

## General Convention of The Episcopal Church 2022 Archives' Research Report

**Resolution No.:** 2022-D008  
**Title:** Resolution to Address the Issue of Mass Incarceration  
**Proposer:** Mr. Louis Glosson  
**Topic:** Prisons, Racism

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### **Directly Related:** (Attached)

2018-D004 Call for Sentencing Reform to End Racial and Gender Discrimination  
2015-A011 Urge Advocacy for Policy Changes to End Mass Incarceration Practices  
2015-D068 Support Ministries Against the School-to-Prison Pipeline  
2012-B024 Promote Alternative to the School-to-Prison Pipeline  
2012-D026 Urge Support for Bipartisan U.S. Commission on Criminal Justice  
2003-A126 Promote Juvenile Justice Reform  
2000-B055 Reaffirm Criminal Justice System Reform  
1985-C043 Create a Task Force on Reform of the Criminal Justice System

### **Indirectly Related:** (Available in the [Acts of Convention](#) database, searchable by resolution number)

2012-A077 Develop a Model Prisoner Ministry  
2003-A125 Establish Ministries to Assist Prisoners and Their Families

*In preparing this report, the Archives researched the resolutions in the Acts of Convention database for the period 1973 through 2018, selecting “direct” resolutions that have a substantive bearing on the proposed legislation. The “direct” resolutions are attached and “indirect” resolutions are available in the Acts of Convention database. Committee members who require other research assistance should contact the Archives through the [Research Request Form](#) or call 800-525-9329.*

# D008 - Resolution to Address the Issue of Mass Incarceration

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**Final Status:** Not Yet Finalized

**Proposed by:** Mr. Louis Glosson

**Endorsed by:** The Rev. Canon Dr. Lynn A. Collins, Mrs. Crystal Plummer

**Requests New Interim Body:** No

**Amends C&C or Rules of Order:** No

**Has Budget Implications:** No

**Cost:**

**HiA:** HD

**Legislative Committee Currently Assigned:** 08 - Social Justice & United States Policy

**Completion Status:** Incomplete

**Latest House Action:** N/A

**Supporting Documents:** No

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## Resolution Text

*Resolved*, the House of \_\_\_\_\_ concurring,

That this 80th General Convention of The Episcopal Church (TEC) urge Congress and the states: (i). to eliminate incarceration for lower-level crimes; (ii). to pass legislation that would make default prison sentences — which are often excessively long — proportional to the specific crimes committed; and (iii) to use the power of their purses to encourage these changes; and be it further

*Resolved*, That the 80th General Convention of TEC again urge Congress to initiate studies to examine racial and gender disparities in sentencing, including racial and gender disparities in prosecutors' exercise of discretion in seeking sentencing enhancements under three-strikes, Section 851 federal drug enhancements, and other habitual offender laws and disparate racial and gender effects of drug policies such as mandatory minimum sentences and school zone drug enhancements; and be it further

*Resolved*, That the 80th General Convention again urge state and federal governments to adopt legislation whereby all arrests and/or convictions for non-violent summary or misdemeanor offenses committed more than ten years ago are automatically sealed from access by prospective employers, landlords, and all others except law enforcement, noting that the young and people of color are disproportionately affected by this form of discrimination; and be it further

*Resolved*, That this 80th General Convention direct, consistent with established policies and procedures, that the Executive Council refer this Resolution to the Office of Government Relations, so that it may take all actions necessary to accomplish the intentions and purposes of this Resolution.

## **Explanation**

For years, Congress had attempted to pass criminal justice reform legislation, such as the Sentencing Reform and Corrections Act (SRCA) introduced in 2015 by Senators Chuck Grassley (R-Iowa) and Dick Durbin (D-Ill.). But the SRCA failed to pass in 2016 despite overwhelming bipartisan support, thanks to opposition from Sen. Tom Cotton (R-Ark.) and then-Senator Jeff Sessions (R-Ala.).

That all changed in December of 2018 when the Senate finally passed, and President Trump signed, the FIRST STEP Act — a modest bill that, despite some initial setbacks, includes key parts of the SRCA. That makes it the first major reduction to federal drug sentences.

The FIRST STEP Act is consequential because it includes provisions for meaningful sentencing reform, which would reduce the number and amount of people in prison and is part of the starting point of any serious legislation for criminal justice reform. Sentencing laws played a central role in the rise of mass incarceration in recent decades. The federal prison population, in particular, has risen by more than 700 percent since 1980, and federal prison spending has increased by nearly 600 percent. That growth has disproportionately affected African Americans, Native Americans, and Latinos.

