

NiSh'ma

On this page, four current or past inmates examine a teaching of Rabbi Haim David HaLevy, the former Chief Rabbi of Tel Aviv-Yafo. Our commentators explore how the obligation to be concerned about the welfare of the criminal reflects on the dignity of humanity. Rabbi Paul Shleffar, the Jewish chaplain at San Quentin State Prison, helped me locate and work with these prisoner-authors. Our online version is interactive, and we welcome your comments.



Michael Flinger: Unfortunately, human emotion routinely acts without the mitigating benefit of intellect, and so, in the blink of an eye, our conduct, resolve, and good nature evaporate. Trust me, it can happen to anyone. From within the walls of California's infamous death row at San Quentin, as a Jew of 51 years, I am responding to Rabbi Haim David HaLevy's

writing about "obligations." In God's Creation, man is created last, along with a set of laws of human conduct. We live with the knowledge that we are inherently capable of wrongdoing (sin). I'm in prison for murder.

Rabbi HaLevy asserts that it is "our" obligation to be concerned with just law, the criminal himself, and the dignity of humanity.

In equal measure, we need a well-functioning justice system whose policies focus on protecting public safety while also providing criminal justice reforms that offer prisoners real-time opportunities for redemption as well as mandatory recidivism and rehabilitation programs that promise second-chance ladders to our futures. It's time to dispel the myth that prisoners are without redeeming value. After all, justice is, in part, making something great from something altogether terrible.

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Michael Flinger is a former California general contractor, author, and legislative advocate for inmate organ donations. His interests include art, literature, history, religion, and writing.

"It is our obligation to be concerned about just law; more than that, it is our obligation to be concerned about the criminal himself; more than that, it is our obligation to be concerned with the dignity of humanity."

— Rabbi Haim David HaLevy,
writing in the modern commentary
Aseh Lecha Rav



Jose Rivera: When Rabbi HaLevy spoke of a just law combined with concern for the criminal and the dignity of humanity, he referred to a system of justice. This is not to be confused with the current "justice system." Rabbi HaLevy's quote — written more than 20 years ago — speaks more to the restorative justice movement now gaining a foothold among prison reform advocates than the experience I've had

in prison. Restorative justice gives offenders opportunities to understand the true impact of their actions; it gives victims a role in the process that keeps the focus on the victim's loss and allows for an outcome of healing. Why, then, are offenders confined for as long as possible, with little opportunity to regain a place in society? Today, offenders are rarely able to change their status as felons. Where is the dignity if one is marked for life?

Jose Rivera has been incarcerated for over 23 years. He is currently housed at San Quentin, where he attends various self-help classes and has received a two-year associate degree through the prison university project. He is a member of Beth Shalom congregation in San Quentin.



Brittany Richardson: This passage speaks powerfully to me because, during my incarceration, I came to wholeheartedly trust the inherent holiness of our souls and the human capacity for growth and change. Because of the incredible compassion, love, and empathy I experienced from the women I was incarcerated with, I came to see that prisons aren't filled with monsters and evil people but with human beings who have made mistakes. The prison system itself

is deeply flawed; most of its regulations and much of the attitude shown toward inmates are designed to rob people of humanity and individuality.

When I first arrived, an inmate of nearly 30 years told me that I could use my time away from my loved ones and society to explore insights into my darker parts and perhaps heal some wounds so long as I didn't allow the conditions of incarceration — such as the brutal summer heat without even a fan or outdated and inadequate medical care to deter me. As well, I had to ignore efforts at dehumanization, the use only of my booking number rather than my name and the group strip searches that were not only embarrassing but were done with a robotic detachment that made me feel like an animal. Eventually, I learned to trust other women I met in prison who were struggling with the same issues any mother, friend, or daughter might be wrestling with: guilt, remorse, missing children, and wishing for change.

Since re-entering society on October 17th 2017, I feel commanded by both my faith and my experience to speak up for those women and remind the world that their humanity is still very much intact and deserving of respect.

Brittany Richardson is 27 years old and spent two and a half years at the California Institution for Women in Chino, Calif. She currently lives in Los Angeles and is pursuing work as a drug and alcohol counselor.



Evie Litwok: I am a formerly incarcerated Jewish lesbian who spent a total of 20 months at two different federal prisons — partly in solitary confinement.

Prior to my arrest for tax evasion, I had a large community of extended family (including many Holocaust survivors) and friends. Upon hearing of my arrest, people who had known me for decades disappeared. My mother told me people said to her, "where there is smoke, there is fire."

The night before I left for prison, my mother said, "prison will be harder for you than concentration camp was for me." She was correct. At 60 years old, I suffered continuous physical, mental, and emotional abuse. In prison, I found no humanity from the guards or administration. Even when my first conviction was overturned, the officer preparing my release papers said, "you're being released, you fucked up my dinner plans."

There are 2.2 million people in American prisons, and 6 million more are under supervised release. It is our obligation to be concerned with their suffering. We are commanded to advocate for prisoner's human rights.

When I left prison, I was homeless, without a job or supportive community. I struggled to regain my dignity and recover from the injustices done to me. I began to tell my story in synagogues and at university Hillels. Though I could see that people were disturbed, I have not yet seen enough alliances with those outside of the formerly incarcerated population to lobby for systemic change to the abuse and cruelty to which prisoners are subjected.

Evie Litwok is the founder and director of Witness to Mass Incarceration, a storytelling archive and organizing project that documents the experiences of formerly incarcerated women and LGBTQ people. Her new initiative is The Suitcase Project, where she provides newly released people with a suitcase of essentials to start rebuilding their lives. Litwok has spoken at the White House Briefing on the Criminalization of LGBT people.