

Criminal Justice Policy Priorities for 2021

*The Jesuit Conference Office of Justice and Ecology
and the Ignatian Solidarity Network*

“Continue to remember those in prison as if you were together with them in prison, and those who are mistreated as if you yourselves were suffering.” — Hebrews 13:3

Incarceration does not solve our social problems. Instead, it is a symptom of our “throwaway culture,” [according to Pope Francis](#). “Denying the injustice present in society and creating these spaces to put offenders is easier than offering equal development opportunities to all citizens.”

The U.S. criminal justice system must be transformed. With an estimated 2.12 million people incarcerated in 2020, the U.S. has the highest incarceration rate in the world ([698 per 100,000 residents are locked up](#)). It also has one of the highest recidivism rates: [77.6% of prisoners are re-arrested within five years](#), demonstrating that our legal system is designed more for punishment than rehabilitation.

Thrive for Life Prison Ministry

The U.S. criminal justice system needs a conversion of values — from punishment to rehabilitation. [Thrive For Life](#) is a Jesuit ministry that accompanies and supports the incarcerated. Its mission is to create spiritual and education opportunities for formerly incarcerated individuals by offering retreats and partnering with local educational institutions and employers. In 2019, Thrive For Life opened Ignacio House of Studies in the Bronx. Ignacio House provides safe and stable housing for up to 24 formerly incarcerated individuals with access to supportive living services.



Zach Presutti, SJ, (left) prays with a member of Thrive for Life.

The time is ripe for change. To reform our criminal justice system, we must:

- **Reverse policies that have led to mass incarceration.** Due to the War on Drugs and other “tough on crime” policies, including the 1994 federal crime bill, incarceration rates in the U.S. have exploded. From 1980 to 2017, the number of people incarcerated for drug offenses jumped from 40,900 to 452,964. Moreover, with laws like mandatory minimums, convictions carry much longer sentences. These policies reflect our nation’s racial bias, wreaking havoc on communities of color. Today, [people of color make up 37% of the U.S. population but 67% of the prison population](#). Policymakers must correct this injustice by ending mandatory minimums, making sentencing reductions retroactive and investing in alternatives to incarceration.
- **Enact meaningful police reform that is restorative and community centered.** Crime harms communities and breaks relationships. Policymakers must enact legal, economic and health policies

that address the underlying needs of underserved communities, especially communities of color. A restorative model of justice must include the community, healing the harm that results from wrongdoing. Policies to reform policing must not only address policing itself but also the social inequalities that lead to an over-reliance on law enforcement.

- **Improve support for reentry.** When people leave prisons, they are often destitute, lacking stable housing and employment. Without reentry support, people feel they are “set up to fail.” To help people make a successful reentry, policymakers should enhance programming for returning citizens, allow for immediate access to public [safety net programs](#) and return the right to vote to those who have been incarcerated. Incarceration costs an exorbitant \$81 billion per year — [\\$182 billion if “hidden costs” are included](#). Programs that cut the recidivism rate will more than repay the investment of taxpayers’ dollars.
- **Improve implementation of compassionate release provisions.** With no way to socially distance and few protection measures, [prisoners are five times more likely to become infected with the coronavirus than the outside population](#). By November 2020, more than 1,450 prisoners had already died from COVID. To address this crisis, policymakers should — where possible — release elderly and medically vulnerable people; release those within 18 months of their release date; and transfer those deemed fit in pretrial detention to home confinement.
- **Repeal the death penalty.** Stop federal executions. In his most recent encyclical Fratelli Tutti, Pope Francis shut the door on any Catholic support for the death penalty. He called it “inadmissible” and said that “the Church is firmly committed to calling for its abolition worldwide.” In 2020, the U.S. reversed a 17-year bipartisan stay and resumed federal executions. By November 2020, the federal government had carried out 8 executions, more than the past 57 years combined. Five more executions are scheduled to take place by the end of the year. Such an affront to human dignity is wrong. The death penalty must be abolished.



A chaplain and death row inmate pray together (CNS photo).

Policy Success: Pell Grants Restored to Incarcerated Students

After a 26-year ban, [a provision of the December 2020 stimulus package restored Pell grants to incarcerated students](#). Our office, along with partners across the Jesuit network, have fought to make federal aid available to incarcerated students for many years. This policy will have a profound impact on incarcerated students and enable Jesuit universities to expand their prison education programs. Education is one of the strongest policy tools for reentry success and crime reduction. [Every dollar spent on education inside prisons yields five dollars in future cost savings](#).



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