Federal mandatory minimum sentences were a catalyst for the recent surge of unnecessarily harsh prison sentences. More than two-thirds of federal prisoners serving a life sentence or a virtual life sentence have been convicted of non-violent crimes.

But research continues to show that long prison sentences are often ineffective. One study found that overly harsh sentences have done little to reduce crime. In fact, in some cases, longer prison stays can actually increase the likelihood of people returning to criminal activity. These sentences disproportionately impact people of color and low-income communities.

The FIRST STEP Act shortens mandatory minimum sentences for nonviolent drug offenses. It also eases a federal “three strikes” rule — which currently imposes a life sentence for three or more convictions — and issues a 25-year sentence instead. Most consequentially, it expands the “drug safety-valve,” which would give judges more discretion to deviate from mandatory minimums when sentencing for nonviolent drug offenses.

In an overdue change, the bill also makes the Fair Sentencing Act retroactive. Passed in 2010, the Fair Sentencing Act has helped reduce the sentencing disparity between crack and powder cocaine offenses — a disparity that has hurt racial minorities. The FIRST STEP Act will now apply the Fair Sentencing Act to 3,000 people who were convicted of crack offenses before the law went into effect.

Beyond sentencing reform, the FIRST STEP Act includes provisions that will improve conditions for current prisoners and address several laws that increased racial disparities in the federal prison system. The bill will require federal prisons to offer programs to reduce recidivism; ban the shackling of pregnant women; and expand the cap on “good time credit” — or small sentence reductions based on good behavior — from around 47 to 54 days per year. That “good time” amendment will benefit as many 85 percent of federal prisoners.

The FIRST STEP Act changes the conversation on mass incarceration

The FIRST STEP Act is a critical win in the fight to reduce mass incarceration. While the bill is hardly a panacea, it’s the largest step the federal government has taken to reduce the number of people in federal custody. (The federal government remains the nation’s leading incarcerator, and more people are under the custody of the federal Bureau of Prisons than any single state system.)

The FIRST STEP Act marks progress for criminal justice reform, but it has some notable shortcomings. It will leave significant mandatory minimum sentences in place. In addition, two of the bill’s key sentencing provisions are not retroactive, which minimizes their overall impact.

One step is to eliminate incarceration for lower-level crimes, such as minor marijuana trafficking and immigration crimes. The default sentences for those crimes should be alternatives to incarceration, such as treatment, community service, or probation. Second, lawmakers should also pass legislation that would make default prison sentences — which are often excessively long — proportional to the specific crimes committed. If Congress and every state enacted this pair of reforms, the national prison population would be safely reduced by 40 percent. Third, Congress can use the power of the purse to encourage these changes. Washington spends a significant amount of money supporting state criminal justice systems: Those dollars could be used to reward policies that reduce rather than entrench mass incarceration.

Ultimately, the FIRST STEP Act is one step in the right direction for reducing mass incarceration in the United States. It has elevated criminal justice reform as a rare space for bipartisan consensus and cooperation in a fractured national political environment. With an awareness of that consensus, we should push for the bigger next steps that will move us toward ending mass incarceration.



**Resolution Number:** 2018-D004  
**Title:** Call for Sentencing Reform to End Racial and Gender Discrimination  
**Legislative Action Taken:** Concurred as Amended  
**Final Text:**

*Resolved, That this 79th General Convention of The Episcopal Church (TEC) urges Congress to enact comprehensive federal sentencing reform legislation which would reduce some mandatory minimum sentences for drug offenses, particularly those that have a discriminatory impact on minorities in penalties for crack and powder cocaine offences; and be it further*

*Resolved, That the 79th General Convention of TEC calls upon State legislatures to repeal all existing laws or the portions of such laws that either allow for or mandate a sentence of life without parole (LWOP) for a nonviolent offense and/or offenses committed by children under 18 years of age that after their time has been served, that their record is expunged; and be it further*

*Resolved, That the 79th General Convention of TEC urges Congress to initiate studies to examine racial and gender disparities in sentencing, including racial and gender disparities in prosecutors' exercise of discretion in seeking sentencing enhancements under three-strikes, Section 851 federal drug enhancements, and other habitual offender laws and disparate racial and gender effects of drug policies such as mandatory minimum sentences and school zone drug enhancements; and be it further*

*Resolved, That the General Convention urges state and federal governments to adopt legislation whereby all arrests and/or convictions for non-violent summary or misdemeanor offenses committed more than ten years ago are automatically sealed from access by prospective employers, landlords, and all others except law enforcement, noting that the young and people of color are disproportionately affected by this form of discrimination.*

**Citation:** General Convention, *Journal of the General Convention of...The Episcopal Church, Austin, 2018* (New York: General Convention, 2018), p. 673.



