

Study Guide

Beyond Prisons: A New Interfaith Paradigm for Our Failed Prison System

About this Study Guide

Beyond Prisons can be seen as a radical and provocative book about the criminal justice system, based on the American Friends Service Committee's decades of experience with the issue. Readers looking for ways to engage more personally with the questions presented are invited to use this study guide to facilitate that eagerness. This study guide seeks to draw attention to the socioeconomic, moral, and spiritual aspects of the criminal justice issue. It is intended to encourage personal, creative, nonviolent responses and alternatives to the current ways in which our society handles behavior that is considered "criminal."

While the content presented in the readings for the second and third sessions is important for understanding the criminal justice system, we recognize that individual groups will bring different levels of expertise to the subject. The first and the fourth sessions are more essential to dialogue about the book itself, because those sessions focus on the reader's perspective on the issue and on the new vision presented by the authors.

The study guide contains four sessions and it is assumed that each session should last about two hours. There are suggested time limits for discussions and activities, but each group will need to decide how long they need and how many topics they can cover. Also, the suggested timing does not account for breaks or transitioning between activities. Please adapt and select aspects of this study guide to best suit the goals and perspective of your reading group. It is suggested that groups using this study guide have a facilitator who is engaged with the book and has read the study guide in preparation for each session. Groups may want to share the responsibility of facilitating—perhaps by having a different person facilitate each session, or by working in pairs. Notes for facilitators are marked with ***.

Activity: Depending on the composition of your group, there may be people directly affected by the criminal justice system who need space to express grief, outrage, or other strong feelings. It is important for the facilitator to recognize this and accommodate it.

One exercise we recommend for this purpose is to gather in small groups and ask participants to talk about what most concerns them about the present system. Have participants name their own concern in a phrase or two; after they have shared, write these phrases on paper and place or post the paper in the center of the group. (The group should agree to observe confidentiality regarding any specific or personal concerns that are shared.) The papers from different small groups can then be collected, shared, and discussed with the entire group. The study group may wish to revisit these papers during the course of the study program, and to use them (or, perhaps, dispose of them ceremonially) in a closing ritual to express the work accomplished in the study.

***This activity was not included in any of the sessions but facilitators may want to use it in place of one of the included items, especially if they notice that the group needs an outlet for expressing their feelings.

Session One: Morality and History

This session is intended to help readers explore the relationship between morality and the issues of criminal justice. It incorporates a history of the criminal justice system.

Readings: Introduction and Chapter One

Group Discussion:

***30 minutes of discussion/brainstorming.

1. Key terms (see pages 6-15):

- How do you define “**safety**”? What experiences and influences have shaped your view of public safety and protection?
- How do you define “**crime**”? How do your understandings of “right and wrong” and economic well-being relate to your definition of crime?
- How do you define “**justice**”? Does your notion of justice stem from a particular faith tradition? If so, what do you know about the history of this faith’s view on crime and justice? How does your definition of justice apply across a range of social issues, including economic justice?

2. The penitentiary has religious roots. What was the original intention of the penitentiary, and what were the actual effects of the institution?

3. Who gets to write history? How would history be different if it were written from the perspective of the oppressed? More specifically, how might the history of the prison have been recorded, if it were told by those inside penitentiaries? Who gets to write laws? How might laws be different if they were written by the poor and oppressed?

Sharing in Pairs:

***15 minutes. Ask participants to pair up with someone they do not know well.

Topic: Confession and forgiveness

- Have you experienced a time when you admitted you were wrong about something and it resulted in a positive outcome?¹
- Can you remember a time when you forgave someone who had wronged you? What was the outcome between you and the other person?

Small Groups:

¹ Forget, Marc. (2005). *Toward a New Vision of Justice*. Argenta, BC: Argenta Friends Press.

***30 minutes. Direct pairs to form groups of 4 with another pair. This time of sharing is not a discussion. Each person will have a chance to respond to the question. Ask participants to: speak only once to the query, speak from their experience, refrain from commenting on what others have said, leave a small time of silence between speakers to allow time for reflection

- What influences (moral values, faith traditions, etc.) have shaped your ethical understandings about crime and punishment?

