

No. 23-1197

IN THE
Supreme Court of the United States

DAMON LANDOR,

Petitioner,

v.

LOUISIANA DEPT. OF CORRECTIONS AND PUBLIC
SAFETY, ET AL.,

Respondents.

**On Writ of Certiorari to the
United States Court of Appeals
for the Fifth Circuit**

**BRIEF OF PROFESSOR
BYRON R. JOHNSON AS *AMICUS CURIAE*
IN SUPPORT OF PETITIONER**

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INTEREST OF *AMICUS CURIAE*¹

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Amicus offers this brief in support of the Petitioner. As Professor Johnson's social science research demonstrates, prisoners who practice religion while incarcerated exhibit increased prosocial behaviors, which reduces recidivism, improves prison operations,

¹ No counsel for any party authored any portion of this brief or made any monetary contribution intended to fund its preparation or submission.

and provides concrete financial benefits to society. Interpreting RLUIPA in a manner best calculated to promote and protect free exercise therefore results in significant benefits to both the incarcerated and the public at large.

Amicus has filed briefs on the topic in the Fifth, Seventh, Eighth, and Ninth Circuits. See Br. Amicus Curiae of Byron Johnson, *Landor v. La. Dep't of Corr. & Pub. Safety*, 82 F.4th 337 (5th Cir. 2023) (No. 22-30686) (panel stage); Br. Amicus Curiae of Byron Johnson, *Landor v. La. Dep't of Corr. & Pub. Safety*, 93 F.4th 259 (5th Cir. 2024) (No. 22-30686) (*en banc* stage); Br. Amicus Curiae of Byron Johnson, *Walker v. Baldwin*, 74 F.4th 878 (7th Cir. 2023) (No. 22-2342); Br. Amicus Curiae of Byron Johnson, *Barnett v. Short*, 129 F.4th 534 (8th Cir. 2025) (No. 23-1066); Br. Amicus Curiae of Byron Johnson, *Fuqua v. Raak*, 120 F.4th 1346 (9th Cir. 2024) (No. 21-15492).

INTRODUCTION AND SUMMARY OF ARGUMENT

Damon Landor suffered an injustice for which the Fifth Circuit has held there is no remedy. Landor, a practicing Rastafarian, maintains a religious vow according to which he does not cut his hair. Despite presenting to prison officials Fifth Circuit caselaw which held that, under RLUIPA, he could maintain this vow in prison, Landor was restrained and his hair, which ran down nearly to his knees, was shaved bare a mere three weeks before he was to be released.

Landor sued prison officials under RLUIPA, seeking money damages for this callous infringement of his free exercise rights. Despite this Court's recent holding that litigants may obtain money damages

against individual government officials under RLUIPA's sister-statute, the Religious Freedom Restoration Act ("RFRA"), *see Tanzin v. Tanvir*, 592 U.S. 43, 49-52 (2020), the district court dismissed his suit, holding that such damages are not available under RLUIPA. The Fifth Circuit affirmed that decision. Prison officials were thus able to violate Landor's free exercise rights without consequence, as is true in countless other cases where prisoners' release or transfer moots the only claims that are left under RLUIPA—claims for injunctive relief. While Congress passed RLUIPA to remedy such abuses, lower courts have effectively neutered the statute by prohibiting claims for money damages.

This line of lower court decisions not only conflicts with the plain text of the statute, but also weakens religious exercise in prisons, with regrettable consequences that extend far beyond the individual prisoner involved. When prisons violate free exercise rights, they deprive both the inmates and society more generally of the manifold benefits of religious practice. As *Amicus*' research underscores, free exercise of religion in jail and prison improves inmate wellbeing, increases prison safety, reduces recidivism rates, and provides prisoners with invaluable community support as they reenter society. *Amicus* offers this brief to familiarize the Court with this research and to emphasize the importance of granting individuals like Landor the opportunity to seek money damages for violations of RLUIPA.

