
- The section demonstrates how youth and young people with mental illnesses can be swept up in the criminal justice system, because of anti-social behaviors.

## RETHINKING INCARCERATION: ADVOCATING FOR JUSTICE THAT RESTORES

- The article shows how many resources are needed at the jail-level to adequately treat mentally ill people while incarcerated.
2. From Gilliard, ch.4 and the Vera Institute of Justice
    - a. Our first attempt at caring or containing mentally ill people was asylums. Perhaps that was our best attempt. But it also hid them from view, so we didn't have to care.
    - b. We tried to integrate mentally ill people into community to some degree. There are benefits to doing this.
      - i. We understand each other more deeply.
      - ii. People can recover more often. In other countries, people recover from schizophrenia more frequently than in the U.S. because they are integrated into the community and stay in relationships, which helps.
      - iii. But we still have to rely on professionals. And when public funding for those professionals dries up, we all suffer, and the criminal justice system is overburdened because we stop caring.
  3. Part of the reason for the lack of access to mental health is almost certainly racism. Racism in the U.S. involves white Americans suspecting black Americans of being more criminal. And when you just look at anti-social behavior without looking under the surface and exploring why that behavior is there, you're also less sympathetic to mental health concerns.
  4. Jesus' parable of the good Samaritan. Here are some relevant points:
    - a. Things happen to us as people that are outside our control. The Jewish man got beat up through no fault of his own.
    - b. The system in place doesn't address the man's wound. The priest and the Levite have incentives to ignore the person lying in the road. They have a different job to do; they get paid to do it; and somehow their identities and sense of right and wrong have gotten wrapped up in their job.
    - c. Those who have been marginalized sometimes have more sympathy. The Samaritan man has been marginalized by Jewish society (Samaritans were the result of the mixing and intermarriage of Jews and Assyrians from 721 BC). Although we have to be careful here, too, because compassion is a choice. The Jews on the whole were marginalized by the Roman Empire, and beaten up, too.
    - d. Being compassionate can expose you to more danger, or expense. The Samaritan man has to slow down on a road where bandits are known to roam. He also takes the man to a place where he can recover, and then pays for his tab.
    - e. But this what it means to "love your neighbor" according to Jesus. God's love in Jesus empowers more love in and through us.

## Application and Advocacy

*Leaders may want to suggest a few possibilities from the list below, based on your participants' interests or professions, or needs arising from the congregation.*

**Action:** If someone in your congregation has autism, schizophrenia, or some other mental disorder, find resources in your State, county, or city. Note that mental illness can manifest as substance abuse. For example, in Massachusetts, there are:

- Massachusetts Rehabilitation Commission, a State program (<https://www.mass.gov/orgs/massachusetts-rehabilitation-commission>);
- Massachusetts Access to Recovery, a State program focused on substance abuse disorders (<http://www.ma-atr.org/Home.aspx>);
- Gavin Foundation, a non-profit agency offering wrap-around services centered at a residential program with focus on substance abuse disorders (<https://www.gavinfoundation.org/>).

**Action:** If you have someone in your congregation who has been incarcerated and also has mental illness, read: “Reentry After A Period Of Incarceration” by the National Alliance on Mental Illness.

<https://www.nami.org/Find-Support/Living-with-a-Mental-Health-Condition/Reentry-After-a-Period-of-Incarceration>

**Action:** Learn more about public policy proposals and needs. Look at the public policy proposals of the National Alliance on Mental Illness:

<https://www.nami.org/Learn-More/Mental-Health-Public-Policy>. Also, “How to Reduce Violence by Untreated Seriously Mentally Ill” by *Mental Illness Policy*

<https://mentalillnesspolicy.org/crimjust/eliminate-mental-illness-jail-pipeline.html> breaks down policy proposals to State and Federal levels. Note:

- In the State level reforms section, the first proposal (increase hospital beds) is expanded on by Mark Flatten, a representative of the Goldwater Institute, a libertarian think tank, who wrote an article for the National Review.<sup>1</sup> One might agree or not with the proposal that more competition alone will provide hospital beds, but it’s fair to note a certain level of agreement.
- In the Federal level reforms section, notice that the last proposal is “Restore proposals NRA claimed to support that would restrict either number of guns or capacity of guns in hands of seriously mentally ill, including those with representative payees.”

## Notes

1. Mark Flatten, “To Help Fix American Mental-Health Care, Reform Certificate-of-Need Laws,” *National Review*, October 8, 2018, <https://www.nationalreview.com/2018/10/mental-health-care-crisis-certificate-of-need-laws/> writes, “The dearth of mental-health-treatment options that exists in many places around the country is driven by the greed, or at least the economic selfishness, of established medical providers who are able to prevent competitors from moving in on their turf, regardless of how dire the shortage. To do so, they use what are called Certificate-of-Need (CON) laws, which generally require would-be providers of health-related services to get approval from a state regulatory board before building or expanding a facility or service.”

# SESSION FIVE: THE SCHOOL-TO-PRISON PIPELINE

## Rethinking Incarceration, Chapter 5 -- LEADER'S NOTES

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### Agenda for Group Session

- Introduction and Ground Rules
  - Discussing *Rethinking Incarceration*, ch.5
  - Proposed Action Steps
  - Prayer
- 

### The Main Idea

This session focuses on a tendency in some schools to heavily and disproportionately discipline students, especially students of color. This tendency is called “the school-to-prison pipeline.” Gilliard discusses this in chapter 5.

*Note to leader: The idea that people have implicit biases that we are not always consciously aware of may be unsettling. But allow people to wrestle with the reality that our fears can and do affect us on the subconscious level, simply because our brains make patterns to simplify the world around us. In some ways, implicit biases make us human even while they show us that we need to pray in such a way that we bring our experiences and memories before the Lord in such a way that He can speak to our fears.*

### Key Takeaways for the Group

The most important point to make here is that we are affected by our experiences with people of other races, as well as those of our own race. Those experiences add up to subconsciously affect us, which is known as “implicit bias.” And those biases affect children in the very places we hope they will experience structured care, nurture, and development. We need to allow Jesus’ love for others to inform our interactions, more and more.

### Possible Objections, Possible Responses

**Question:** Question: Gilliard recounts stories about SRO’s like Ben Fields (p.90). But how widespread is this?

**Answer:** We have chosen to include a bit more material to answer this question.

## Discussion Questions

1. What is a “zero tolerance policy”? How did Judge Ciavarella promote it? Who benefited from it?
  - a. “Zero tolerance” is the idea that schools will not tolerate any negative behaviors, and will act swiftly and very punitively in response
  - b. Private prison companies benefit. “Ciavarella and another judge had accepted over two million dollars in kickbacks from two corporate-run juvenile facilities... Robert Powell, the co-owner of the two private juvenile detention centers that Ciavarella’s convictions populated... was sentenced to eighteen months after confessing to paying kickbacks to Ciavarella and Ciavarella’s boss, Judge Michael Conahan... Robert Mericle, the developer of the prisons in question, pleaded guilty and was sentenced to a year in prison.”<sup>1</sup>
2. What is “the school-to-prison pipeline”? Give some examples that Gilliard notes.
  - a. ACLU: “the policies and practices that push our nation’s schoolchildren, especially our most at-risk children, out of classrooms and into the juvenile and criminal justice systems. This pipeline reflects the prioritization of incarceration over education.”<sup>2</sup>
  - b. Gilliard, on p.81, mentions how much school suspensions have increased from 1974 to 2000: from 1.7 million to 3.1 million.
  - c. Gilliard, on p.82, cites the National Education Policy Center, on what percentage of suspensions are for non-violent disruptive behavior, or not wearing the school uniform: 95%
3. How widespread is this “school-to-prison pipeline”? If you were (or had been) suspended from school for a day or two or three, who watched you (or would have watched you) at home?
  - a. There is a high cost of school suspensions, and schools, kids, and their families run the risk of kids becoming even more delinquent.
  - b. Clearly, there are racial biases at work - either implicit biases (see below) or overt biases.
4. What is “implicit bias”?
  - a. OSU Kirwan Institute: “Also known as implicit social cognition, implicit bias refers to the attitudes or stereotypes that affect our understanding, actions, and



decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control.”<sup>3</sup>

- b. “An unconscious yet powerful contributor to school discipline disparities... Implicit bias is a chief expression of institutional racism.”<sup>4</sup>
  - c. Something that is theoretically illegal based on the Supreme Court case *Price Waterhouse v. Hopkins* (1989), which involved gender stereotypes
  - d. If people in your group would like to take a test to see how much implicit bias they have, look up the Harvard Implicit Racial Bias test, and send them the link.
5. Opinions could vary but it should seem fairly intuitive that suspending kids from school exposes them to the street and/or the criminal justice system.
- a. Probably close to 100% of single parents work. So how many good options exist for them if kids are suspended from school?
  - b. In families with kids 18 and under, 62% of married couples have both parents working.<sup>5</sup>
6. How does the U.S. justice system treat children like adults? How does this compare with other countries? Gilliard says, “per the United Nations, the United States is the only country that imprisons children for life. Consequently, there are currently over 2,500 individuals serving a life sentence without the possibility of parole for crimes they committed as children. Seventy percent of these life-without-parole convictions, for kids fourteen or younger, were of children of color.”<sup>6</sup>
7. Gilliard mentions Proverbs 31:8 - 9. There are some straightforward applications from this passage. Furthermore, God gives people the opportunity to repent and be redeemed. What does this mean for our juvenile justice system? See action steps, below.

## Application and Advocacy

*Leaders may want to suggest a few possibilities from the list below, based on your participants' interests or even professions.*

**Action:** Find out if juveniles are held in adult prisons in your State. If so, call your Congressperson to complain, or find out what legislation is being considered. Consider contacting friends in other States to see if they would take action on this issue.

