Why Jews Should Care About Mass Incarceration

We often hear the assertion that prison is not a “Jewish” issue. Many believe that few Jews spend time in prison, and that prison only serves to keep “our community” safer. As we’ll see, these assumptions are both false and dangerous.

Here are ten reasons that prison is a Jewish issue:

1. The Torah begins with the assertion that human beings are created b’zelem Elohim—in the image of God. Jewish law and Jewish communities have spent millennia figuring out how to create a just society that treats both perpetrator and victim as creations b’zelem Elohim, and in which we can all live safely. Part II of this handbook includes some core texts about criminal justice and incarceration in Jewish law.

2. Teshuvah, repentance, is one of Judaism’s core principles. Jews believe that people can always repent from their mistakes and bad choices, and that society should be structured to encourage that process. Mass incarceration reform is in part about asking how our government can facilitate teshuvah and healing, rather than perpetuating cycles of violence. As Mariame Kaba of Project NIA, a Chicago-based organization that aims to end youth incarceration, says, “Hurt people hurt people.”

3. Jews do get arrested and spend time in jail and prison. (There are an estimated 12-15,000 Jews incarcerated in state and federal prisons in the US. This figure doesn’t account for those held in local jails.) Because of the widespread narrative that Jews don’t go to prison, the incarcerated, formerly incarcerated, and their families feel significant shame in discussing their experiences within their Jewish communities.

4. More and more members of our Jewish communities are Jews of color. A police officer who sees a black Jewish teenager hanging out with his friends on the street does not see a Hebrew High School graduate or a Jewish camp counselor, but rather a teen of color, who automatically attracts suspicion. Even for those of us who are, ourselves, white, our extended networks include people of color whom we care about. These include our friends, colleagues, neighbors, romantic partners, and in-laws. Given the racial inequities of our criminal justice system, people of color are more likely to be arrested, charged, and convicted, as well as to fall victim to violence by police officers.

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3 Based on data from 1990-2003, Be’chol Lashon—an organization dedicated to a Judaism that is global and diverse—estimates that as much as 20% of the American Jewish community is “racially diverse.” http://www.bechollashon.org/population/counting_color/counting_color.php
5. Mass incarceration has created a “lost generation” of adults missing from society and of children growing up without their parents. This has direct, immediate impacts on our national economy, as well as long-term effects on the health of our communities.

6. By playing on fears about race, class, and violence, mass incarceration maintains divisions in our society. This makes it harder for groups who might otherwise be natural allies to form partnerships and to work together to solve societal problems.

7. The taxpayer dollars that are spent on mass incarceration are diverted away from other needed public goods, such as education, healthcare, environmental protection, and social services. Instead of educating and caring for children who will grow up to be productive, healthy, and happy members of society, we are investing in incarcerating their parents and in preparing for their own incarceration.

8. Policing priorities and corrections and sentencing practices ironically can diminish public safety, rather than strengthen it. A focus on quality of life infractions (often called “broken windows” policing) takes time and resources away from solving more serious crimes. Obstacles to reentry (including barriers to employment, education, and housing) increase the likelihood that returning citizens will commit crimes again. Some evidence suggests that incarcerating those convicted of minor crimes alongside those who have committed more serious crimes can result in these low-level perpetrators becoming “criminalized.”

9. The blurring of lines between policing and fighting terrorism threatens all of our civil liberties.

10. Our own Jewish history includes experiences of being targeted by police violence as recently as America in the early 20th century. We have experienced surveillance and have been discriminated against for not looking white. This historical memory creates a duty to have empathy for, and to work in alliance with, the people targeted today.

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