Amicus therefore urges the Court to give full effect to RLUIPA's text and authorize money damages against government officials in their individual capacity for RLUIPA violations.

ARGUMENT

RLUIPA protects religious liberty in prison by allowing inmates to seek “appropriate relief” against government officials in their individual capacity for violations of that statute. 42 U.S.C. § 2000cc-2(a). The expansive protection for religious exercise envisioned by Congress, however, has been substantially weakened by lower courts who have consistently interpreted that phrase to exclude monetary relief. Without the ability to assert claims for money damages, suits seeking to vindicate inmates’ free exercise rights have been frequently mooted due to the transient nature of jail and prison populations. This dynamic insulates unconstitutional conduct in prisons from judicial review, depriving both inmates and society of the benefits of religious practice among the incarcerated.

Amicus’ research shows that those benefits are immense and emanate far beyond prison walls. Inmates who practice religion while incarcerated experience improved mental health, engage in less misconduct, and interact with members of a supportive social network. These inmates leave prison better equipped to rejoin society, leading to reduced recidivism rates and better outcomes for both individuals and communities. To foster those benefits, as Congress intended, this Court should reverse the Fifth Circuit’s decision and interpret RLUIPA in accordance with its text.

I. To Be Effective, RLUIPA Requires the Availability of Monetary Damages.

RLUIPA prohibits government officials from imposing a “substantial burden on the religious

exercise of a person residing in or confined to an institution,” 42 U.S.C. § 2000cc-1(a), and allows inmates whose rights are violated to seek “appropriate relief” through a private right of action, 42 U.S.C. § 2000cc-2(a). In *Tanzin*, this Court interpreted identical language in RFRA to authorize claims for money damages against government officials in their individual capacity. 592 U.S. at 49. Despite the clarity of the text and this Court’s decision in *Tanzin*, lower courts like the Fifth Circuit have interpreted the same phrase in RLUIPA not to authorize such claims. As a result, the only remedy available is injunctive relief, which is often no remedy at all.

In most instances, jail and prison stays are time limited. While prison stays by definition exceed one year, the average stay in jail is only 32 days. *See* Zhen Zeng, Jail Inmates in 2023 – Statistical Tables, U.S. DOJ (2025) <https://bjs.ojp.gov/library/publications/jail-inmates-2023-statistical-tables/web-report>. And it is jails that account for the overwhelming majority of instances of incarceration, with nearly nine times more annual jail admissions than the number of individuals in prison. *See* Nazish Dholakia, The Difference Between Jail and Prison, VERA (Feb. 21, 2023), <https://www.vera.org/news/u-s-jails-and-prisons-explained> (in 2019, there were over 10.3 million reports of jail admissions, and in 2023, there were about 1.2 million individuals incarcerated in prisons).

The typically short duration of incarceration complicates inmates’ ability to litigate claims for injunctive relief. “[C]ivil cases in the U.S. district courts have a median length of 27 months from filing

to trial, and close to 10% of cases have been pending for over three years[.]” See Joanna R. Lampe, Cong. Res. Serv., *Lawsuits Against the Federal Government: Basic Federal Court Procedure and Timelines* (2020), <https://sgp.fas.org/crs/misc/IF11349.pdf>. As this Court knows, even efficient judges are unlikely to reach a judgment much before then. As a result, inmates deprived of their free exercise rights face the tall task of litigating their claims to judgment before their claims are mooted by release or transfer. Even if a lucky few overcome this hurdle and obtain injunctive relief, such relief may have little meaningful impact if it comes only shortly before their departure. And for those like Landor, whose rights are violated just days or weeks before their release, there is no chance for relief at all. As the Eighth Circuit recently observed, given the inadequacy of injunctive relief, “damages are many times the only relief that a jail inmate can obtain.” *Barnett v. Short*, 129 F.4th 534, 539-40 (8th Cir. 2025).