**Action:** Find out if your school district utilizes a restorative justice approach in conflicts between students. School districts that have utilized restorative justice include: West Oakland, CA; New York, NY; Boston, MA; Fairfax County, VA. For some information, see: <https://www.anastasiscenter.org/politics-right-ed-classroom-restorative-justice>. We try to keep articles current.

**Action:** In your church community, ask parents what concerns they have about the schools to which they send their kids, and the needs they have in relation to their kids.

## Notes

1. Dominique Gilliard, *Rethinking Incarceration: Advocating for Justice that Restores* (Downers Grove, IL: InterVarsity Press, 2018), p.77
2. Gilliard, p.81
3. <http://kirwaninstitute.osu.edu/research/understanding-implicit-bias/>
4. Gilliard, p.83
5. Bureau of Labor Statistics, “Employment Characteristics of Families – 2017”; *U.S. Department of Labor*, April 19, 2018; <https://www.bls.gov/news.release/pdf/famee.pdf>
6. Gilliard, p.92

# SESSION SIX: RETRIBUTIVE VS. RESTORATIVE JUSTICE

Rethinking Incarceration, Chapters 6 and 7 -- LEADER'S NOTES

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## Agenda for Group Session

- Introduction and Ground Rules
  - Quiz: How do you express justice?
  - Discussing *Rethinking Incarceration*, chs.6 and 7
  - Proposed Action Steps
  - Prayer
- 

## The Main Idea

This session focuses on two views of “justice” as they have impacted the prison system - both the prison itself and the ministry practiced within it. In chapter 6, Gilliard follows the history of prisons in England and the U.S.: It started as a tool to isolate already marginalized people, more like asylums; Christians reformed it as a tool for punishment. In chapter 7, Gilliard describes how Christian prison ministry has gone through different forms, and how theological perspectives shape its practice.

## Key Takeaways for the Group

The most important point to make here is that the participation of Christians in the American prison system had the effect of making both more retributive. Prisons became more retributive. Christian faith developed a more retributive vision of God’s justice. We ask the group to compare the practical effects of restorative vs. retributive justice.

## Introduction:

In chapters 6 and 7 of his book, Dominique Gilliard moves from recounting a history of mass incarceration and its multiple pipelines into discussing how American Christianity has helped shape the U.S. prison system, and vice versa. Gilliard explores two competing views of justice in the criminal justice system which we will call “meritocratic-retributive justice” and “restorative justice.” Session 6 will explore these two competing views of justice, their implications, and their legacy in the American prison ministries.

Today’s session begins with a quiz, which is supposed to give you a glimpse into your own view of justice. Please respond with your initial instincts!

## Quiz: How do you express justice?

1. Which issue irritates you the most?

- ☐ Economic inequality
- ☐ Racial-profiling by police
- ☐ Minimum sentencing on nonviolent crimes
- ☐ Voter suppression
- ☐ Unequal pay for equal work
- ☐ Draining resources from mental health supports
- ☐ Under-resourced schools

2. Which ruling do you find most **just** (select one)

☐ Habitual Offender Laws (1994)

Commonly referred to as the “three-strikes law”, sentences a person who has committed a violent felony and two previous convictions to serve a mandatory life sentence in prison.

☐ Anti-Drug Abuse Act (1986)

Required a minimum sentence of 5 years for drug offenses involving 5 grams of crack or 500 grams of cocaine. Any drug offenses involving 50 grams of cocaine or 5 kilograms of cocaine required a min. sentence of 10 years in prison.

☐ Executive Order 10925 - “Affirmative Action” (1961)

The process of a business or governmental agency in which it gives special rights of hiring or advancement to ethnic minorities to make up for past discrimination against that minority.

☐ Graham v. Florida (2009)

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Ruled the sentence of juvenile life without parole to be unconstitutional in non-homicide cases.

3. Justice means the freedom..." (select as many as you believe)
  - ☐ To receive what you earn
  - ☐ To not be responsible for other people's needs
  - ☐ From limits on what you can earn
  - ☐ To be in relationships with others
4. When someone on the road cuts you off, what is your first reaction?
  - ☐ retaliate and get even
  - ☐ forgive and forget
  - ☐ think about what made them do that
  - ☐ call for their apology and help to fix the mess
5. If a friend steals from you, what is your first reaction?
  - ☐ ask them why they wronged you
  - ☐ retaliate and get even
  - ☐ forgive and forget
  - ☐ think about what made them do that
  - ☐ call for their apology and repayment
6. In general, what is the most just way to treat people? According to... (select one)
  - ☐ The work we've done to prove ourselves
  - ☐ A vision for healthy relationships

*Note to leader: Not all answers or questions correspond directly with a meritocratic/retributive vs. restorative view of justice. But this is a good warmup.*

- *Meritocratic-Retributive justice - "you get what you deserve"*
- *Restorative justice - "restoring people and communities back to "healthy" relationships"*

### Quiz Discussion Questions

Share your answers for the quiz and why you chose them. Please discuss with the group their answers to key questions such as Q's #2, 4, 6, 7. Answer Key:

1. *This was just a warm up exercise; no clear answers*
2. *Supreme Court cases and their basic principle of justice:*
  - a. *Habitual Offender Laws (1994): Meritocratic-Retributive*

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- b. *Anti-Drug Abuse Act (1986): Meritocratic-Retributive*
  - c. *Executive Order 10925 - "Affirmative Action" (1961): Restorative*
  - d. *Graham v. Florida (2009): Restorative*
- 3. *Justice means the freedom to...*
  - a. *To receive what you earn: Meritocratic-Retributive*
  - b. *To not be responsible for other people's needs: Meritocratic-Retributive*
  - c. *From limits on what you can earn: Meritocratic-Retributive*
  - d. *To be in relationships with others: Restorative*
- 4. *When someone on the road cuts you off, what is your first reaction?*
  - a. *Retaliate and get even: Meritocratic-Retributive*
  - b. *"Forgive and forget": does not address anything form of justice, it, in fact, neglects both forms of justice.*
  - c. *Think about what made them do that: Restorative*
  - d. *Call for their apology and help fix the mess: Restorative*
- 5. *When a friend steals from you, what is your first reaction?*
  - a. *Retaliate: Meritocratic-Retributive*
  - b. *Ask them why they wronged you: Either*
  - c. *"Forgive and forget": does not address anything form of justice, it, in fact, neglects both forms of justice.*
  - d. *Think about what made them do that: Restorative, because perhaps their situation made*
  - e. *Call for their apology and help to fix the mess: Restorative, because what matters is the extra work you need to do now to fix the harm they caused*
- 6. *What is the most just way to treat people? According to... (select one)*
  - a. *The work we've done to prove ourselves: Meritocratic-Retributive*
  - b. *A vision for healthy relationships: Restorative*

The sharing time should be used to discuss the implications of a meritocratic/retributive vs. a restorative view of justice.

- 1. *Were your answers consistent throughout the quiz? Why or why not?*
  - a. *Please make sure people know that it is a safe space to examine their views or even the inconsistencies of their view.*
  - b. *It is totally normal to be inconsistent with the answers. The whole reason for the quiz and discussion is to reflect on our own views of policies or reactions to crimes so that we can critically examine our own vision for Justice.*
- 2. *Why do you believe in your view of justice? Which is the higher principle: Restorative or Retributive?*



- a. Allow people to lay out their justification or reasoning for holding their view of justice. Perhaps they have a philosophical reason, practical justification, theological perspective, etc.
- b. Explore why you and your group members hold their respective view of justice (i.e. childhood upbringing, theological perspective, societal influence, etc.)
- c. **It's likely that we are more retributive towards the driver who cuts us off on the road and more restorative towards the friend who wrongs us.** The reason is because when we identify with the offender, we want the punishment to be restorative: constructive, educational, and meaningful towards making us better. When we dis-identify with the offender (and dehumanize her/him), we want the punishment to be retributive: severe, punitive for its own sake, and not concerned about the offender's life afterwards. We write that person off.
- d. Ultimately, we need to ask how God views an offender right now. We put forward the case that God takes a restorative justice approach.

## Discussion Questions

1. What are your reactions to the origins of the prison system as laid out by historian Jennifer Graber? Do you think its original purpose has carried over to how it is practiced in mass incarceration?
  - a. On page 98, Gilliard refers to Graber. She notes that prisons, in both England and the American colonies, were not used as a form of punishment for a crime.
    - i. Originally, prisons harbored and isolated those considered "social undesirables": debtors, impoverished people, people with mental disabilities.
    - ii. Criminals were originally flogged, whipped or hung on gallows.<sup>1</sup>
  - b. Gilliard asserts that mass incarceration, in the United States today, has duplicated the original intention of prisons by locking up and isolating communities of color, especially the African American and Latinx communities.
2. How have Christian ministers reinforced the retributive practices of the prison system?
  - a. How did these Christian ministers act?
    - i. What did Christian ministers think was their goal? To save the prisoner's souls through conversion
    - ii. How did they understand the role of the prison? As a tool of divine justice to help prisoners realize they are sinners; "redemptive suffering"
      1. i.e. Rev. John Stanford's "furnace of affliction" on p.122
    - iii. How did they understand God's character? They thought God's justice is retributive. They thought only through punishment - or against the backdrop of the threat of punishment - can we appreciate the mercy of grace.