Activity: Concentric circles on punishment

***45 minutes. Facilitator should only participate if the pairs are uneven

Divide into two even groups. Have one group form an inside circle, facing outward, and the other group form an outside circle, facing in. Each person should be facing someone in the other circle. The partners should first introduce themselves. The facilitator announces the topic and asks the two partners to take turns talking about the topic. After fifteen seconds of silence for the speaker to gather his or her thoughts, the speaker then has two minutes to respond. The partner listens respectfully, but does not need to respond to the speaker's comments. After two minutes, the facilitator calls time and the roles switch within each pair, the speaker becoming the listener. The new speaker has fifteen seconds of silence to gather her or his thoughts, then two minutes to speak. At the end of this time, the partners shake hands, and the outside circle moves one space to their left. Repeat the exercise until the group has discussed all the topics, in order.

Topics on punishment:

- “An experience from my childhood when I was punished . . .”
- “A time when I have inflicted punishment on someone else . . .”
- “When someone does something wrong that upsets me, I react by . . .”
- “The ways that I perceive punishment now compared with when I was a child are different because . . .”
- If the intent of punishment is to teach a lesson, has it worked that way in your life? Give examples. – Or have there been other results?
- “For me, the differences between punishment and rehabilitation are . . .”
- Describe an act you are proud of, in the way you or someone else dealt with wrongdoings.
- Describe your feelings about the place punishment has in the criminal justice system.

Optional Homework: Looking in current news sources, can you find stories that illustrate the socioeconomic dynamics of the criminal justice system that this book identifies? Can you find positive stories about alternatives?

Session Two: Socioeconomic Dynamics, Local Level Penal System, and Sentencing

This session contains questions responding to the more factual content of these three chapters. It encourages readers to look at their own communities and brainstorm solutions.

Readings: Chapters Two, Three, and Four

Whole Group Opening Sharing:

***30 minutes.

- How does racism manifest in the law enforcement and criminal justice systems? How have you seen it play out? How does racism affect your daily life?

- What activities do you participate in that could be considered a crime? (e.g. lying on an application, stealing things from the workplace, fudging on your taxes) (Forget, 21)

Small Group Discussion:

***1 hour. Break into four groups of at least 3 people and assign the following topics for groups to discuss in depth. If there are not enough people for four groups, break into groups of at least 3 people and ask the groups to choose the topic that most interests them.

1. Policing

- What has been your experience with law enforcement, including police?
- Have you seen different patterns of policing in different communities? If so, how did seeing this make you feel?
- What kind of power/ how much power does law enforcement need to do its job?

2. Community Justice

- How have you built community in a way which would support conflict prevention and restoration?
- Does your geographic region have a community-controlled policing system?
- Does your community have a dispute resolution option outside the police system?
- What do you envision as the police's ideal role and responsibility in a community?

3. Sex Offenders

There is a lack of resources for people convicted of sex offenses. At this point in time, sex offenders are literally ostracized when they return to their communities. The methods used to protect the community include monitoring devices placed on formerly incarcerated persons, informing neighbors, and a permanent public record.

- What are different ways to address the challenges faced by sex offenders when they reenter the community? How can the needs of both the community and the formerly incarcerated person be met?

4. Death Penalty

Families' anger and sorrow at homicide are natural and understandable, but when media and politicians hype these responses for their purposes, death penalty prosecutions prove unreliable and inequitable.

- How do capital trials differ from most murder prosecutions? Should we let newspapers and district attorneys decide which one percent of homicides deserve the millions of dollars that capital prosecutions eventually cost?
- Is picking out a few murders for capital prosecution fair to those families whose losses are not so harshly punished? Is the slower process of inflicting this ultimate punishment harder on the families who are "chosen"?

- Redirecting public resources now budgeted for capital punishment, how might we better meet the needs of all grieving families?
- What are the benefits and problems of sentencing to “life imprisonment without possibility of parole,” compared to other punishments?
- Can you imagine yourself or anyone you love committing a homicide?
- Have you ever lived in a State or country where there was no death penalty ?