The results of these dynamics are as predictable as they are disturbing, as this case illustrates. Louisiana prison officials violated RLUIPA blatantly and with impunity when they forcibly cut Landor’s dreadlocks. Pet. App. 2a. Respondents knew that the Fifth Circuit had previously held that Louisiana’s policy of cutting Rastafarians’ hair, a core religious practice, violates RLUIPA. See *Ware v. La. Dep’t of Corrs.*, 866 F.3d 263, 274 (5th Cir. 2017). Indeed, Landor handed the prison officials a copy of the *Ware* opinion, which officials literally “threw ... in the trash” before pinning him down and shaving his head. Pet. App. 2a. But because Landor is no longer in prison, his only avenue for

obtaining relief—money damages—has been foreclosed.

Landor is not alone in this dilemma. In *Walker v. Baldwin*, a Rastafarian prisoner in Illinois was subjected to similar treatment. 74 F.4th 878, 879 (7th Cir. 2023). Despite his clearly expressed religious objections, prison officials forced Walker to shave his dreadlocks. *Id.* at 880. The prison officials “brought a tactical team and mace to Walker’s cell and told Walker that if he did not acquiesce, the tactical unit would forcibly remove his dreadlocks.” *Id.* Walker was given no advance opportunity to seek judicial relief. And when he later filed suit, his claim for injunctive relief was moot due to his release, and the district court dismissed his claim for money damages based on its interpretation of RLUIPA. *See id.* The Seventh Circuit did not reach the merits of the RLUIPA holding due to a finding of waiver, but the district court’s decision again left an inmate with no recourse for a patent violation of his free exercise rights.

Such injustices are not confined to Rastafarians and dreadlocks. In *Barnett*, for example, officials prevented a Missouri jail inmate from reading the Bible on a daily basis, as his Christian faith required. When Barnett requested a Bible before going into administrative segregation, jail officials denied Barnett’s request and ignored his claim that the Constitution protected his religious practice. According to those officials, he was “free to quote the [C]onstitution all [he] want[s] to,” but he would “not receive anything more.” 129 F.4th at 538. When Barnett later brought claims under RLUIPA, the district court dismissed as moot his request for injunctive relief (as Barnett had been

transferred) and rejected his claim for money damages based on the same flawed reading of RLUIPA. *Id.* And though the Eighth Circuit “conclude[d] that RLUIPA’s reference to ‘appropriate relief’ encompasses damages,” it nevertheless ignored that statute’s plain text and precluded Barnett from seeking monetary damages from the jail officials in their individual capacities. *Id.* at 539, 542.²

These are not the only examples. For instance, in *Ali v. Adamson*, 132 F.4th 924 (6th Cir. 2025), a Muslim inmate in Michigan applied for a vegan meal option, which prison officials denied because he had eaten “food inconsistent with his professed faith.” *Id.* at 929. Ali sued those who rejected his request under RLUIPA. *Id.* The Sixth Circuit, however, deemed Ali’s claim for injunctive relief moot because even if those officials had the power to grant Ali’s application, he had since been transferred to a different facility. *Id.* at 930. And, having dismissed as moot the possibility of injunctive relief, the Sixth Circuit aligned itself with pre- and post-*Tanzin* decisions which “reaffirmed that RLUIPA does not permit individual-capacity damages suits against state officials.” *Id.* at 933.

In short, lower courts have decided to skirt *Tanzin* by holding that RLUIPA’s “appropriate relief” is not a clear enough statement. See *Landor v. Louisiana Dep’t of Corrs. & Pub. Safety*, 93 F.4th 259, 266-67 (5th

² The court did permit monetary damages against the county. *Id.* at 539, 542. But such relief provides no remedy to those like Landor, who sue state officials either in their individual capacities or as an arm of the state, which “enjoys sovereign immunity.” *Id.* at 542. Moreover, it does nothing to deter county employees from infringing on inmates’ religious exercise, as they would not be liable for their wrongdoing.