- iv. As Gilliard notes (p.99), Christian clergy participated in the state-sanctioned prison system by offering prayers of penitence, preaching “condemned sermons”, or offering sacraments to offenders before execution gave theological justification to the retributive practices of the prison system.
- v. Another scholar, theologian and ethicist Timothy Gorringer, says “God” became a tool to guard the societal status quo.<sup>2</sup>
  - 1. For “law and order” through government, generally
  - 2. Using capital punishment, in particular
- b. What did these Christian ministers believe about God and punishment?
  - i. God’s “hell” was a prison, so prisons should be like hell. Christian ministers, especially from the Calvinist tradition, spoke of prison as a “furnace of affliction”, God-ordained suffering that encouraged people to turn to Jesus and change, lest God send them to the worse, eternal “furnace of affliction.”<sup>3</sup>
  - ii. Since God punishes all sin, we should punish all crime. God uses the state to express His divine wrath.<sup>4</sup>
    - 1. If that’s the paradigm for God, then it seems obligatory that we punish, too.
    - 2. An example: An 1822 pamphlet called “Sword of Justice Wielded by Mercy”
      - a. Used Christianity to legitimate state violence
      - b. Talks about how corporate punishment helped turn inmates to repentance and penance.
- 3. How have some Christians advocated for the reform of prison practices to reflect a restorative approach?
  - a. What was their goal? A holistic approach, to help offenders renew their bodies and souls. If possible, to help offenders help repair the damage they did to their victims.
    - i. Example: Don Davis and The Urban Ministry Institute (TUMI) on p.115
    - ii. Example: Father David T. Link as prison chaplain on p.119 - 121
    - iii. One story of restorative justice in action involves Conor McBride, who shot and killed his girlfriend Ann Margaret Grosmaire, when they were both 19 years old. Conor immediately turned himself in. Ann’s parents (Andy and Kate Grosmaire) decided to pursue a restorative justice approach out of their Christian faith. They met with Conor and his parents through a restorative process that was painful, raw, and meaningful. They appealed to the prosecutor to bring the sentence down from 40 years to between 5 to 15 years. The prosecutor decided on 20.<sup>5</sup>
  - b. How did they interpret prisons? Cautiously.
    - i. They recognize that we will still need some prisons.

- ii. But they name the social injustice within the incarceration system. Father Dave Link calls the current prison system a feudal system that scapegoats people so that there will be enough indentured servants for the economy.
- c. How did they think of the character of God? They believed God's justice is restorative.
  - i. Reformers of the prison system like Father Dave Link sought a holistic approach to prison systems. Reformers believed that the objective of the prison system was to reform prisoner by uplifting and encouraging prisoners as they worked towards rehabilitation.
  - ii. Ministers who were advocates of prison reform sought to affirm the goodness of humanity within all individuals, helping create spaces for people to reflect and worship.
  - iii. *Note to leaders:* This may raise a lot of questions of how we should read about Jesus' death on the cross, the character of God, and so on. For now, please write down the questions you have, and the questions that people in your group have. We will start to address some of them in future sessions.
- 4. To sum up what we've learned so far, how has the participation of Christian ministers in prison systems has shaped American Christianity?
  - a. Sometimes, Christian faith becomes transformed focusing mainly on moral living, and obedience to governmental authorities instead of redemption, reconciliation, and atonement (Gilliard, p.106, writes, "In the end...").
  - b. Protestant reformers adopted a more generic, secular prison religion that emphasized "American morals", virtues, good citizenship, and obedience to the state authorities.
  - c. Read Gilliard's quote from Aaron Griffith in *Rethinking Incarceration*, p.113

## Application and Advocacy

*Leaders may want to suggest a few possibilities from the list below, based on your participants' interests or even professions.*

**Action:** One of our hopes is to build a thought movement to bring about policy change. Share the Quiz, "How do you express justice" with someone. Engage them in their thinking about retributive vs. restorative justice. Share with them what you're learning through this study.

**Action:** Read this blog post comparing retributive vs. restorative justice, and recommend it to friends:

<https://newhumanityinstitute.wordpress.com/2015/09/09/interpreting-jesus-and-atonement-practical-issue-6-is-retributive-justice-the-highest-form-of-justice-does-atonement-theology-im-pact-our-framework-for-criminal-justice/>. You can find it at

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[www.newhumanityinstitute.wordpress.com](http://www.newhumanityinstitute.wordpress.com). Then click on “Atonement Implications” and find “Practical Issue #6”.

**Action:** Share the larger “Whose Justice?” survey with a friend and discuss. The full survey is designed to help people critically reflect on their own beliefs about whether they have a foundation for “justice” or whether there is not justice, only power. This survey asks how you organize four principles of justice: meritocratic-retributive, distributive, libertarian, and restorative justice. People might be surprised by the inconsistency of their views.

Read the instructions first! Go to:

<https://www.anastasiscenter.org/evangelism-tools-conversation-stations>

Look for “Whose Justice?” and “instructions”. Check out the “Harvard Law School” version of the survey.

**Action:** Recommend Dominique Gilliard’s book and this Study Guide to other Christian friends.

## Notes

1. Gorringer, Timothy, *God's Just Vengeance: Crime, Violence and the Rhetoric of Salvation*. Cambridge: Cambridge University Press, 1996. 157
2. Gorringer, 148
3. Gorringer, 140. For a readable cultural commentary, see Cunningham, Vinson. "How the Idea of Hell Has Shaped the Way We Think." *New Yorker Magazine*. January 21, 2019.  
<https://www.newyorker.com/magazine/2019/01/21/how-the-idea-of-hell-has-shaped-the-way-we-think>.
4. Gorringer, 154
5. For more information, see Tullis, Paul. "Can Forgiveness Play a Role in Criminal Justice." *New York Times*. January 4, 2013.  
<https://www.nytimes.com/2013/01/06/magazine/can-forgiveness-play-a-role-in-criminal-justice.html>.

# SESSION SEVEN: RESTORING DIVINE JUSTICE

Rethinking Incarceration, Chapters 8 and 9 -- LEADER'S NOTES

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## Agenda for Group Session

- Introduction and Ground Rules
  - Discussing *Rethinking Incarceration*, chs.8 and 9
  - Studying God's response to sin in Genesis 3:20 - 24
  - Proposed Action Steps
  - Prayer
- 

## The Main Idea

This session examines the biblical notion of restorative justice as found throughout Scripture and how that impacts our perspective of God's justice and Jesus's atonement on the cross. In chapter 8, Gilliard examines the notion of restorative justice in the Bible, asserting that divine justice is not defined by a legalistic status of righteousness, but **right relationships with God, neighbor, and creation**. In chapter 9, Gilliard recounts a genealogy of the penal substitution theory of Jesus's atonement, critiquing how penal substitution fails to incorporate a restorative vision of divine justice and reinforces a culture of hyper-incarceration and racism.

## Key Takeaways for the Group

We will discover here why God's justice is restorative, not retributive. Gilliard makes that point in his book, and we support him through an examination of Genesis 3.

## Discussion Questions

1. What are the ways in which we overlay our own understanding of justice into Scripture?
2. According to Gilliard, what is the goal of biblical justice? On p.139, Gilliard says, “Scripture consistently reveals that restoration, not punitive punishment, is at the heart of God’s justice...” For more information, as a supplement to Gilliard, see:

- a. N.T. Wright:

“Yes, Jesus did, as Paul says, die for our sins, but his whole agenda of dealing with sin and all its effects and consequences was never about rescuing individual souls from the world but about saving humans so that they could become part of his project of saving the world. “My kingdom is not from this world,” he said to Pilate; had it been, he would have led an armed resistance movement like other worldly kingdom-prophets. But the kingdom he brought was emphatically for this world, which meant and means that God has arrived on the public stage and is not about to leave it again; he has thus defeated the forces both of tyranny and of chaos -- both of shrill modernism and of fluffy postmodernism, if you like -- and established in their place a rule of **restorative, healing justice...**”<sup>1</sup>

- b. Alister E. McGrath, *Iustitia Dei: A History of the Doctrine of Justification*, ch.1 gives a deeper look at how language and translation from Hebrew to Greek played a role in perceiving that God’s justice was meritocratic-retributive.

‘Although there are many instances where *sedaqa* can be regarded as corresponding to the [Greek] concept of *iustitia distributiva* [meaning here the distribution of rewards and punishments according to actions of merit or demerit], which has come to dominate western thinking on the nature of justice..., there remains a significant number which cannot. A particularly significant illustration of this may be found in the Old Testament attitude to the poor, needy and destitute. As we have noted, *sedaqa* refers to the ‘right order of affairs’ which is violated, at least in part, by the very existence of such unfortunates. God’s *sedaqa* is such that God must deliver them from their plight – and it is this aspect of the Hebrew concept of *sedaqa* which has proved so intractable to those who attempted to interpret it solely as *iustitia distributiva*.’<sup>2</sup>

3. Does God punish or penalize people in the Bible?



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- a. Yes, there are punishments in the Bible. But God does not simply accept people's suffering to get even with them, or to take revenge for a feeling of being offended. Rather, God calls people to restore what has gone wrong and restore right relationships. That is, God works for our good, and calls us to cooperate.
- b. As we will see when we study Genesis 3, God drives Adam and Eve out of Eden as a consequence for their sin. But simultaneously, God prevented them from eating from the tree of life while in a corrupted state. God did not want them to make sinfulness permanent in human nature, and make human evil immortal.
- c. Clement of Alexandria (c.150 – c.215 AD) was a prolific teacher in a Christian school in Alexandria, Egypt, which was started, according to church tradition, by Mark the assistant to Simon Peter. Clement said,

“For there are partial corrections, which are called chastisements, which many of us who have been in transgression incur, by falling away from the Lord's people. But as children are chastised by their teacher, or their father, so are we by Providence. But God does not punish, for punishment is retaliation for evil. He chastises, however, for good to those who are chastised, collectively and individually... But if one is curable, able to bear (like fire or steel) the outspokenness of the truth, which cuts away and burns their false opinions, let him lend the ears of the soul.”<sup>3</sup>