Whole Group Closing Sharing:

***30 minutes.

Small groups should report back to the group, sharing the parts of their discussions that they want the whole group to know. Once each group has shared, participants can debrief any feelings and thoughts that came up for them in the sharing and discussions.

Session Three: State & Federal Prisons, Youth, Poverty, and Delinquency

This session focuses on international vs. domestic policy, prison ministry, and the treatment of youth in community and in the criminal justice system.

Readings: Chapters Five and Six

Activity: At the beginning of this session cordon off a section of the room, measuring 5' x 9', using either tape on the floor or furniture. This section should be off to the side, and not in the center of activities. Place a chair in the middle of this box and have each participant draw straws. Ask the person who draws the shortest straw to sit in the chair in the box..

***Once the participants have drawn straws, explain that the group will be simulating the isolation of imprisonment. Tell the group that the person in the box has been placed in an “isolation cell” and should not be spoken to or communicated with in any way. Neither should he or she be allowed to participate in the discussions of the rest of the group. As facilitator, you will set the tone for this activity and should remind people of the rules about not talking to the person who is in isolation. The effectiveness of this activity depends on the participation of all involved. Note that there is time for debriefing at the end of the session.

***10 minutes for setting up and explaining activity.

Small Group Discussion:

***50 minutes. Split group into two small groups, each discussing one of the following topics. After 35 or 40 minutes, ask groups to rejoin and report back from their small groups. If there are not enough people to split into groups, stay in the big group and discuss each topic for forty minutes and skip the small group sharing activity (if time permits during the youth discussion, the group can discuss “criminalization of youth” queries from the small group sharing).

1. Torture

The U.S. Department of Justice currently defines torture as “physical pain . . . equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death.”² The United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment definition of torture is on page 97 of *Beyond Prisons*.

² Johnson, Kermit D. “Inhuman Behavior: A chaplain’s view of torture.” *The Christian Century Magazine*. April 18, 2006.

- Compare these definitions of torture. What is missing from the Justice Department’s definition but present in the International definition?
- Who benefits from practices of torture? Who suffers? Are there any circumstances where torture is justified?
- How can the use of solitary housing units (SHU) and other forms of solitary confinement be an example of torture?
- If you were mounting a campaign to stop the use of solitary confinement what arguments would you use?

2. Zero Tolerance Policies and Youth

With “zero tolerance” policies, education is no longer compulsory but a privilege for children who are not removed from the education system. The authors take the perspective that one point of childhood is to learn, grow and make mistakes; the zero tolerance policy, which creates intolerant laws, defies what we know about children and development.

- In what specific ways does the current criminal justice system go against what we know about children and development?
- What are the effects of treating children like adults in regards to responsibility, privilege, and development? What is the rationale behind the notion of zero tolerance?
- Who benefits from zero tolerance policies? Who suffers? What alternatives exist?

Small Group Sharing:

***30 minutes. Ask participants to group with 3 or 4 people they were not with in the last activity. Groups can spend all of their time on one of topics or split their time between the two.

1. Prison ministry

An ethical dilemma exists when seeking to provide religious services to prisoners. On the one hand all people have an absolute right to their religion, yet in prison the religious figures often work directly for the prison and are limited by the rules and purposes of that system.

- How can we provide that absolute right to access without creating this conflict?

2. Criminalization of youth

- Do you have personal experience with being criminalized because of your age?
- Are you aware of criminalization of youth in your community? What about the criminalization of other marginalized communities such as the lesbian, gay, bisexual, transgendered and queer community and people of color?

Closing Debrief:

***30 minutes. Welcome the person back from the “isolation cell” and allow them and the other participants to share their experience. Present the following questions for discussion, but let the group debrief as necessary.

How did it feel to be in the box? Was justice served? Did the group comply with the decisions to place this person in the box, and stay out of communication with him/her? Why did they comply? How did it feel to have them isolated in this way?

Session Four: Alternative Vision of Justice and Steps Toward a New Paradigm

This session looks at the final two chapters of the book, which are crucial in identifying possibilities for social change. This session seeks to enable readers to connect with changing the system through interactive activities.

