

TESHUVAH AND MASS INCARCERATION

TESHUVAH AND REENTRY INTO SOCIETY AFTER INCARCERATION

OPENING QUESTIONS:

Read the following two quotes and answer the questions:

“When inmates are released from prison, they often need a lot of help. ‘Usually, they walk out with \$40 in their pocket and the clothes on their back,’ says [Chaplain Gary] Friedman. ‘We spend a lot of time with prisoners, working on their release plans.’ Says Friedman, the buzzword for the last decade has been, ‘reentry.’ “We Jews have been involved in reentry since Biblical times, except we don’t call it reentry. We call it teshuvah -- repentance¹.”

“The move from strict justice to mercy offers a paradigm for ending mass incarceration. We need national teshuvah—a process of replacing systems of discrimination and oppression with systems of accountability and good governance that fairly ensure the safety of all the people in this country².”

DISCUSSION QUESTIONS:

- (a) How would you define teshuvah or explain it to a friend?
- (b) How does your understanding of teshuvah or repentance in Judaism apply to people who have spent time in jail or prison? Do you think that teshuvah is possible for everyone?
- (c) Once people who have spent time in prison or jail do teshuvah do you think that they should be allowed full reentry into society? Would you encourage your congregation to hire somebody who had spent time in prison or jail?

CASE STUDY: LIFE AFTER PRISON³

In February 2010, Louis Sawyer, a 49-year-old black man, was released from federal prison in Pennsylvania after spending more than half his life behind bars for murder. His application to live with family was denied, and he was directed to a for-profit halfway house, Hope Village, in Washington, DC. Despite the blizzard underway, he had until midnight to arrive, or he would be considered an escapee. Sharing a two-bedroom apartment there with seven roommates, he set out to look for work and a permanent place to live. The clock was ticking: after four months,

¹ “Behind Bars, Jews in Prison and the People Who Have Not Forgotten them”

<https://www.aish.com/jw/s/85028667.html>

² T’ruah Mass Incarceration Handbook

³ T’ruah Mass Incarceration Handbook

he'd be evicted and could end up homeless. Louis began signing up for classes. One taught him about the internet, which he had never encountered. Hope Village threw up obstacles, though: the computer lab was reserved mostly for a GED course, not job searches, and cell phones and laptops were not allowed. (Remarkably, XBoxes and DVD players were allowed.)

Another training program rejected him because there was a nursery school in the building where it met. He read through the 253-page directory of services produced by DC's Public Defenders office, but most of its offerings repeated classes he'd taken while in prison. His job applications were rejected, one after another, because he had to check "the box" indicating he had a criminal record. He went to city jobs fairs, though he soon learned that most of the organizations represented there did not hire returning citizens— "window dressing," he called the whole operation. Louis testified in a Congressional hearing about the conditions affecting returning citizens. Because the invitation had arrived only the night before, he hadn't had time to get permission from his case manager.

As a result, Hope Village put him under a movement restriction, which almost made him miss an interview for a transitional home where he could live more permanently. Louis was accepted into the transitional home and eventually did land a job, more than six months after leaving prison, through a contact he made at church. He works as a peer advocate for returning citizens, which he says is like a dream job. Nevertheless, it cannot be that the only jobs that will hire returning citizens are those related to prison reform or providing services for returning citizens; that's not sustainable or fair. Moreover, Louis was in many ways a "model returning citizen." He doesn't drink or use drugs, he is deeply religious and attends church regularly, he was able to develop marketable skills while in prison, and he is healthy (in particular, he has good teeth).

So many returning citizens struggle or must overcome obstacles on these and other fronts. Our society does not make their lives any easier. Release is only the beginning. We tend to think of release from prison as the end of the story. We want to believe that those who go home reunite with their families, find jobs, learn from their mistakes, and build new lives. But the reality usually doesn't live up to these ideals. For most incarcerated people, their struggles do not start when they enter prison. By and large, members of this group faced serious barriers to success even before incarceration. Incarcerated people experience high rates of drug addiction, mental illness, and trauma, and often lack high school degrees or job experience within the mainstream economic system. With prison education programs on the chopping block, we should not expect people leaving prison to be more successful than they were before incarceration.

DISCUSSION QUESTIONS:

- (a) What are your initial reactions to this story?
- (b) The article states: “So many returning citizens struggle or must overcome obstacles on these and other fronts. Our society does not make their lives any easier.” Do you believe that our society has a responsibility to make the lives of these citizens easier? Why or why not?
- (c) What is our responsibility as Jews to people who are reentering society? Can and should synagogues play a role in this process?

WISDOM FROM TORAH AND RABBINIC TRADITION:

There were hooligans in Rabbi Meir’s neighborhood who harassed him greatly, and Rabbi Meir would pray for their death. His wife, Beruriah, said to him: What are you thinking? The verse says, “May sins disappear” (Psalm 104:35)-- does it say “sinners”?! It says “sins”! Go to the end of the verse-- “and the wicked be no more.” If sins disappear, will the wicked be no more? Rather, pray that they do *teshuvah*-- and they will no longer be wicked.” He prayed for them and they did *teshuvah*.