4. How does the biblical vision of “righteousness” address individual and systemic relationships?
  - a. Righteousness is being in right relationship with God, neighbor, and creation.
  - b. Read Gillard on p.140, when he explains what biblical justice is. Justice requires the church to stand up for the marginalized and to advocate for social justice causes, not allowing oppressive systems to prey on the marginalized.
5. As Gilliard explores, how does the penal substitution theory of atonement put forward a vision of a God who is retributive, rather than restorative? (participants to fill in the blanks)
  - a. Penal substitution declares that when God does not receive our obedience, God will demand our suffering instead. This is to satisfy (in this theory) divine retributive justice. So God must absolutely and always punish human beings to exhaust divine wrath, and be reconciled to us.
  - b. Penal substitution also declares that Jesus endured infinite retributive punishment in order to satisfy God's wrath. Otherwise, God would pour that wrath out onto us.
  - c. Consider that theologian Timothy Gorringer says:

“Finally if Christ died to atone, or extinguish God's wrath, then it must be said that Christ made an atonement for God and not for man; that he died for the good and benefit of God, and not of man; and that that which is

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called our redemption ought rather to be called the redemption of God, as saving and delivering him, and not man, from [God's] own wrath.”<sup>4</sup>

## How Did God Respond to Sin?

### The Hebrew Scriptures, Genesis 3:8 - 24

<sup>8</sup>They heard the sound of the LORD God walking in the garden in the cool of the day, and the man and his wife hid themselves from the presence of the LORD God among the trees of the garden. <sup>9</sup>Then the LORD God called to the man, and said to him, 'Where are you?' <sup>10</sup>He said, 'I heard the sound of You in the garden, and I was afraid because I was naked; so I hid myself.' <sup>11</sup>And God said, 'Who told you that you were naked? Have you eaten from the tree of which I commanded you not to eat?' <sup>12</sup>The man said, 'The woman whom You gave to be with me, she gave me from the tree, and I ate.' <sup>13</sup>Then the LORD God said to the woman, 'What is this you have done?' And the woman said, 'The serpent deceived me, and I ate.'

<sup>14</sup>The LORD God said to the serpent,

'Because you have done this, cursed are you more than all cattle,  
And more than every beast of the field;

On your belly you will go,  
And dust you will eat, all the days of your life;

<sup>15</sup>And I will put enmity between you and the woman,  
And between your seed and her seed;

He shall bruise you on the head,  
And you shall bruise him on the heel.'

<sup>16</sup>To the woman God said,

'I will greatly multiply Your pain in childbirth,  
In pain you will bring forth children;

Yet your desire will be for your husband,  
And he will rule over you.'

<sup>17</sup>Then to Adam God said,

'Because you have listened to the voice of your wife, and have eaten from the tree  
About which I commanded you, saying, 'You shall not eat from it';

Cursed is the ground because of you;  
In toil you will eat of it, all the days of your life.

<sup>18</sup>Both thorns and thistles it shall grow for you;  
And you will eat the plants of the field;

<sup>19</sup>By the sweat of your face You will eat bread,  
Till you return to the ground,

Because from it you were taken;  
For you are dust, and to dust you shall return.'

<sup>20</sup>Now the man called his wife's name Eve, because she was the mother of all the living. <sup>21</sup>The LORD God made garments of skin for Adam and his wife, and clothed them. <sup>22</sup>Then the LORD God said, 'Behold, the man has become like one of Us, knowing good and evil; and now, he might stretch out his hand, and take also from the tree of life, and eat, and live forever' – <sup>23</sup>therefore the LORD God sent him out from the garden of Eden, to cultivate the ground from which he was taken. <sup>24</sup>So God drove the man out, and at the east of the garden of Eden God stationed the cherubim and the flaming sword which turned every direction to guard the way to

the tree of life.

## How Did Zeus Respond?

### The Greek Creation Story, Hesiod's *Theogony*, 519 - 526, 561 - 591

In a comparable story, the Greek creation story *Theogony* by Hesiod, Zeus gets irritated that the titan Prometheus teaches men (yes, literally male human beings) the secrets of fire. The men will now be able to harness energy and technology, and cause trouble for the gods. So Zeus chains Prometheus on a rock so that an eagle can rip out his ever-regenerating liver every day, and creates Pandora and women for the men, to cause trouble for them.

## Questions

1. When Adam and Eve sinned, how would you characterize God's response?
  - a. By comparison, Zeus retaliates. His justice is retributive, not to mention unflattering to women.
  - b. Most people would say that the biblical God retaliates, too. He seems to inflict pain, death, and exile from the garden. But here are some questions to raise, which challenge the perception of divine retributive justice:
    - i. Why didn't God kill them immediately with thunderbolts and start over?
    - ii. Why does God still command them to bring forth life, both human life and garden life? That command started in Genesis 1. Why does God still want their partnership?
    - iii. Why does God even ask questions?
2. Why do you think God asked questions? Didn't God already know the answers?
  - a. Keep in mind this is God's first response to human sin. God does not come barging through the garden, doling out punishments to all creatures, God's 1st response is to ask questions.
  - b. Knowledge isn't the issue. **Relationship is.** Asking questions makes Adam and Eve step back into the relationship. Hence, we see that God cares about the relationship, and His way of dealing with human sin already shows that.
  - c. Asking questions makes Adam and Eve fess up to what they've done. God's questions do not allow Adam and Eve to be evasive.
  - d. **God gives Adam and Eve not one, but THREE chances to confess their sin, and engage in restoring their relationship with God.**
3. In 3:14 - 19, did God retaliate against the man and woman? It may seem like that at first. But let's read it more carefully.
  - a. What did it mean to eat from the tree of knowledge of good and evil?
    - i. (State this, as your group members are not likely to know it) The man and the woman had taken into themselves the power and desire to define good and evil from within themselves. They did not leave that power with God. The two special trees represented God as life-giver and law-giver. We

- were to take life from God into ourselves, and leave with God the power to define good and evil.
- ii. Why are we now capable of doing incredible evil “for the sake of the greater good,” like through a damaged criminal justice system? Because from the fall, human beings believe in the absolutes of “good and evil,” and “justice,” but we are also relativists, and try to define it from within ourselves. We are relativistic absolutists. We became moral contradictions.
  - iii. So now, what does God have to do to save us? Undo the damage to human nature. And with our partnership, because God doesn’t override us or coerce us.
- b. So why does God tell the woman and the man that bringing forth life will be filled with sorrow?
- i. Because God is the source of life. Since they put God at a distance, everything they do that involves bringing forth life is that much harder. All things begin to die. God had given the man and the woman authority in the world, even to put God, the source of life, at a distance.
  - ii. For the woman:
    - 1. Alienated from the man
    - 2. Childbirth will be painful and dangerous
  - iii. For the man:
    - 1. Alienated from the woman and the ground even though he was supposed to spread the garden
    - 2. The ground becomes dangerous producing thorns and thistles as well.
    - 3. Producing food from the earth will be laborious and difficult
  - c. But God also says that the woman will bring forth a life who will be special, in verse 15. That special “seed” will be a human hero who will defeat the serpent.
4. In Genesis 3:20, why did Adam name the woman “Eve”? After God gave promises and consequences?
- a. Back in verse 12, Adam blamed his wife (and God) for the sin. He said, “This woman You gave me”! Some scholars think that was Adam trying to divorce his wife. Either way, Adam was definitely blaming her for something he also did.
  - b. What does the name “Eve” mean? “Mother of all living.”
  - c. Why is that an appropriate name? Because of God’s prophecy (Gen.3:15) that Eve will be the mother of the “seed of the woman” who will defeat the serpent and bring true life back to humanity.
  - d. **God provided a way to restore their relationship with one another, and restore all things, by continuing to bear children, while Adam honored his wife:** Adam blamed her before (Gen.3:12) but now God has made him look to her as an agent of blessing and redemption.
5. In Genesis 3:21, why did God reclothe them in animal skins?
- a. They were more durable than fig leaves! This was a practical act.

- b. Whose blood was contaminated and unclean now? Human blood. So God was clothing them with an innocent life.
- c. This was an act pointing to the future. God would personally come in Jesus, wear our humanity, cleanse it, and allow us to wear Jesus' new humanity.
- 6. In Genesis 3:22 - 24, why did God drive humanity out of the garden? Was that retributive or restorative justice?
  - a. Well, what if human beings ate from the tree of life in a corrupted state? God starts thinking about that possibility in Genesis 3:22, and chokes on the thought. If we immortalized human evil within ourselves for eternity, without having a chance to let Jesus heal us, it would be terrible.
  - b. The fact that human beings are now 'knowing good and evil' basically means 'determining good and evil.' Humans now compete with God to determine what good and evil are.
  - c. The earliest writing theologian outside the New Testament, Irenaeus, bishop of Lyons (c.130 - 202 AD), said this:

“Wherefore also [God] drove him out of Paradise, and removed him far from the tree of life, not because [God] envied him the tree of life, as some venture to assert, but because [God] pitied him, [and did not desire] that he should continue a sinner forever, nor that the sin which surrounded him should be immortal, and evil interminable and irremediable. But [God] set a bound to his [state of] sin, by interposing death, and thus causing sin to cease, putting an end to it by the dissolution of the flesh, which should take place in the earth, so that man, ceasing at length to live to sin, and dying to it, might begin to live to God.”<sup>5</sup>

- d. So God acted with mercy, and looked ahead to restoration. In other words, God's first response to human sin was an act of restorative justice.
- 7. What would Jesus' death and resurrection mean if he was undoing the fall?
  - a. Jesus' conception: He was the doctor who became his own patient by acquiring our human nature, and the corruption of sin within it.
  - b. Jesus' life: He fought the corruption of sin throughout his whole life, with the Spirit, and brought his human nature into maturity with God. Specifically, he resisted the temptation to define good and evil by himself, apart from the Father.
  - c. Jesus' death: He defeated the corruption of sin by cleansing it out of his humanity, and presenting himself to the Father.
  - d. Jesus' resurrection: He raised his human nature new, healed, and cleansed.