Cir. 2024) (Oldham, J., dissenting from denial of rehearing en banc) (reasoning lower courts cannot invoke constitutional avoidance or deem RLUIPA’s “appropriate relief” an unclear Spending Clause condition after *Tanzin*). And as these examples illustrate, injunctive relief has proven inadequate to remedy and prevent violations of RLUIPA. Without the possibility of money damages, inmates’ free exercise rights will be routinely and irremediably violated in jails and prisons throughout the country. And that runs directly counter to the “capacious[]” design of RLUIPA, which Congress intended to provide “expansive protection for religious liberty.” *Holt v. Hobbs*, 574 U.S. 352, 358 (2015).

II. Free Exercise of Religion in Prison Benefits Both Inmates and Society at Large.

The degradation of free exercise rights in prisons and jails is wholly inconsistent with the text of RLUIPA, which was designed to secure religious liberty among incarcerated populations. While it is inmates who suffer the violations directly, the consequences are far-reaching. Failing to secure free exercise rights deprives both inmates and society more generally of the significant benefits of religious practice. As *Amicus*’ research demonstrates, to uphold and protect religious practice in institutions of incarceration is to promote better outcomes for inmates both during and after incarceration.

A. Religious Practice Promotes Prisoners’ Well-Being.

Inmates face a sudden loss of previous liberties, including basic privacy and autonomy. This is very often dehumanizing and destructive to prisoners’

sense of self. The “‘hitting rock bottom’ strain of imprisonment” often causes prisoners to “face the reality that their lives lack meaning.” Sung Joon Jang et al., *The Effect of Religion on Emotional Well-Being Among Offenders in Correctional Centers of South Africa: Explanations and Gender Differences*, 38 Just. Q. 1154, 1158 (2021).

As a result, inmates are far more likely than non-inmates to suffer from mental health issues. Inmates face “a series of degradations of self ... along with a sense of guilt, shame, and hopelessness,” often leading to depression and anxiety. Sung Joon Jang et al., *Existential and Virtuous Effects of Religiosity on Mental Health and Aggressiveness Among Offenders*, 9 Religions 182, at 1 (2018). In fact, a 2006 Department of Justice report found that more than 56% of state prisoners, 44% of federal prisoners, and 64% of jail inmates suffered from mental health problems. Doris J. James & Lauren E. Glaze, *Mental Health Problems of Prison and Jail Inmates*, U.S. Bureau of Just. Stat. (Dec. 14, 2006), <https://bjs.ojp.gov/content/pub/pdf/mhppji.pdf>.

Religious practice offers a potent antidote. A 2022 study of 349 jail inmates in Virginia found that participation in a faith-based trauma healing program corresponded to “a significant reduction” in symptoms of PTSD, depression, anger, suicidal thoughts, and aggression” among prisoners, even with as little as ten hours of religious intervention. Sung Joon Jang et al., *Assessing a Faith-Based Program for Trauma Healing Among Jail Inmates: A Quasi-Experimental Study*, 10 Int’l J. Offender Therapy & Compar. Criminology 1, 14 (2024). Such benefits through “modest intervention” carry unique promise

for jail inmates, who are far less likely than prison inmates to receive treatment “due to the transient nature of jails.” *Id.* at 3, 18. Moreover, the benefits of faith-based treatments were persistent, “with the effect remaining significant up to 3 months after completion of the program.” *Id.* at 18. Other of *amicus*’ research suggests that “religiosity is inversely related to depression and suicidality,” and “positively associated with emotional well-being” among inmates. See Jang et al., *The Effect of Religion, supra*, 38 Just. Q. at 1157.

Likewise, a 2018 study of three maximum-security prisons showed that religiosity was positively related to “virtuous characteristics,” such as increased compassion and forgiveness, and “inversely associated with the offenders’ negative emotional states and intended aggression.” Jang et al., *Existential and Virtuous Effects of Religiosity, supra*, 9 Religions at 12. The 2022 study produced similar findings, with inmates under the faith-based program not only experiencing “increased religiosity,” but also “enhanced forgiveness (and reduced vengefulness).” Jang et al., *Assessing a Faith-Based Program for Trauma Healing Among Jail Inmates, supra*, 10 Int’l J. Offender Therapy & Compar. Criminology at 18.

