



National Council of the Churches of Christ in the USA

Jim Winkler - President and General Secretary

Ronald L. Davis
Executive Director,
President's Task Force on 21st Century Policing

January 9th, 2015

RE: Written testimony on behalf of the National Council of Churches

Dear Ronald L. Davis,

Thank you for the opportunity to address this task force. Since its inception in 1950, the National Council of Churches of Christ in the USA has been the leading force for shared ecumenical witness among Christians in the United States. The NCC's 37 member communions – from a wide spectrum of Protestant, Anglican, Orthodox, Evangelical, historic African American and Living Peace churches – include 40 million persons in more than 100,000 local congregations in communities across the nation. The NCC has a history of addressing a variety of social justice issues. Periodically, however we will select priority issues that are of particular importance in society and for people of faith.

In November of 2013 the National Council of Churches Governing Board voted to make the issue of Mass Incarceration one of our top priorities. “Get tough” sentencing guidelines and the prolonged “War on Drugs” have contributed to the United States having the highest per capita incarceration rate in the world. Those imprisoned are disproportionately people of color (African American, Latino, etc.) According to Michelle Alexander, scholar and expert on mass incarceration, there are more African Americans under correctional control (i.e. in prison, jail, probation or parole) than the number of African Americans in slavery in 1850. These statistics reflect that mass incarceration and racial disparity in the application of laws is the civil rights issue of the 21st century.

We applaud the president for establishing the task force, in light of recent community, national and international unrest in response to excess force in policing and the misuse of prosecutorial discretion. Over criminalization and the militarization of local police departments has created a great chasm between the police and the communities they have pledged to serve and protect.

As people of faith we are not only concerned about these issues but we are intimately connected to them. Persons affiliated with the NCC through our member communions serve as prison and police chaplains, they are police and persons serving time, they are returning citizens and family members, they are victims and perpetrators, they are pastors and community leaders. In the past several months of civil unrest our faith leaders have been at the forefront of peaceful protest actions and providing pastoral care for the community.



One of the primary objectives of this task force is to look at ways of building trust and fostering collaborative relationships between local law enforcement and the communities they protect. We acknowledge that these are admirable goals but the United States' justice system is one of the most punitive in the world. A justice system predicated on punishment and retribution rather than rehabilitation and restitution destroys communities and families and makes reconciliation and healing almost impossible. A policing structure that sees the community in which it serves as a people to be controlled is destined to create the very system of distrust that the task force is seeking to address.

Additionally the task force is not addressing a major flaw in the criminal justice system that perpetuates the division between one who has been incarcerated and the rest of society. The current criminal justice system makes any criminal conviction an effective life sentence that impacts the individual, family and the community. The returning citizen is denied access to the right to vote, social service resources such as public housing and barred from many jobs; even after serving their time. This life sentence impacts the whole family resulting in a kind of generation to generation curse.

We acknowledge the limitations of the task force, however, inspired by the prophet Isaiah we join together with all stakeholders to work on the issues and serve as “repairers of the breach” and offer the following recommendations to the task force:

- **Overhaul the justice system such that the end goal is not primarily punishment but rather reconciliation and restoring balance**
 - **A justice system should address disruptions in the balance of society. Response to disruptions should be commensurate with the harm caused.**
 - **Incorporate conflict transformation training as part of police training and a standard alternative or additional option for addressing offenses and criminal infractions.**
 - **Reward police departments and officers for effective community policing strategies rather than arrest and ticketing quotas.**

- **Address the inherent racial disparity in the system**
 - **Mandatory training and continuing updates for all law enforcement on issues of cultural sensitivity, interaction with the mentally ill, and responding to sexual assaults.**



- **Create a database for reporting police shootings, excessive force and death in custody - including demographics/profile. Make report available to public excluding names.**
- **Provide incentives for police departments that are culturally and ethnically diverse and also includes a cross section of faith traditions.**
- **Promote basic practices of transparency**
 - **In cases where there is a police shooting and criminal charges are possible, the case should not be handled by the local prosecutor. A special prosecutor should be appointed or a community panel of representative stakeholders should review the case.**
 - **Implement nationwide mandatory use of body cameras and provide federal funding for communities that cannot afford them.**
 - **Police officers who do not wear their badges must provide business card with name and badge number and face disciplinary action if they fail to provide such information.**
- **Address the militarization of the police department**
 - **The 1033 program should be revised to include more specific ways the equipment can and cannot be used. Military equipment should not be used against local communities exercising constitutional rights to protest.**
 - **Require police departments to provide a report on how and why equipment was used and include a criteria in which the equipment can be confiscated.**
- **Address the problem of over criminalization and the indiscriminate application of laws implemented by local police departments and the impact it has on communities and families**
 - **When one's time has been served for infractions against society he or she should be fully reintegrated into society.**
 - **Voting rights should be restored.**
 - **Returning citizens should be given access to social service resources that will help them acclimate to a life outside of jail and enhance the chance of success (i.e. access to jobs, social services, etc.).**



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In closing I leave you with the words of the Rev. Dr. Martin Luther King, Jr.:

“We are now faced with the fact that tomorrow is today. We are confronted with the fierce urgency of now. ... There is an invisible book of life that faithfully records our vigilance or our neglect. We still have a choice today: nonviolent coexistence or violent coannihilation. This may well be [humankind’s] mankind’s last chance to choose between chaos and community.”

I pray that we choose community.

Sincerely,

Jim Winkler
President and General Secretary
National Council of the Churches



Resources

1. The Holy Bible, Isaiah 58:12 “And your ancient ruins shall be rebuilt; you shall raise up the foundations of many generations; you shall be called the repairer of the breach, the restorer of streets to dwell in.” NRSV
2. Challenges to the Injustices of the Criminal Justice System, *Resolution adopted by the NCC Governing Board, November 10, 1979.*
3. Michelle Alexander, “The New Jim Crow: Mass Incarceration in the Age of Colorblindness”, (The New Press: New York, NY 2010).
4. Martin Luther King, Jr., “Where Do We Go from Here: Chaos or Community?”, (Beacon Press: Boston, Ma. 1967)