## Application and Advocacy

## RETHINKING INCARCERATION: ADVOCATING FOR JUSTICE THAT RESTORES

*Leaders may want to suggest a few possibilities from the list below, based on your participants' interests or even professions.*

**Action:** Reflect on your relationship with God, and instances when you have felt God's justice as restorative or retributive?

**Action:** If you'd like to revisit Scripture and reread it, looking at how God is restorative and acts restoratively, consider reading:

- The *Book of Genesis* with the study notes provided by The Anastasis Center: <https://www.anastasiscenter.org/bible-torah-gen>
- Explorations of important passages of Scripture about the life, death, and resurrection of Jesus, provided by TAC: <https://www.anastasiscenter.org/atonement-sources-bible>

**Action:** If you'd like to read more about how the earliest Christians (and many to this day) understood Jesus and God's justice as restorative, check out the resources and links here:

- "Jesus Shared in Our Fallen Human Nature, That We Might Share in His Healed Human Nature," a 10 minute read, with quotations from Christian leaders from the first five centuries:  
<https://onthe kingserrand.wordpress.com/2018/07/12/jesus-shared-in-our-fallen-human-nature-that-we-might-share-in-his-healed-human-nature/>
- "The Meaning of Jesus' Death," resources dealing with (1) the *Implications* of atonement theologies, (2) *Tools* for practical ministry based on the restorative understanding of Jesus, and (3) the *Sources* of this understanding in Scripture, the early church, Orthodox, Catholic, and Protestant traditions:  
<https://www.anastasiscenter.org/atonement>



# Notes

1. Wright, N.T. "Kingdom Come: The Public Meaning of the Gospels." *The Christian Century*. June 17, 2008. <https://www.christiancentury.org/article/2008-06/kingdom-come>. Quoted by Sine, Christine. "N.T. Wright on Social Justice and the Gospel." *Sojourners*. March 16, 2010. <https://sojo.net/articles/nt-wright-social-justice-and-gospel>. See also Wright, N.T. *Justification: God's Plan & Paul's Vision*. Downers Grove, IL: InterVarsity Press, 2009. Ch.3, especially pages 64 - 65.

"God's way of putting the world right is precisely through his covenant with Israel... God's single plan to put the world to rights is his plan to do so through Israel."

2. McGrath, Alister E. *Iustitia Dei: A History of the Christian Doctrine of Justification*. Cambridge: Cambridge University Press, 1986. 11.

3. Clement of Alexandria. *Stromata/Miscellanies* 7.16. See also Clement of Alexandria's *The Instructor*, book 1, chs.7 - 10 where he discusses God being by nature good, and therefore not taking revenge, but chastising humans for doing evil, for our learning and growth in goodness. In *The Instructor*, book 2, chapter 10, Clement discusses sin as self-harm: "And every one who sins, directly wrongs not so much his neighbour if he commits adultery, as himself..." which requires God, out of love, to *heal* our human nature.

4. Gorringer, Timothy, *God's Just Vengeance: Crime, Violence and the Rhetoric of Salvation*. Cambridge: Cambridge University Press, 1996. 185.

5. Irenaeus of Lyons. *Against Heresies* 3.23.6. Note that this was the first in a long string of unanimous agreement among the early Christian theologians about why God exiled humanity from the garden. Methodius, bishop of Olympus (died circa 311 AD), agreed:

"In order, then, that man might not be an undying or ever-living evil, as would have been the case if sin were dominant within him, as it had sprung up in an immortal body, and was provided with immortal sustenance, God for this cause pronounced him mortal, and clothed him with mortality... For while the body still lives, before it has passed through death, sin must also live with it, as it has its roots concealed within us even though it be externally checked by the wounds inflicted by corrections and warnings... For the present we restrain its sprouts, such as evil imaginations, lest any root of bitterness springing up trouble us, not suffering its leaves to unclothe and open into shoots; while the Word, like an axe, cuts at its roots which grow below. But hereafter the very thought of evil will disappear." (Methodius of Olympus, *From the Discourse on the Resurrection*, Part 1.4 - 5).

Athanasius of Alexandria (298 - 373 AD), the advocate for the Nicene Creed and opponent of the Arian heresy, first to name the New Testament as it currently stands, said:

"For the Word, perceiving that no otherwise could the corruption of men be undone save by death as a necessary condition..." (Athanasius of Alexandria, *On the Incarnation* 8.1).

Gregory of Nazianzus (329 - 390 AD), whom the Orthodox church calls 'the Theologian' in appreciation for his work in the Nicene-Constantinopolitan Creed (and they only share that title with the apostle John 'the Theologian' and Simeon 'the New Theologian'), agrees:

## **RETHINKING INCARCERATION:** ADVOCATING FOR JUSTICE THAT RESTORES

“Yet here too he makes a gain, namely death and the cutting off of sin, in order that evil may not be immortal. Thus, his punishment is changed into a mercy, for it is in mercy, I am persuaded, that God inflicts punishment.” (Gregory of Nazianzus, *Oration* 45).

Maximus the Confessor (580 – 662 AD), the great Byzantine theologian and commentator, says:

“The phrase, “And now, lest he put forth his hand and take from the Tree of Life and live forever,” providentially produces, I think, the separation of things that cannot be mixed together, so that evil might not be immortal, being maintained in existence by participation in the good.” (Maximus the Confessor, *Ad Thalassios*, Question 44.5)

# SESSION EIGHT: PARTICIPATION IN RESTORATION

Rethinking Incarceration, Chapters 3 and 10

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## Agenda for Group Session

- Introduction and Opening Prayer
  - Discussing Rethinking Incarceration, chs.3 and 10
  - Studying Jesus' call to Zacchaeus in Luke 19:1 - 10
  - Our Participation in the Restorative Process
  - Prayer
- 

## The Main Idea

This session examines how criminals, victims, and community members participate in their own restoration and other people's restoration. Gilliard builds on Scriptures showing God's justice to be restorative. In chapter 3, Gillard lays out how evangelicals have historically supported "law and order" policies; he maintains that God's grace requires us to take a different approach to justice. In chapter 10, Gillard examines examples from the present and from biblical narratives to highlight how restorative justice gets enacted.

## Key Takeaways for the Group

We will examine how people participate in restorative justice to mend broken relationships. These relationships can be personal, interpersonal, communal, and/or systemic.

We will study the key tenets of restorative justice: Covenant Community, Repentance, and Participation. We will see how these steps help us concretely participate in a restorative process.

We want to move the the study group towards more personal and communal reflection in how they can participate in their own restoration and the restoration of the criminal justice system.

## Opening Prayer (Suggestion):

(5 - 10 min): Make the opening prayer questions a listening prayer. We hope to encourage folks to get more personal in this session and a listening prayer may be helpful to get into that

## RETHINKING INCARCERATION: ADVOCATING FOR JUSTICE THAT RESTORES

headspace. If you discern the listening prayer would not be helpful for your group, feel free to read the opening prayer as is or practice the prayer routine your group has been doing.

*Dear Holy Spirit, we invite you into this space. Give us wisdom into your restorative work:*

to preach the gospel to the poor,  
to proclaim release to the captives,  
and recovery of sight to the blind,  
to set free the oppressed,  
and to proclaim the favorable year of the Lord

(Isaiah 61:1 - 2; Luke 4:18 - 19)

- How may I participate in restoration?
- How do those who have been harmed participate in their restoration?
- How do those who have caused harm participate in their restoration?
- How can our church community/small group participate in the restoration our own restoration and the restoration of the marginalized, the criminal, and the hurting?

*Thank You that You are a God who listens, and who is on a mission to repair this world. Please guide us as we seek to participate in Your mighty, restorative work. In your precious name we pray, amen.*

### Some Tips on Listening Prayer

1. Ask your members to take deep breath and get into a comfortable, receptive position. This can mean anything from putting your palms facing up on your legs to sitting or laying on the floor. Just choose a position where you won't fall asleep.
2. Ask your members to close their eyes or let their eyes unfocus in a meditative way. Let people sit in the silence for 15 - 20 seconds.
3. Read the first sentence of the opening prayer, then pause in the silence for 15 - 20 seconds.
4. Repeat the process of reading the next sentence then pausing in silence for 15 - 20 seconds.
5. End with the closing line and give a few seconds to let people come out of the prayer.
6. Invite people to share briefly if anything came up praying. Keep this around 5 to 10 minutes. Ask folks to hold onto their reflections and to share as the discussion progresses.
  - a. Example: "So, does anyone has anything they want to share briefly? Did anything come up for you during the prayer?"
  - b. Example: "Thanks for sharing. This will be the last one for now, but feel free to share too during our discussion as well."
  - c. Example: "Well if no one would like to share at this point, then let's move into the discussion!"

## Discussion Questions: The Restorative Justice Process (20 - 30 minutes):

Dominique Gillard points to restorative justice as a process for rebuilding “shalom,” which is the biblical Hebrew word for wholeness, peace, well-being, and growth. Outlined are three steps that are integral to the restorative process. These are categorized by Gillard’s terms. Restorative Justice can be broken down into many steps, but we felt these three components held many of the ideas. Go over the three components spending about 7 to 10 minutes on each section.

It’s possible that people will be thinking of other personal conflicts or challenges they are facing. This is healthy and good. To the extent that it’s possible, keep discussion focused on the examples from the book. Move on if the discussion seems to lack energy. But if participants wish to focus on a specific component, or if they come back to something, let them do so. There may be reasons why they wish to discuss one part more. Just make sure to touch on the three sections.