**Resolution Number:** 2015-A011  
**Title:** Urge Advocacy for Policy Changes to End Mass Incarceration Practices  
**Legislative Action Taken:** Concurred as Substituted and Amended  
**Final Text:**

*Resolved, That the 78th General Convention acknowledges that implicit racial bias and racial profiling result in a criminal justice system that disproportionately incarcerates people of color damaging individuals, families, and communities; and be it further*

*Resolved, That the 78th General Convention challenges The Episcopal Church at every level to commit mindfully and intentionally to dismantling our current mass incarceration system; and be it further*

*Resolved, That the 78th General Convention urges the Presiding Bishop of The Episcopal Church, the Executive Council of The Episcopal Church and the Office of Governmental Relations of The Episcopal Church to advocate publicly for changes in Federal policies that perpetuate the mass incarceration system; and be it further*

*Resolved, That the 78th General Convention encourage each congregation and Diocese to undertake at least one specific initiative aimed at addressing the destructive consequences of the mass incarceration system. These initiatives include such possibilities as:*

- 1. Advocating for alternatives to incarceration for those who are addicted, and increased funding for treatment programs;**
- 2. Advocating for alternatives to incarceration for those who are mentally ill, and increased funding for treatment programs;**
- 3. Advocating for protection of the civil rights and provision of appropriate support and accommodation for people with disabilities who are arrested and incarcerated;**
- 4. Advocating for funding for job training and apprentice programs for those who are at risk of incarceration and those who are formerly released from prison;**
- 5. Working with local businesses to create pathways to living wage jobs for formerly incarcerated people;**
- 6. Establishing mentoring and accompaniment programs for those leaving prison;**
- 7. Advocating for the repeal of mandatory-minimum sentences for nonviolent offenses;**
- 8. Calling for the abolition of the sentencing disparity between crack-cocaine and powder-cocaine offenses and, as an intermediate step, urging the U.S. Congress, in accordance with the recommendation of the U.S. Sentencing Commission, to make retroactive the 2010 Fair Sentencing Act, which reduces the disparity in sentencing from previous levels;**
- 9. Advocating to eliminate “three strikes” sentencing protocols;**
- 10. Joining local “Ban the Box” campaigns to remove questions about arrest records in on-line and written job application forms;**
- 11. Opposing the creation of “for profit” prisons and immigration detention centers, and, where they exist, organizing against guaranteed nightly numbers of prisoners and detainees, and advocate for access to education and rehabilitation programs for those being incarcerated or detained;**

**12. Reforming monetary bail bond systems, which rely upon often-unlicensed and unregulated bail bond agents and on conditioning release from pre-trial incarceration solely on the ability to pay;**

**13. Advocating for immediate return of the right to vote for those who have served their sentences and left prison; and**

**14. Calling for the exploration and creation of restorative justice programs to transform juvenile justice systems; and be it further**

***Resolved, That the 78th General Convention request that each Diocese report back to the 79th General Convention on the initiatives engaged at congregational and Diocesan levels.***

**Citation:** General Convention, *Journal of the General Convention of...The Episcopal Church, Salt Lake City, 2015* (New York: General Convention, 2015), pp. 300-301.



**Resolution Number:** 2015-D068  
**Title:** Support Ministries Against the School-to-Prison Pipeline  
**Legislative Action Taken:** Concurred as Amended  
**Final Text:**

*Resolved, That the 78th General Convention renew The Episcopal Church's commitment to offer relevant and transformative ministry in societies where the school-to-prison pipeline exists as a systemically racist and devastating process undermining the hopes of children and young people in challenged communities, replacing that hope with a belief that incarceration is not only inevitable, but a laudable rite of passage; and be it further*

*Resolved, That The Episcopal Church is called to promote an alternative vision necessary to transform these unjust structures of society; and be it further*

*Resolved, That the Offices of Black Ministries and Social and Economic Justice work collaboratively to promote and support existing programs; to identify, create, and support additional programs which can serve as a blueprint for local leaders, and empower challenged communities to engage in grass roots organizing and faith-based education. The goal is to turn the pipeline to prison into a pipeline to the Kingdom, inviting children and young people to see themselves as valued members of the Kingdom of God; and be it further*

*Resolved, That the General Convention request the Joint Standing Committee on Program, Budget and Finance to consider a budget allocation of \$200,000 for the implementation of this resolution with \$90,000 earmarked for 12 individual start-up ministries.*

**Citation:** General Convention, *Journal of the General Convention of...The Episcopal Church, Salt Lake City, 2015* (New York: General Convention, 2015), p. 440.



