



# GAMALIEL

## **Reparation. Responsibility. Reconciliation** **Gamaliel Transformational Justice in Action Platform 2021**

As people of faith and good will, we believe that fully inclusive community, which treats every human being with dignity and respect, is the sacred principle by which we order our lives together. It is essential, therefore, that the practices we engage in and the systems, structures, and institutions that we construct for ordering community must be restorative and life-giving. Because our lives are intertwined, it is our collective responsibility to ensure that people with conviction histories and their families do not experience punitive social, political, and economic repercussions too often associated with our current justice system.

As people of faith and good will, we are uniquely positioned to shape a public policy agenda that is transformative rather than retributive. It is our responsibility to challenge the criminal justice system—as well as other relevant systems—to bring together people impacted by crime, people with conviction histories, and their networks of care in meaningful exchange and decision-making in order to obtain reparation, take responsibility, and achieve reconciliation. Transformational practice emphasizes welcome, inclusion, and healing for all parties.

To that end, Gamaliel prioritizes the following national issues and calls for:

1. The United States Congress to pass a significant Justice Reinvestment Act in 2021
  - The Act can begin to repair some of the damage done in past legislation, especially the federal 1994 Crime Bill.
  - Previous legislation has provided resources to states, counties and municipalities to expand prison capacity, to acquire military equipment for law enforcement, and to increase arrests. This must end, and resources need to go toward rebuilding people and communities.
  - The Justice Reinvestment Act needs to provide resources for jobs (whether private or publicly created), housing and other supports for people returning from incarceration,
  - It must provide for alternatives to incarceration including mental health and Substance Use Disorder treatment, Treatment Courts, etc.
  - It must provide resources to rebuild the communities that have been most harmed by mass incarceration. This could be for schools, youth programs, jobs programs, and the like.
  - The Justice Reinvestment Act needs to create an oversight board that will oversee efforts to reduce incarceration and rebuild communities.
2. The federal and state governments to fully restore the voting rights of people convicted of felonies other than treason
  - There is no requirement in the US Constitution that people convicted of felonies should lose their voting rights at any point. As a matter of fact, there are some states where those rights are never lost. The decision to disenfranchise people because of felonies is mostly a post-reconstruction political choice.
  - The eventual goal should be for voting rights never to be taken away (except for treason). People in prison are still stakeholders in our society. Many have children in schools, and other ways that they have direct interests in decisions made by elected officials. And, of course, elected officials have enormous power over incarcerated people. It is only just that they should have a role in electing those officials.
  - A first step in a full restoration of democracy could be to make uniform the practice of restoring voting rights to individuals immediately upon their release from prison (even if they still have to be on extended supervision, or if they owe restitution or fines). Once released, these people are paying taxes and participating in all other aspects of our civil society.
  - Additionally, incarcerated people should be counted in the census as residents of the address that was their most recent residence before conviction.

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### **Sacred Texts and Theological Frames**

Note: Our work is rooted in the values of our various and diverse faith traditions. As you can see from the “why” statement above, community is the primary value or principle lifted up for shaping systems like the criminal justice system. This is a beginning

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collection of some of those texts/frames. It is not an all-inclusive nor static set of texts/frames. As additional texts/frames are provided by more religious leaders, they will be added to the list.

From **Judaism**, with a bit of commentary added from the Union for Reform Judaism social justice agency called the Religious Action Center, more closely connected to criminal justice reform:

Maimonides lists five transgressions for which people do not repent. One of them is mistakenly suspecting an innocent person of doing wrong. One will justify his suspicion by saying, "I haven't sinned. What did I do to harm that person?" He doesn't realize that he commits a sin by considering an innocent person a transgressor (Hilchot T'shuvah 4:3). The racial bias in the criminal justice system means that, all too often, people of color face a presumption of guilt for crimes they did not commit.

"I have no pleasure in the death of the wicked, but that the wicked turn away from his life and live" (Ezekiel 33:11). In the Jewish tradition, the sanctity of all human life is a primary value. Our definitive goal should be rehabilitation—not punishment. Our criminal justice system should effectively assess individuals who violate the law and ultimately prepare them to reenter society.

"You shall commit no injustice in judgment; you shall not favor a poor person or defer to a great man; you shall judge your fellow with righteousness" (Leviticus 19:15). As we are told, we must not favor certain people in the justice system. We want to work together for a criminal justice system that acts from righteousness for the benefit of all.

From the **Moravian Covenant for Christian Living (Christianity)**, paragraph 33

Because we hold that all people are God's creatures (Genesis 1:27) and that he has made of one blood all nations (Acts 17:26), we oppose any discrimination based on color, race, creed, or land of origin and declare that we should treat everyone with love and respect.

From **Roman Catholicism (Christianity)**

In the story of the "Woman caught in Adultery" in the Gospel of John (Jn 7:53 – 8:11), the woman is about to be stoned to death for her crime and Jesus intervenes. He diffuses the situation and then says to the woman "Has no one condemned you?" She replies "No one, sir." Jesus replies "Neither do I condemn you. Go, [and] from now on do not sin any more."

Pope Francis has commented on this:

"Jesus' attitude is striking: we do not hear words of scorn, we do not hear words of condemnation, but only words of love, of mercy, which are an invitation to conversion . . . God's face is the face of a merciful father who is always patient . . ."

Jesus restores the woman to her previous life and through this hopes to convert her to a better life. According to Jesus, condemnation and punishment are not the ways to restore her but mercy and patience are.

From **Armenian Orthodox Church (Christianity)**

Regarding those who are oppressed by drugs (fourth bullet point in #1 of national issues above), those who are in grinding poverty (fifth bullet point of #1)

Jesus inaugural proclamation of his purpose. He quoted the Hebrew scripture when he declared:

"The spirit of the Lord is upon me because he has anointed me to preach good news to the poor.

He has sent me to proclaim freedom for the prisoners

and recovery of sight for the blind

to release the oppressed

to proclaim the year of the Lord's favor." (Luke 4:18-19)

Regarding any of the points about prisoners, poor, sick . . . we must remember who they are at their core.

Jesus praised those who fed him when he was hungry, visited him in prison, looked after him when he was sick, welcomed him when he was in need. And they asked him: when did we feed you when you were hungry, care for you when you were sick, visit you in prison and the Lord replied, "I tell you the truth, whatever you did for one of least of these brothers of mine, you did for me."

(See Matthew 25:34-40)

And general, those of the Christian tradition are called to love.

"Dear friends, let us love one another, for love comes from God . . . since God so loved us, we must love one another." (I John 4:7a and 11)