1. *Covenant Community*: Dominique Gillard says that God’s justice is relational, not individualistic. Gillard calls the Christian community to live out the promise of restorative relationships (p.177).
  - a. What are markers of the covenant community? How does the covenant community view and act towards criminals that you noticed in the book?
    - i. *Safety*: The story of Taylor is an example of restorative justice in schooling where a restorative circle creates a sense of safety for his community, aka his peers, to directly address the ways Taylor’s actions affects them. This sense of safety is crucial for both the one who harmed, the ones who were harmed, and the surrounding community.
      1. Question: How does Covenant Community foster safety?
      2. Safety is facilitated by having community rules, confidentiality, respectful speech, and the permission to express or abstain from expression.
      3. Also, in a restorative justice circle setting, as was in Taylor’s case, there are no sentencing judges, but facilitators who guide the process. These facilitators meet with everyone involved in prior separate one-on-ones so all understand the purpose of meeting. (See Gilliard, p.176 - 177)
    - ii. *Relational Understanding of Humanity*: We were made in the image of a God who is Father, Son, and Holy Spirit - community and relationship at the very core of God. So we are relational, and personal.
      1. Question: How does the covenant community understand sin and harm?
        - a. Sin never happens in a vacuum.
        - b. Sin affects the relationships between victim, perpetrator, and others.
        - c. Sin causes the opposite of “shalom” - a sense of unease, fear, anxiety, mistrust, questions, separation, and defensiveness.

2. (For reference, if this comes up) Does a relational framework undermine individual rights?
  - a. Not at all: Rather, in actual relationship, we have responsibilities *and* rights.
  - b. The breaking of “shalom” through some harm means that the community must pursue the truth about what happened, by valuing each person and hearing from them. Participation in that community and that process is both a responsibility and a right.
- iii. If people would like to learn more about the specifics circle process laid out in Tyler’s case and restorative justice practices in alternative sentencings please refer folks to the book *The Little Book of Circle Process: A New/Old Approach to Peacemaking* by Kay Prantis.
- b. How do we, as those created in the image of God (Genesis 1:27), play a role in creating this covenant community?
  - i. We are all created in the image of God. That is what ties me to you, and to every other person.
    1. Is that energizing to you? Why or why not?
    2. It also means that no matter how damaged we are, the image of God still remains. No one is beyond the restoration and healing of God.
  - ii. (For reference, if this comes up) Did the fall destroy the image of God beyond repair in us? In some people?
    1. If that were true, then why don’t we break all of the Ten Commandments all the time?
    2. If that were true, then we or they would be no longer human, by definition.
    3. Before Jesus came, God was working with the people of Israel. They noticed that they had desires for and against God.
      - a. Even though they recognized that there was sinfulness in their own humanity, they delighted and rejoiced in God’s commands (e.g. Psalm 19:8). This meant that some part of them still wanted God, and wanted to be faithful to God. After all, no one broke all of the Ten Commandments all the time!
      - b. This meant that God’s wisdom connects how He made us, and what He commands us (e.g. Proverbs 8:22 - 36).
      - c. The apostle Paul spoke of his experience, before he came to Jesus, of being under the Jewish Sinai covenant. He said, “I myself” want to serve God, but “sin which indwells me” wants to resist God (Romans 7:14 - 25). So there was a “split spiritual personality” in him, but they weren’t “equal.” The “true self” wanted God. That was his “image of God” self.

- c. How might a Covenant Community differ from other forms of community you encounter in your day-to-day life?
  - i. Allow participants to name the difference between settings on teams, groups, families, or friends.
  - ii. Covenant Community is not exclusive to Christians only. The principles of safety and restoration can be established in schools and other places of community. Also just because a Christian organization is Christian, it doesn't mean that its leaders operate in a restorative way.
- 2. *Repentance*: Gillard highlights repentance, the ability to own and take responsibility for one's actions in causing harm, as an important step towards restoration. (pg. 177)
  - a. Why is it important that repentance happen within the context of the whole Covenant Community?
    - i. So that people can share in the truth and in one another's experiences.
      - 1. In the criminal justice system, prosecutors, defense lawyers and offenders can use plea bargains, false confessions, and denial to obscure the truth, and avoid hearing the victim. While it is ideal for the truth to come up in the court settings, often it doesn't.
      - 2. The offender needs to understand how each person was affected by her/his action. And people need to hear from other members what their experience was. For example, family members or friends experience secondary harm when someone they love is directly harmed.
      - 3. Possibly, the offender can explain what factors led to the hurtful act. The Community might gain more insight.
    - ii. To foster safety where victims actually get heard and addressed by the community and the criminal.
    - iii. So restorative justice can be quite psychologically and emotionally challenging. But it becomes an alternative to the retributive nature of the criminal justice system and disciplinary systems in the United States.
  - b. This might seem obvious, but why is it important for the offender/criminal to repent, as part of a restoration process?
    - i. To grow as a person, in terms of taking responsibility. Sometimes offenders repent because they get caught. They need to internalize responsibility, rather rely on external pressure.
    - ii. To make amends or reparation that truly address the hurt the victims have felt. If they do not, any sort of repair work and consequences will have no added meaning beyond retribution.
    - iii. To rebuild trust among others in the community. Hearing the truth from others, and being open, frees them from the bind of the wrongdoing, and from living in a false narrative. By fully repenting, no longer do they bare the burden of the harm done within themselves, but it is now held in community. Their own broken humanity can start to heal.
  - c. How is hearing repentance restorative for people harmed?



- i. When harm happens, people lose something (a sense of safety, peace of mind, material goods, relationships, etc) and a need exists that now needs to be addressed. The restorative process allows victims to name their needs and have those needs be met in the justice process.
  - ii. Voicing pain and being heard is one important need for those who have been harmed. By doing so the harm no longer lives within the individual, but is (potentially) understood by others, and invites a response from the offender. The fundamental break of relationship that happened starts to heal as victims fully express all their hurt and pain to a repenting perpetrator.
  - iii. Victims might also be asking important questions. “Why did the offender hurt me?” “What was the offender’s motive?” Through a truthful repentance, folks may be able to ask their questions and know the full measure of what they need to know.
  - iv. Among Christians, forgiveness is important, but not all victims feel the need to forgive the offender. Nor is every victim able to give a verbal declaration of forgiveness in the Restorative Process per se. However, if forgiving is important, the process of restorative justice - with its truth telling, repentance, and reparations - can meet the conditions needed that may be needed in some kind of forgiveness.
- 3. *Restorative Participation:* Gillard (p.181) writes how part of the responsibility of the Covenantal Community is inviting and welcoming people, particularly those shunned by the world, back into community as well as allowing those folks who have caused harm to participate in measures that right the wrong.
  - a. Can you identify some ways in which criminals have participated in restoring the community from the harm caused?
    - i. Some folks may think that restorative justice measures are “too soft”. If folks mention this remind folks that restorative justice does not preclude consequences or penalization. Gilliard (p.179 - 182) talks about Miriam and Aaron undermining Moses because of their racist attitude towards Moses’ dark-skinned wife. When penal measures are informed and held in the context of restorative justice, the imposed consequence changes from “making the offender suffer” to one that educates the offender or invites offenders to repair the damage they caused.
    - ii. In fact the earliest jail systems were created by monks in order to “reform” people back into society, they were not measures of justice in and of themselves. While these were not perfect measure and there was a lot cruel treatment in the first penitentiary systems, they were attempts at correction, not retribution.<sup>1</sup> They were presented as places for contemplation and restoration. Thus, today, jail time is not absolutely excluded from the restorative process. What restorative justice corrects is the notion within the criminal justice that the highest form of justice is payback.

- b. What are ways the Covenant Community, in which the harm occurred, can participate in the restoration of the criminal?
  - i. Follow up: What kind of outcomes would reparations, advocacy, accountability, community service, work, and encouragement have opposed to just being maximally locked up or isolated?
  - ii. Some that folks might name are advocacy, accountability, community service, work, and encouragement.
    1. For example, some concrete way local communities have participated in restorative justice at schools is by sitting in the restorative circles at their local schools and being a supportive member of the community. By doing so students may feel even more supported in the process.
    2. The community's purpose is to be involved and keep the one who did harm accountable to the reparations that need to be made to the victim and the community.
  - iii. If an offender does not wish to be part of a Restoration Process, the Covenant Community may have to resort to incarceration.

### **Discussion Questions: Zacchaeus and Jesus' Restorative Justice (20 - 30 minutes):**

Dominique Gillard, p.181, highlights the story of Zacchaeus and Jesus to illustrate God's restorative justice. We will discuss this story together.

<sup>19:1</sup> He entered Jericho and was passing through it. <sup>2</sup> A man was there named Zacchaeus; he was a chief tax collector and was rich. <sup>3</sup> He was trying to see who Jesus was, but on account of the crowd he could not, because he was short in stature. <sup>4</sup> So he ran ahead and climbed a sycamore tree to see him, because he was going to pass that way. <sup>5</sup> When Jesus came to the place, he looked up and said to him, "Zacchaeus, hurry and come down; for I must stay at your house today." <sup>6</sup> So he hurried down and was happy to welcome him. <sup>7</sup> All who saw it began to grumble and said, "He has gone to be the guest of one who is a sinner." <sup>8</sup> Zacchaeus stood there and said to the Lord, "Look, half of my possessions, Lord, I will give to the poor; and if I have defrauded anyone of anything, I will pay back four times as much." <sup>9</sup> Then Jesus said to him, "Today salvation has come to this house, because he too is a son of Abraham. <sup>10</sup> For the Son of Man came to seek out and to save the lost."