DISCUSSION QUESTIONS:

- (a) Rabbi Meir prays for the death of people who have harmed him. This reaction represents a natural inclination to want to severely punish people who have wronged us. When have you experienced that inclination? When do you choose to act on it?
- (b) Rabbi Meir’s wife, Beruriah, distinguishes between “sins” and “sinners.” Why does she do that? How does it help our understanding of justice to distinguish between these things? Does it matter if we refer to people as “felons” as opposed to “people who have committed felonies”?
- (c) Rabbi Meir prays for the sinners, and they make *teshuvah*. What more would be needed to actually increase the percentage of incarcerated people who make *teshuvah*? What could you do?

Consider the following text, in which Rabbi Nancy Fuchs Kreimer likens the status of incarcerated people to people in the Bible who were suffering from a mysterious skin disease called “tzara’at,” which is sometimes mis-translated as “leprosy.” People with tzara’at were sent outside the camp until their affliction healed, and were then brought back and ritually purified so they could reenter society:

In America today, one in one hundred people are living “outside the camp,” behind bars, in city, state and federal prisons... [Parashat Metzora] begins with a discussion of the rehabilitation of the [person with *tzara’at* who has been temporarily exiled]. The community’s challenge is how to integrate this person upon his return. The integration proceeds in stages... By the end of the extensive and elaborate proceedings, the formerly stigmatized person is declared ritually pure. The Torah suggests that there are times when a community must protect itself by excluding from society those it deems dangerous. It also suggests that the stigma should last as long as necessary, but no longer. Restoring individuals to the dignity that is their birthright seems to be a concern, alongside protecting society from those who could harm it. When returning citizens are barred from jobs or required to share their criminal record with prospective employers, or when digital databases make that information easily accessible, a question of human rights emerges: When does a society’s valid interest in protection come up against a person’s right to be a full and dignified member of society?

DISCUSSION QUESTIONS:

- (a) How does the Torah’s model for rehabilitation of temporary exiles apply to our society?
- (b) How do we make it so that the “stigma should last as long as necessary but no longer” for people who have spent time in prison?
- (c) Can someone lose the right to be a full and dignified member of society? When?

GETTING INVOLVED

Here are organizations that support individuals who are reentering society after spending time in jail or prison. You can donate to these organizations or contact them about volunteer opportunities.

Ready4Work Operation New Hope’s Ready4Work in Jacksonville, FL is a national leader in reentry programs. Since 1999, the program has found jobs for 2,500 returning citizens, 70% of whom were still in them a year after placement. Recidivism among participants stands at 15%, compared to the over 70% national average rate. Part of the success can be attributed to the partnerships Ready4Work develops with local businesses, though it must also be noted that the program does not take returning citizens who were convicted of violent or sexual crimes. Ready4Work begins with a 4-6 week career development course—a relatively long investment—and then follows clients for the first year, providing a case manager, job coach, and often a life coach. The cost for a year of services is approximately \$4,500, \$1,000 more than a year of probation but as much as one-tenth the cost of a year’s incarceration.

Center for Employment Opportunities Getting a job when you've been in prison, especially for a violent crime, can be nearly impossible. So the Center for Employment Opportunities (CEO)480, a reentry program in New York City, gives its clients their first job. After a week of training, clients are assigned to a 5-7 person team and get up to 75 days of temporary work, cleaning courtrooms and doing maintenance on city buildings. They also receive ongoing counseling and job-search assistance, and the work team functions as a support system. Sam Schaeffer, CEO's executive director, says the normalcy helps people adjust. "You're earning a daily paycheck, and all of a sudden you're getting on the subway, with that metro card that you couldn't afford two weeks ago and you're reading the paper, and you're sort of like, 'Yea, I can do this,'" he said. Charles Russel, who spent 25 years in prison for second-degree murder, being back at work after so long "is humbling. It keeps you out of trouble and gives you some money to eat with." CEO is part of a "Pay for Success" venture, in which private investors partner with government agencies to fund programs and create accountability. The initial benchmark for CEO's success was to reduce recidivism by 8% and increase employment by 5%. A 2012 review found that, in fact, recidivism was down by 16-22%.

Women's Prison Association

Meet Vivian, one of the women whose lives have been touched by the Women's Prison Association (WPA). Founded in New York in 1845, WPA is the nation's oldest organization working with criminal justice-involved women. Today, it provides a variety of programs, from alternatives to incarceration to services for women in prison and jail to reentry programs.

Vivian writes: I grew up in the foster care system, and by my mid-20's, I had four children of my own. My life was never stable, and I started using drugs. I got sent to jail, and I lost my parental rights while I was locked up. When I got out, I found that the process of regaining custody of my children was even more difficult and painful than being incarcerated. In WPA, I had a coach and partner for the journey to reunify with my children. I moved into the Sarah Powell Huntington House [WPA's transitional residence for women reunifying with their children] and in less than a year, I won full custody of my children. I was so happy to have my children back, but being together was not easy. My children had been in foster care for two years; they were angry and hurt. WPA helped us to heal and to build a new, strong family bond. In 2006, I earned my BA in Social Science and am currently pursuing a Master's in Mental Health. I am most proud that all of my children are attending college. My journey to sobriety and parenting was tough, and WPA was there to assist me every step of the way.

WPA enables its clients to succeed by looking at them as whole people and helping them with multiple needs, rather than focusing narrowly on job placement.