

United Methodist Church Book of Resolutions 2000

(Reaffirmed in 2004 by the UMC General Conference)

240. Prison Industrial Complex

There are a number of penal systems in the United States which take upon themselves the job of confinement or supervision of persons charged with, or convicted of crimes. For the most part, these systems are capable neither of rehabilitating criminals nor of protecting society, much less restoring crime victims. They are, in fact, institutions where persons are further conditioned in criminal conduct and where advanced skills in crime are taught. More often than not, penal institutions have created more crime rather than deterred criminals. They represent an indescribable failure and have been subjected to gross neglect by the rest of society and by the church. They do not deserve the designation of correctional institutions, for they correct nothing for the crime victim, the offender, or the community.

Despite their massive failure, prisons and jails and the numbers of persons confined within them are growing rapidly in the United States, leading some to speak of a "Prison Industrial Complex." This concept refers to the extent to which corporate interests and the profit motive—not concerns of public safety, equal justice, offender rehabilitation, or victim restoration—are increasingly

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driving and determining criminal justice policy in the United States.

Private Prisons

International attention has been given to the long and rapid rise in the United States prison population over the last 25 years. The United States imprisons a higher proportion of its people than all but one other country in the world, Russia. Incarceration has become a very expensive growth industry in the United States.

This industry of warehousing people has presented a temptation to those who would profit from the punishment of human beings, leading to perhaps the most ominous illustration of the prison industrial complex at work: the privatization of prison operation and/or ownership. Sometimes governments contract with corporations to operate prisons. A recent trend is for private corporations to design, build, and own prisons to be privately operated and to house prisoners from anywhere in the United States or its territories. Often this takes the form of companies' building prisons on spec, or as speculation, assuming that prisoners will be found, somewhere, to fill their beds.

There is a long history in the United States especially in the South, of exploitation of prison labor through the convict lease system and other arrangements whereby private industry has been allowed to have control over prisoners' lives. The 13th Amendment to the United States Constitution allows for legal exploitation of prisoners. Today, private prison entrepreneurs seek areas which have a surplus of prisoners and areas of high unemployment which often welcome prisons as a new form of economic development. Typically, this means that it tends to be the poor and ethnic minorities who find their labor, their spirits, and their lives exploited, whether as the keepers or as the kept.

Private prison companies typically are paid on a per-capita and per-diem basis. Therefore they have little incentive to rehabilitate prisoners or to prevent recidivism. Indeed, it is in their economic interest to have more crime, more incarceration, and more recidivism, all of which lead to more profits. The logic of the profit motive is to cut costs. In privately operated prisons, this is usually achieved by cutting staff, payroll, benefits, supplies, security, and rehabilitation programming for prisoners. Such cuts lead to a decreased sense of professionalism and a higher rate of turnover among employees,

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greater hopelessness and bitterness among prisoners, and greater threats to the safety of staff, prisoners, and the general public, especially in the local community.

Many states where private prisons are now operating have no laws regulating their operations (including health, safety, security, legal access for prisoners, and disciplinary policies). Many private prisons are under no obligation to ensure access to information about prisoners held in them or how they are classified, and often regard this as proprietary information. Private prisons hurt local and state economies. Contracting out operations exports taxpayer monies from local communities to corporations often headquartered out of state. For existing prisons, communities lose public sector jobs with family-supporting wages and benefits, and civil service job security. Local communities which provide supplies, services, or equipment to government agencies lose out when a large contractor, usually based out of state, wins a contract to operate a former government facility. Finally, when private prisons contract out bed space to prisoners from distant states, it makes it more difficult for families, friends, ministers, attorneys, and advocates to visit them for support, or counsel. This also increases their chances of recidivism when they are released.

Our Lord began his ministry by declaring "release to the captives . . ." (Luke 4:18 NRSV), and he distinguished those who would receive a blessing at the last judgment by saying, "I was in prison and you visited me." (Matthew 25:36b NRSV) Jesus also declared that one cannot serve two masters and condemned the idolatry of mammon, or wealth. (Luke 16:13).

Christians, therefore, must have a special concern for those who are captive in any way, especially for those who are imprisoned, and for the human conditions under which persons are incarcerated. Individual Christians and churches must also oppose those policies and practices which reflect greater allegiance to the profit motive than to public safety and to restorative justice for offenders, crime victims, and local communities.

Therefore, The United Methodist Church declares its opposition to the privatization of prisons and jails and to profit making from the punishment of human beings.

ADOPTED 2000

See Social Principles, ¶ 164F.