Readings: Chapters Seven and Eight

Opening Sharing in Pairs:

***10 minutes.

Topic: Survivors and forgiveness:

- Are there times when you have been victimized? If so, what did you need?
- Have you helped someone else during a time when they were grieving; how?

Whole Group Discussion:

1. Reform vs. Abolition

***10 minutes

- What is the difference between penal reform and penal abolition?
- What is the book’s argument supporting abolition?

2. Restorative Justice and A Twelve-Point Plan

***45 minutes

Restorative justice, or transformative justice, takes a healing approach to “crime” as opposed to a revenge-and-punishment approach. The authors believe that a new paradigm must cover systemic issues including economics and race. The criminal justice system shouldn’t be seen just as addressing a problem merely between two individuals.

- Which part(s) of the 12-point plan are examples of healing justice?
- Are you called to work on one or more of the twelve points with your community?

***Either before or after discussing possible community actions, read the following to remind the group about testing our actions to ensure that the change we create is for the better.

The authors provide benchmarks, or principles, against which any prison reform recommendation can be tested in order to ensure the least possible amount of harm. These benchmarks, on page 174, consist of:

- “Do no harm”
 - genuinely move in the direction of dismantling the system, rather than bolstering it
 - move toward greater fairness, more democratic processes, more individual autonomy, and greater overall social and economic justice
- put our good intentions into practice without inflicting harm today

Activity: Concentric Circles, “Speaking across generations” Visioning Exercise. Adapted from Joanna Macy’s “Great Turning” exercise.³

***1 hour.

³ Macy, Joanna. (1998). *Coming Back to Life: Practices to Reconnect Our Lives, Our World*. New Society Publishing. Used with Permission.

Divide the group in half, arranged with one group inside the circle, opposite someone on the outside circle. The people in the center represent the people three generations from now. The people on the outside are present-day people. Beginning with the present-day people in the outer circle, give each participant an opportunity to speak to his or her partner across the generations. Each speaker responds to the questions posed by the facilitator, and the “future” people listen attentively, but do not respond directly.

The facilitator speaks for the future people as follows:

“Ancestor, I have heard about the terrible times in which you lived. I have heard that there were over 2 million people incarcerated in the U.S. alone; that children were often treated as adults if they committed certain crimes; that you sometimes put people to death as a punishment; and that thousands of people were held in solitary confinement for years at a time. Can this be true?”

“I have heard, too, that there was widespread homelessness, very little treatment available for the mentally ill, and that the U.S. spent the lion’s share of its budget on weapons of mass destruction. And I have heard that the rich, who were only a handful, kept getting richer while the masses at the bottom grew poorer and poorer. It is so hard to believe. Tell me, can this have been true? What was it like for you? How did you feel?”

The facilitator allows 3-5 minutes for the present day people to answer the questions. When she or he calls time, the two people acknowledge this opportunity to speak to each other, express gratitude, bow if appropriate, and then the people in the center circle move one seat to their right.

The facilitator speaks again for the future people:

“Ancestor, we have songs and stories that still tell of what you and your friends did back in your time to bring about a new paradigm of justice. What I want to know is how you got started. You must have felt lonely and confused sometimes, especially at the beginning. What first steps did you take?”

Again the present-day person responds as the future person listens attentively. The guide allows 3-5 minutes for responses and follows the instructions from the previous round.

The facilitator speaks again for the future people:

“Ancestor, I know you didn’t stop after those first steps, but continued to act on behalf of the new justice and a more compassionate community. Tell me, what structures did you put in place to implement the Great Turning, and where did you find the strength and joy to continue working so hard, despite all the obstacles and discouragements?”

The outside circle responds again for 3-5 minutes.

In the final round, all people can remain where they are. It is now time for the future people to speak, while their partners listen. The future people speak what is in their hearts after what they have heard from their ancestors. They may express their gratitude for what they have heard, for moving society to a more compassionate and just place, for the re-ordering of priorities; and they may thank the ancestors for sharing this valuable information. Allow at least 5 minutes.