**Resolution Number:** 2012-B024  
**Title:** Promote Alternative to the School-to-Prison Pipeline  
**Legislative Action Taken:** Concurred as Substituted  
**Final Text:**

*Resolved, That the 77th General Convention acknowledge that we live in a society where there exists "a pipeline from school to prison," a devastating process that undermines the hope of children and young people in challenged communities, and replaces that hope with a belief that incarceration is not only inevitable, but is a laudable Rite of Passage worthy of pursuit that will give them status in their communities. Rather we believe that The Episcopal Church can promote an alternative vision necessary to transform these unjust structures of society; and be it further*

*Resolved, That the offices of Black Ministries and Social and Economic Justice work collaboratively to identify and support and/or create programs, and work with local leaders to empower challenged communities to, through grass roots organizing and education, turn the Pipeline to Prison into a Pipeline to the Kingdom; and be it further*

*Resolved, That the General Convention request the Joint Standing Committee on Program, Budget and Finance to consider a budget allocation of \$300,000 for the implementation of this resolution.*

**Citation:** General Convention, *Journal of the General Convention of...The Episcopal Church, Indianapolis, 2012* (New York: General Convention, 2012), pp. 711-712.



**Resolution Number:** 2012-D026  
**Title:** Urge Support for Bipartisan U.S. Commission on Criminal Justice  
**Legislative Action Taken:** Concurred as Substituted  
**Final Text:**

*Resolved, That the 77th General Convention of The Episcopal Church instruct the Office of Government Relations to urge the United States Congress to support a bipartisan United States Commission on Criminal Justice to inquire into our present flawed system of incarceration and seek alternatives that would be effective, humane, and financially prudent; and be it further*

*Resolved, That this Convention encourage Bishops and Deputies to transmit this resolution to their Senators and Representatives from their own states and districts, and urge their support for a bipartisan United States Commission on Criminal Justice.*

**Citation:** General Convention, *Journal of the General Convention of...The Episcopal Church, Indianapolis, 2012* (New York: General Convention, 2012), p. 197.



**Resolution Number:** 2003-A126  
**Title:** Promote Juvenile Justice Reform  
**Legislative Action Taken:** Concurred as Amended  
**Final Text:**

*Resolved, That the 74th General Convention of The Episcopal Church direct the Office of Government Relations to work for legislation that provides alternatives to sentencing for juveniles, offers creative programs for rehabilitation, and establishes separate intermediary facilities for incarceration for juveniles convicted of serious crimes; and be it further*

*Resolved, That the 74th General Convention call upon dioceses, congregations, and individual Episcopalians to promote reforms in state juvenile justice systems that focus on justice, human dignity, and rehabilitation; and be it further*

*Resolved, That the 74th General Convention encourage defense attorneys to offer pro bono services to alleviate the growing epidemic of inadequate counsel and express gratitude for those who provide these services.*

**Citation:** General Convention, *Journal of the General Convention of...The Episcopal Church, Minneapolis, 2003* (New York: General Convention, 2004), p. 255.



**Resolution Number:** 2000-B055  
**Title:** Reaffirm Criminal Justice System Reform  
**Legislative Action Taken:** Concurred as Amended  
**Final Text:**

*Resolved, That the 73rd General Convention of the Episcopal Church reaffirm that the Episcopal Church at all levels become active at local, state and federal levels on public policy decisions affecting the growing prison industrial complex; and be it further*

*Resolved, That the Episcopal Church call for a moratorium to the posting of prisoners outside their home states and territories; and be it further*

*Resolved, That the Episcopal Church call for a moratorium on further prison construction and the use of private prisons, except where a local diocese discerns the need to do otherwise for pastoral reasons, and call for appropriate changes in the laws requiring mandatory sentencing for nonviolent and property crimes.*

**Citation:** General Convention, *Journal of the General Convention of...The Episcopal Church, Denver, 2000* (New York: General Convention, 2001), p. 365.



**Resolution Number:** 1985-C043  
**Title:** Create a Task Force on Reform of the Criminal Justice System  
**Legislative Action Taken:** Concurred As Substituted  
**Final Text:**

***Resolved, That the General Convention create a task force on the Church's role in the reform of our nation's criminal justice system, in order to study the problems inherent in it.***

**Citation:** General Convention, *Journal of the General Convention of...The Episcopal Church, Anaheim, 1985* (New York: General Convention, 1986), p. 594.