#### **Key Context Notes (Read Aloud):**

- Tax collectors were employees of the Roman Empire. They were men from the local region who had bid on positions, promising to collect a certain amount of taxes. Whatever was collected above that pledge to the state would be their personal profit. Essentially, tax collectors extorted money from their own oppressed people to make their own living. The wealthier they were, the more they extorted from others.
- Zacchaeus' name means "pure" or "innocent."

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- Zacchaeus climbs a tree, which was something only children did. It was additionally embarrassing for any adult, because everyone wore robes. You would have been able to see Zacchaeus' undergarment, if you were close enough.
- Dining was done with those of equal social status, or, if you are fortunate, to curry favor with someone in a higher position of power.
- Jewish law required thieves to repay two to five times the amount they stole (Exodus 22:1 - 14). They had to restore not just the economic value back to the owner, but trust.

Key Question: Identify the three elements of the restorative process: Repentance, Covenant Community, Participation in Restoration.

Leader's Notes:

- Give your members 5 minutes to read Luke 19:1 - 10.
- Below are some important points to bring up. Going in order is advised.
- We also hope people can start to wrestle with how hard it is to be restorative. Retribution is often easier than restoration. It is often easier to isolate someone who has hurt the community, rather than incorporating that person back.

### *Repentance*

1. How does Jesus see that Zacchaeus is repentant, and ready to participate in restoration?
  - a. Zacchaeus climbed a tree, which was a symbol of "childlikeness." He wasn't afraid of humbling himself to see Jesus, and be seen by Jesus.
  - b. The context in Luke's Gospel makes this even more powerful. Jesus had just gotten done talking about "becoming like a child" in Luke 18:15 - 17. In fact, one rich man had just refused to "become like a child" in Luke 18:18 - 30. Now, Zacchaeus is the rich man who does "become like a child."
2. How does Zacchaeus repent? To whom is Zacchaeus' repenting?
  - a. In v.8, Zacchaeus does not deny that he has sinned. Instead he promises to make amends.
    - i. This is important because repentance is not about making excuses or claiming pure intent ("I didn't mean to hurt you"). For all we know Zacchaeus might have had some sympathetic reasons for becoming a tax collector. It could have been the only way to provide for his family.
    - ii. This is not to say intention does not matter, however in repentance it is about fully owning your actions. Complex, good, or bad intentions,
    - iii. Zacchaeus owns up that he has hurt others and listens to the hurt by promises to mend what he has hurt. His crime was in extorting money and so his restitutions are also related with money.
  - b. Zacchaeus first repents to Jesus, admitting that he stole and defrauded other people.
    - i. Jesus acts like a judge in a Hebrew court, not a Western court. That is, Jesus presides over Zacchaeus' repentance and restoration to others.
  - c. Zacchaeus then repents to others.
    - i. He addresses the suffering of people which resulted from his actions.
    - ii. He honors Jewish law from Exodus 22. In fact, he lands on the higher end of Jewish law in terms of repayment for theft.

- iii. He seems to repent from the greed that drove him. He gives half of everything he has to the poor. That goes beyond what Jewish law required per se.

### *Covenant Community*

1. How was Zacchaeus interacting with his community, as we see him enter the story?
  - a. The Jewish community ignores Zacchaeus as he tries to see Jesus. Since he's short, he can't see over people, and they don't care.
  - b. Zacchaeus is extorting them. He is siding with the Romans against the Jews.
  - c. So Zacchaeus has to climb a tree, which is (1) something children did, but not adults; and (2) embarrassing because Zacchaeus, like everyone else, wore a robe and an undergarment. You could see up his robe if you got close enough.
2. In what parts of the passage can you identify Jesus creating a new Covenantal Community? What did Jesus say and do, specifically?
  - a. In v. 5 and 7, Jesus call Zacchaeus by his name.
    - i. What does the crowd call Zacchaeus, by comparison? "Sinner."
    - ii. Jesus, by calling Zacchaeus by his name, invites him back to the image of God. He is inviting Zacchaeus to remember who he is. "Pure, innocent."
    - iii. Generally, names are important in Scripture. Names, naming, and renamings have an important restorative and creative function in Scripture (ie. God naming Adam and Eve. Sarah and Abraham. Simon to Peter). Names and their meanings are often tied to the identity and character of the person or God's promise for that character.
  - b. Also in v.5, Jesus calls out to Zacchaeus first and says he will dine with him. What significance did that have?
    - i. At the time, socially people only dined with those that were of equal status or acceptable status. So Jesus is letting Zacchaeus know that he is someone worthy of friendship and acceptance.
    - ii. The Gospel of Luke highlights Jesus constantly dining with those considered outsiders.
  - c. Throughout v.3 - 7, Jesus interacts with Zacchaeus in a crowd, publicly. This is important because Jesus breaks the public culture of ostracizing the sinner. Jesus creates a new Covenant Community that is public and open for people to witness and join.
  - d. In v.9, Jesus calls Zacchaeus a "son of Abraham." That is a title of family and reinstatement for a Jewish audience, because everyone thought of themselves as "sons and daughters of Abraham and Sarah." It would be like saying, "Here is a true [insert your last name here]."

### *Restorative Participation*

1. How did Zacchaeus participate in Jesus' new Covenant Community?
  - a. In v.2 - 4, Zacchaeus seeks relationship with Jesus. To want Jesus is to want one's own restoration, and that of others. And Zacchaeus was ready to repent, and showing it.
  - b. Zacchaeus relates to Jesus publicly. Jesus has us deal with the relevant people, at least at some point, to make amends. He brings out our guilt publicly so that we

can be restored publicly. This kind of vulnerability creates the kind of space where repentance and restoration can happen.

- c. (optional; if this comes up) Some criticise restorative justice practices for being shaming. But there is an important distinction to make between guilt and shame. Guilt is connected to an act, whereas shame is connected to a person.
  - i. To feel guilt is to understand the impact of one's actions, to grieve with those who are hurt, and to want to contribute to repairing that harm.
  - ii. To feel shame is to want to isolate one's self and/or deny that one did something wrong.
  - iii. The *act* of shaming (by others) is belittling a *person*, often with no path to full acceptance, or no belief that the person can act differently. The act of accountability (by others) is to focus on a wrongful or hurtful *action*. Whether the offender can tell the difference depends on the person's emotional/spiritual maturity and might lie outside the control of the community. An offender may choose to not participate in the restoration process for this reason.
2. How does the crowd respond to Jesus' interaction with Zacchaeus?
  - a. In v.7, the crowd grumbles that Jesus is dining with a "sinner."
  - b. Why doesn't Jesus stop them from voicing their complaint? From a restorative justice perspective, the crowd is speaking to the pain that Zacchaeus has caused them and this kind of expression is important in Covenant Community.
  - c. By doing this, Zacchaeus hears (some of) the extent to which his actions have affected the community. Pain and harm must be expressed, heard and accepted as an offender moves along the restorative process.
  - d. They are also tied to a way of treating "sinners" by isolating and ostracizing them. When Jesus wants to relate with him, and include him in his circle, they feel their sense of fairness challenged. It feels uncomfortable, even outrageous. Some feel resentment and anger. It is akin to perhaps what the older brother feels in the story of the prodigal son (Luke 15:11 - 32), and what the Pharisees feel when Jesus called Levi/Matthew the tax collector (Luke 5:18 - 32). However, the greater justice is not isolating Zacchaeus for his betrayal and extortion, but the fact that the lost is now found, in Luke 19:10.
3. How does Zacchaeus act of repayment (restitution) impact his own restoration and the wider community?
  - a. In v.9 - 10, Zacchaeus' repentance now gives other people the possibility to forgive him, and accept him back into his own people.
  - b. It's also possible that Zacchaeus would have continued in his job, but made nothing. That is what John the Baptist had commanded tax collectors to do in Luke 3:12 - 13, and presumably Jesus continued in that principle. If so, then Zacchaeus would have had to depend on other people for financial support, and make nothing for his personal salary. But he protected the Jewish community from that particular portion of the oppression of the Roman Empire. The Romans created the tax system that inherently divided the people they conquered by pitting them against each other and in the process making the Romans rich. Jesus and Zacchaeus are now undoing that system.



- c. Jesus declares that he is a “son of Abraham” and that he once was lost, but is now found. Jesus gives him the chance to be somewhat free from the Roman system, the cost of isolation that he paid, and whatever drove him to entangle himself in becoming a tax collector. He can reclaim his name as pure and innocence, in Jesus’ kingdom, and at the fundamental level of his own existence, even while there is relational work left to do.
4. In paying attention to who Zacchaeus is at the beginning and end of the story, how do you imagine Zacchaeus understanding of himself changes?
  - a. The importance of this question is in imagining how someone marginalized may be change their understanding of themselves in community. This is inherently an imaginative question than a critical question, so allow your group to be imaginative and creative. This gives the members who are putting themselves in Zacchaeus shoes to process. If you discern members of your group are not up for such imaginative process, feel free to skip this question and move on. The purpose of this Bible study is to make the concepts more personal and tangible to the present, so if folks want to engage please give it a try. If it’s helpful provide your own short example first.
  - b. Zacchaeus moves from shunned to connected. Zacchaeus might have believed himself to be a hopeless criminal. But Jesus breaks his self-understanding as criminal. Jesus restores his sense of humanity, and place in a community.
  - c. As a publically hated figure, Zacchaeus would have been scorned by his people. By facing his crimes, Zacchaeus was owning up to his extortion and earlier abuse of power.
  - d. People move from the margins to the center with Jesus and Zacchaeus. They were observers, but Jesus calls them to participate. This might be surprising and challenging, but ultimately we are invited to share in the joy Jesus has.
  - e. Zacchaeus probably felt a range of emotions from sadness, frustration, guilt, remorse, joy, relief, and hope. Imagining Zacchaeus’ emotional process is important. It gives people a chance to consider how offenders might feel as well.
5. Do you think the order matters in the Restorative Process? Why or why not? We have given you the process in this order because this is often how circle practices work. However, the restorative process does not always follow this linear process, it is often cyclical, happening at once, or in different parts. Sometimes repentance is needed before victims can express the full extent of their pain. Sometimes in the course of reparations, those who have caused harm come to an even deeper understanding of the harm they have created and repent once more. However, it is important that relational safety, vulnerability, and support within a covenant community is essential and needed from beginning.