These results are not surprising. Across faith traditions, religious involvement lessens distress, provides a system of social support, and helps believers cope and process emotions, thereby improving inmates’ mental well-being. By helping prisoners “find new meaning and purpose in life and become virtuous through spiritual transformation,” religiosity mediates the feelings of anxiety and depression that humans in extreme adversity,

including imprisonment, are prone to suffer. Jang et al., *Existential and Virtuous Effects of Religiosity*, *supra*, 9 Religions at 12–13. Supporting inmates' ability to practice religion is therefore a highly effective means of increasing prisoner well-being.

B. Religious Practice Improves Prison Safety and Operations.

The benefits of religious practice redound not just to practicing inmates but also to non-practicing inmates and the prison system as a whole. Studies show that religious practice in prison encourages “prosocial” behaviors, which are behaviors “generally intended to help others.” Byron R. Johnson, *How Religion Contributes to the Common Good, Positive Criminology, and Justice Reform*, 12 Religions 402, at 3 (2021). Indeed, religiosity is one of the chief factors causing “offenders who previously exhibited antisocial patterns of behavior” to “undergo transformations that result in consistent patterns of positive behavior, accountability, and other-mindedness.” *Id.*

Religiosity not only promotes the development of prosocial behaviors in prisoners but also deters misconduct. Inmates who practice religion in prison “more frequently and for longer periods of time” exhibit less “criminological risk factors, aggressiveness, and higher levels of virtues, human agency, religiosity, and spirituality.” *Id.* Such prisoners are less likely to engage in fights, theft, and antagonism, thereby benefiting both their fellow inmates and prison officials.

These are not abstract benefits. “Quantitative studies tend to show that an inmate’s religion is inversely related to misconduct in prison.” Sung Joon

Jang et al., *Religion and Misconduct in “Angola” Prison: Conversion, Congregational Participation, Religiosity, and Self-Identities*, 35 Just. Q. 412, 418 (2018). For example, a 2015 quantitative study found participation in a prison Bible college program “significantly improved offender behavior within the institution” by reducing the risk of misconduct by up to 80% and lowering the amount of discipline convictions by more than one per inmate. Grant Duwe et al., *Bible College Participation and Prison Misconduct: A Preliminary Analysis*, 54 J. Offender Rehab. 371, 386 (2015). And because prisoner misconduct can translate to increased incarcerated time as a punishment, less misconduct can result in less time served and a resultant financial benefit to prisons. *See id.* at 387. Beyond decreasing misconduct and saving prisons money, this program also provided inmates with a college degree “at no additional cost to taxpayers.” *Id.*

Qualitative studies also show *how* religious practice offers these benefits. A 2018 study based on a survey of 2,249 inmates at the largest maximum-security prison in America found that religious conversion and religiosity “positively related to existential and cognitive transformations as well as a ‘crystallization of discontent,’” which is the cognitive process by which prisoners begin to link their criminal identities with harm, failure, and dissatisfaction. *See* Sung Joon Jang et al., *Religion and Misconduct in “Angola” Prison*, *supra*, at 413. Religious practice “weakens their attachment to the criminal identity and provides offenders with the initial motivation to break from crime and engage in a deliberate act of intentional self-change.” *Id.* at 416. Thus, religious

conversion and religiosity may “lead prisoners to rehabilitate themselves” rather than continue to engage in criminal activity. *Id.* at 432.

In short, religious practice promotes prosocial behavior among prisoners by giving them healthy means of coping with the difficult emotions resulting from imprisonment. This not only benefits prisoners who engage in religious practice but also benefits other inmates and prison officials by reducing misconduct, violence, and theft throughout the prison system. Religious practice results in safer, more peaceful jails and prisons.

