

A Brief History of T’ruah’s Work on Mass Incarceration

T’ruah’s first domestic human rights campaign, launched in 2004, opposed U.S. government-sponsored torture during the War on Terror. Even at that early stage, we recognized the role that torture played in America’s mass incarceration system. In our open letter to the Bush administration dated January 2005, signed by more than 800 rabbis and cantors, we wrote,

It is shocking to think that the prelude to Abu Ghraib may have been the treatment of our people in our own prisons. The demonstration of the administration’s commitment to human dignity must begin at home, to ensure that the same principles of human dignity we are urging the administration to adopt regarding foreign captives be equally applied to American prison inmates. Otherwise, we become what we claim to abhor.

Starting in 2011, we turned our attention to the use of practices classified as torture within U.S. prisons. Atul Gawande’s groundbreaking article “Hellhole,” (*New Yorker*, March 30, 2009²⁴) marked a turning point in the broader human rights community’s classification of solitary confinement as torture. We began educating our rabbis and our communities about solitary confinement, both in the U.S. and in Jewish thought, and to advocate for legislation that reduces the incidence of solitary confinement. Our rabbis visited Rikers Island, the main New York City jail, and met with prison officials. We began preparing an amicus brief in support of prisoners held in solitary at California’s Pelican

Bay Prison, who settled with the state in a major victory in September, 2015.²⁵ Some of them had been in isolation for twenty years or more.

But solitary confinement cannot fully be addressed without tackling the entire system of mass incarceration. In the fall of 2014, T’ruah reframed this campaign within a broader criminal justice reform program. In announcing the new campaign, we wrote:

The Torah insists that even the worst criminal is achicha, your brother. Even those guilty of crimes must be treated as we would want members of our own families treated. But the American criminal justice system too often throws people away—even people not convicted yet of a crime or convicted of a non-violent crime find themselves in inhumane conditions that violate the dignity of a creation b’tzelem elohim.



Our Jewish tradition insists that the goal of punishment is teshuvah, repentance. “Return my backsliding children’ (Jeremiah 3:14) means that any criminal who sinned then repented—we accept that person forever.” (Teshuvot HaRitva 159) The American system seeks only to punish; not to inspire teshuvah.

As a Jewish community, we must work in partnership with other communities to create a system based on justice, truth, and peace, and one that works towards teshuvah, not simply punishment.

²⁴ <http://www.newyorker.com/magazine/2009/03/30/hellhole>

²⁵ See, e.g., <https://ccrjustice.org/home/what-we-do/our-cases/ashker-v-brown>