## Application and Advocacy

**Action:** Before the next session, watch this video on youtube example of restorative justice that is being practiced in some schools and governments as alternatives to the penal criminal justice system. Can you identify the restorative process within these videos?

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1. A story of Restorative Justice in Canada: Youtube Search: “Restorative Justice Nova Scotia”: <https://www.youtube.com/watch?v=Sdfm74IZTew&t=1s>
  - a. Note: this is an example from Canada and between mostly white people. The US, especially Boston and California, are currently experimenting with Restorative Justice as an alternative to criminal justice proceedings in courts, but do not yet have the same levels of involvement as Canada, Australia, and New Zealand. Canada, Australia, and New Zealand in particular have taken the lead in incorporating restorative practices over punitive practices in how they reckoned with painful aboriginal history, their schools, and their criminal justice system
2. How Restorative Justice is getting implemented in Chicago Public Schools: Youtube Search: “A Restorative Approach to Discipline”: <https://www.youtube.com/watch?v=5r1yvyP141U&t=3s>
  - a. Note: This example is from Chicago public schools, but there are several programs in Boston that also are bringing restorative justice into the Boston Public schools and there are ways for community member to get involved. Check to see if your local public schools have a restorative justice facilitator, contact, and ask to see if there are ways to be involved.
3. A recording of a restorative justice circle process in an Australian school: Youtube search: “Restorative Approach Example Primary School” <https://www.youtube.com/watch?v=JfiGiA2bpoY>
  - a. This example comes from Australia. It demonstrates an actual circle process.

## Close in Prayer

Ask someone to close in prayer. If you'd like you can repeat - in full or in part - the Opening Prayer without doing the listening prayer portion.

## Notes

1. Barnes, Harry Elmer. "Historical Origin of the Prison System in America." *Journal of Criminal Law and Criminology*. 1921. Volume 12. Issue 1. Article 5. 43  
<https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=1772&context=jclc>.



# SESSION NINE: HOLY INTERRUPTIONS

Rethinking Incarceration, Chapter 11

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## Agenda for Today

- Introduction and Ground Rules
  - Discussing *Rethinking Incarceration*, ch.11
  - Group and Individual Commitments
  - Prayer
- 

## The Main Idea

For this final session, the goal is to allow the group time to process what they have learned, explore and learn about holy interruption models (positive examples of action and change happening today), and make concrete individual and/or group commitments to take action on these issues over the next several months. This session is meant to be action-oriented and as always, end in a time of prayer.

## Discussion Questions

1. When you look back at the last several weeks, what were your most poignant takeaways?
  - a. (Optional) Was there any material in the last several chapters (either about the history of mass incarceration, or the church's role and witness) that you would like to discuss further as a group?
  - b. *Leader's Note: One potential avenue is to use post-it notes and go one-by-one through each of these categories of takeaways. Spend a few minutes discussing the group's most poignant takeaways (both alarming and uplifting).*
  - c. *Leader's Note: Spend a few minutes discussing if there are any topics that the group would like to explore further together (optional). Try to make the end-goal of the learning to be a practical action. Perhaps for voting on a certain policy issue. Perhaps something that would help parents in the local church or parish engage schools about having restorative justice practices. Etc.*

2. Dominique Gilliard suggests that in order to move forward, we must do two things:
  - a. First, begin by identifying and renouncing the truncated theologies that prohibit us from authentically embodying God's love. Second, develop the fortitude to have difficult conversations (in love) about history, racial injustice, and institutional oppression. Why do you think he suggests we start with these two steps?
  - b. *Leader's Note: Read all of p.199 of Chapter 11: "We must begin by identifying and renouncing the truncated theologies ... that defaces the imago Dei."*
3. In your experience, what often keeps us as the Church from speaking out against the injustices of the day? What keeps you from being more vocal or from taking action? Consider the following quotes:

"Wherever the early Christians entered a town the power structure got disturbed and immediately sought to convict them for being 'disturbers of the peace' and 'outside agitators.' But they went on with the conviction that they were a 'colony of heaven' and had to obey God rather than man. They were small in number but big in commitment. They were too God-intoxicated to be 'astronomically intimidated.' They brought an end to such ancient evils as infanticide and gladiatorial contest. Things are different now. The contemporary Church is so often a weak, ineffectual voice with an uncertain sound. It is so often the archsupporter of the status quo. Far from being disturbed by the presence of the Church, the power structure of the average community is consoled by the Church's silent and often vocal sanction of things as they are."<sup>1</sup>

"The church must divorce itself from partisan politics, reclaim its prophetic zeal, and renew its commitment to subverting the power of empire."<sup>2</sup>

4. Dominique Gilliard suggests that right now, people are fighting to end mass incarceration within a multitude of non-profit organizations, faith-based settings, in reentry centers, in schools, in policy and legal settings. When we explore these, they can offer us hope, allow us to envision new ways of responding in our local contexts, and take steps toward individual learning and change. As the chapter suggests, a "holy interruption" is a positive model that can help dismantle the drivers of mass incarceration. As a group, choose a few to explore together and learn more about the people behind these initiatives.

*Leader's Note: Our suggestion is to watch the videos of Old Skool Cafe and Homeboy Industries as a group, since they were mentioned in the chapter explicitly. Then, split the group up into mini groups of 1-2 people each, assign each group of a category below, have them spend 10 minutes researching one of the items on the list, and then share what they learned about the organization/initiative/policy area with the group. If the group is smaller, feel*

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*free to do this activity as a group and choose 1 - 2 topics below to explore for a few minutes. **This requires people to use their phones and/or computers, so please let people know in advance to bring these devices.***

- a. Workforce development / reentry service organizations
  - i. Old Skool Cafe (San Francisco, CA)
    - 1. Video: <https://vimeo.com/134965231>
    - 2. Website: <https://www.oldschoolcafe.org/>
  - ii. Homeboy Industries (Los Angeles, CA)
    - 1. Video: <https://www.youtube.com/watch?v=gRfdoJRTSPM>
    - 2. Website: <https://www.homeboyindustries.org/>
  - iii. Defy Ventures (New York, NY)
    - 1. Website: <https://defyventures.org/>
  - iv. Center for Employment Opportunities (New York, NY)
    - 1. Website: <https://ceoworks.org>
- b. Prison education initiatives
  - i. BU Prison Education Program (MA)
  - ii. Bard College Prison Initiative (NY)
  - iii. NYU Prison Education Program (NYU)
  - iv. North Park Theological Seminary (IL)
  - v. Duke Divinity School (NC)
- c. Anti-recidivism policy and reform efforts at the federal, state, and local level
  - i. First Step Act
  - ii. REAL Act
  - iii. Second Chance Pell Grants
  - iv. Bail Reform
  - v. Ban the Box Campaigns
  - vi. Restorative Court Initiatives
  - vii. Law Enforcement Leaders to Reduce Crime and Incarceration
  - viii. Pay for Success Financing / Social Impact Bonds
    - 1. Massachusetts Juvenile Justice PFS Initiative
    - 2. Ventura County Criminal Justice PFS Initiative
- d. Other Centers of Excellence and Think Tanks
  - i. Vera Institute
  - ii. Equal Justice Initiative
  - iii. International Justice Mission
- e. Additional books to read
  - i. Bryan Stephenson, *Just Mercy: A Story of Justice and Redemption*

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- ii. Michelle Alexander, *The New Jim Crow: Mass Incarceration in an Age of Colorblindness*
  - iii. Etc.
5. As an individual, what form of response resonates most with you? What is one thing you will do after this small group concludes? See a starting list of options below, or come up with your own ideas!
- a. Get educated! Read, research, and commit to learning more about the issue
  - b. Get informed about your local and state policies around prison reform, education, and restorative justice programs, and call your elected officials (all the time), and VOTE! (when the opportunity arises)
  - c. Research local organizations that advocate for the formerly incarcerated or currently incarcerated, or their families
  - d. Donate your time and money to local organizations that advocate for the formerly incarcerated or currently incarcerated, or their families
  - e. Explore a vocational / career change
  - f. Start a book club for Rethinking Incarceration
  - g. Share this book with a friend or community
  - h. Commit to intentional prayer

*Leader's Note: encourage people to take a few minutes and write down their personal commitment with a timeline. Then, ask everyone to partner up (or group of 3), and have people share their commitments with their partners. Partners should write down each others' commitments, timelines, and contact information, and commit to following up with each other in a month. Encourage people to create phone or calendar reminders for accountability and follow-through purposes!*

6. (Optional) As a group, is there anything that comes to mind as something we would like to continue doing, or study next together?
- a. *Leader's Note: If anything came up in question 1, feel free to discuss what form this will take and the next steps you will take as a group.*
7. Close in a time of group prayer.
- a. *Leader's Note: Select someone to open and someone to close. Ask the Spirit to lead and have people jump in and pray about whatever has been on their hearts and minds over this session.*

## Notes

1. King, Jr., Martin Luther. *Letter from the Birmingham Jail*. Quoted by Gilliard, p.189.
2. Gilliard, Dominique. *Rethinking Incarceration: Advocating for Justice That Restores*. Downers Grove, IL: InterVarsity Press, 2017. 191.