



Faith as an Engine of Criminal Justice Reform

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With all attention currently on the debt ceiling in the US, the faith community is calling on leadership to save money through addressing the wasteful costs of incarcerating 2.3 million Americans.

On June 16, 2011, I joined a cadre of 23 interfaith religious leaders from throughout the US in support of the National Criminal Justice Commission Act in visiting our congressional representatives and the White House. I met with representatives from Texas and California in their offices on Capitol Hill as part of a fly-in organized by the Faith in Action Working Group of the Justice Roundtable. I participated in this critical action because correcting injustices in our prison systems needs to be a state and national priority, fueled especially by all who claim to be driven by religious convictions. An avenue for this type of reform lies in the proposed creation of the National Criminal Justice Commission Act of 2011 (S. 306) (NCJCA), which was introduced with bipartisan support in 2011 by Senator Jim Webb. Members of the Commission would be appointed by the legislative and executive branch and would be charged with undertaking comprehensive critical examination of America's criminal justice system.

The portion of the bill I would like to focus on today-- Section 5(b) -- reads as follows: "*The Commission shall make findings... and recommendations for changes in oversight, policies, practices, and laws designed to prevent, deter, and reduce crime and violence, reduce recidivism, improve cost-effectiveness, and ensure the interests of justice **at every step of the criminal justice system.***"

This Commission represents a real chance to address a statistic that won't go away: The US accounts for 5% of the world's population, yet locks up 25% of the world's prisoners. Existing practices too often incarcerate people whose rehabilitation would be best served by access to recovery programs—not imprisonment, and rob resources from addressing high-risk, violent offenders who pose the real threat to our communities.

Besides this glut of offenders we chose to keep out of sight behind bars, there's also the problematic system for handling people when they are eventually released. Post-incarceration re-entry programs are often haphazard or insufficiently resourced to address the myriad of collateral consequences which follow incarceration, This includes lack of access to programs which would help the recently released secure employment, housing, food and basic medical care. This faulty transition period further undermines public safety, making it extremely difficult for returning citizens to become full, contributing members of the society. According to the US Department of Justice, 62% of those released from state prisons will be re-arrested within three years, and 40% will be re-incarcerated. These high rates of recidivism (re-entry into the criminal justice system). could be reduced by effective support systems prior to, and upon, civil re-entry; support systems which in some cases, could come from religious communities.

It is in the hope of something better for those who live their lives behind bars, or who are at risk of returning to prison, that I call on people of faith to say *enough* and to take action to support the National Criminal Justice Commission Act. Consider this a call to end aspects of an ineffective and costly system that depletes communities and traumatize families, without providing the tools and resources of reform that a healthy prison system ought to incorporate. Those with any sort of criminal record are often denied jobs, regardless of their previous work history; students with a drug conviction are



ineligible to receive federal loans, grants or work study; some offenders are barred from federal housing assistance, food stamps or welfare benefits. Mass incarceration in the United States disproportionately devastates African American, Latino, and First Nations communities, not just in who they lock up, but in the families that are left behind. By lending your strong voice and principled action in support of the NCJCA you can provide the necessary push to articulate an alternative vision of prison to the Congress and President Obama's Administration. It is a moral obligation of any enlightened individual to answer this call to mitigate the devastating effects of our current criminal justice system.

Currently, in the area of religious freedom, we have a patchwork system from state to state, and on top of this there are disparities between federal and state guidelines. In the case of Sikhs, for example, although the Federal Bureau of Prisons allows Sikhs in federal prison to maintain uncut hair, we had to file a lawsuit to win this right in California last week, whereas Florida forcibly cuts the hair of Sikh detainees.

Therefore, a component of the necessary reform we can call for as part of the NCJCA's recommendation ought to address the unevenness of the rights of prisoners to practice their religion. Creating progressive and uniform policies which allow prisoners to practice all components of their faith freely and openly, would allow them access to the rehabilitative power of religion.

As a Sikh, I must fight for criminal justice reforms, as the founders of my faith set the precedent when confronting the Mughal dynasty in South Asia. Guru Nanak confronted Emperor Babar over mass incarcerations, and Guru Hargobind championed prisoner's rights by challenging Emperor Jahangir; both Gurus, founders of Sikhi, were imprisoned for doing so.

As an American, I must fight for prisoners' rights, as the founders of this great Nation set the precedent by challenging laws and social structures that they knew were unfair and unjust. Faith communities today can add their voice by calling for a focus on the broad goal of reducing rates of recidivism. Promoting and protecting religious freedom for inmates contributes to rehabilitation and makes it less likely that offenders, once released, will re-enter the criminal justice system.

In my home state of Texas there have been numerous examples of prisoners who have used faith to build support systems for themselves in prison and upon their release. The contacts which a spiritual community provides, as well as the moral strength developed by practice of a faith while in prison, has seen a number of male and female prisoners re-enter society with gainful employment, meaningful friendships, and a safety net of support already in place. Religion is a practical life skill, which inmates can use to help with their success upon release.

People who oppose the bill will say that training guards and prison officials to respect various religious practices, and providing the materials and the space for prisoners to practice their religion, will cost too much. This is simply not true. We currently spend \$7 billion annually to incarcerate millions of Americans, and dramatic reform will save money in the long-run if it means prisoners are easier to manage while behind bars and less likely to reappear in prison after release. Some might argue that the Commission is redundant, that we already have a judiciary committee. Also not true. The Commission's recommendations would be non-binding, offering only suggestions for criminal justice reforms—but suggestions that sorely need to be heard. The last time such a study of all facets of the criminal justice



system was conducted, President Lyndon Johnson was in office. The time for such a Commission is long overdue.

All major focus groups want this reform: faith-based, civil rights, and law enforcement. Does your congress person know this? It is part of your civic duty and part of your democratic privilege to contact those who have been elected to represent you. Voice your preferences in terms of the direction this country takes in managing those who we put behind bars. I urge you to assume the mantle of moral leadership and make your voice heard.

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