Not only that: religious practice also provides a concrete financial benefit to society as prisoners may earn credit for their good behavior. To the extent that their good behavior leads to less time incarcerated, such prisoners minimize the public financial burden associated with their incarceration.

C. Religious Practice Reduces Recidivism and Aids Reentry into Society.

Immediately following release from prison, individuals face a critical transition period known as reentry. Unfortunately, most released prisoners will relapse into criminal behavior during this period. According to a Bureau of Justice Statistics report, 43% of state prisoners are arrested within one year of release, 66% within three years, and 82% within ten years. Leonardo Antenangeli & Matthew Durose, *Recidivism of Prisoners Released in 24 States in 2008: A 10-Year Follow-Up Period (2008–2018)*, U.S. Bureau of Just. Stat. at 1 (2021), <https://bjs.ojp.gov/library/publications/recidivism->

prisoners-released-24-states-2008-10-year-follow-period-2008-2018.

Prisoners who practice religion in prison, however, are more likely to become productive members of society upon reentry because religious exercise improves prisoners' mental health, aids in their rehabilitation, and provides prisoners with a community to support them financially and emotionally upon reentering society. *See* Jang et al., *Existential and Virtuous Effects of Religiosity*, *supra*, 9 Religions at 13. These benefits directly contribute to a healthy sense of identity in reentering individuals, which is the cornerstone of rehabilitation—that is, the idea that the life of even the worst offender can be transformed. *See* Byron R. Johnson, *More God, Less Crime: Why Faith Matters and How It Could Matter* More 99 (2011).³

³ Rehabilitation is not a new idea. Early American prisons shared the belief that prisoners were capable of reform through moral and spiritual rehabilitation; in fact, the term penitentiary is ultimately derived from the Latin *paenitentia*, meaning repentance. *Developments in the Law: The Law of Prisons*, 115 Harv. L. Rev. 1838, 1892 (2002); *see also* Jang et al., *Religion and Rehabilitation as Moral Reform: Conceptualization and Preliminary Evidence*, 49 Am. J. Crim. Just. 47, 63 (2022) (“[T]he penitentiary was a place for penance as inmates were meant to reflect on their wrongdoings and seek reform.”). Reform stemmed from repentance and the pursuit of a new identity. Historically, inmates were considered agents worthy and capable of rehabilitation. Jalila Jefferson-Bullock, *How Much Punishment Is Enough?: Embracing Uncertainty in Modern Sentencing Reform*, 24 J. L. & Pol’y 345, 355 (2016). Prisons were designed to be curative institutions, qualified to teach inmates how to coexist lawfully with others. *Id.* (citing *United States v. Scroggins*, 880 F.2d 1204, 1207 (11th Cir. 1989)).

The quantitative data on rehabilitation likewise indicates that prisoners who engage in religious exercise are significantly less likely than average to re-engage in criminal behaviors during the reentry period. For example, participation in volunteer-led Bible study groups in prison significantly lowered the rates of recidivism even three years post-release. Byron R. Johnson, *Religious Programs and Recidivism Among Former Inmates in Prison Fellow Programs: A Long-term Follow-up Study*, 21 Just. Q. 329, 329 (2004). The difference can be dramatic—one study showed that only 14% of active Bible study participants were arrested during the one-year follow-up period, compared to 41% of those who did not participate in a Bible study. *Id.* at 334. Further, in a five-year Louisiana study, only 30% of inmates who received faith-based education before their release returned to prison, a rate far below the 46.6% statewide and 65% national recidivism rates. Roy L. Bergeron Jr., *Faith on the Farm: An Analysis of Angola Prison's Moral Rehabilitation Program Under the Establishment Clause*, 71 La. L. Rev. 1221, 1222 n.6 (2011).

Other research demonstrates that religious exercise aids in both reduction of recidivism and productive reentry by providing former prisoners with religious communities who will come alongside them and aid in their rehabilitation and reintegration into society. Prisoners who are permitted to engage in free religious exercise in prison are more likely to join religious communities following reentry. *See A 96% success rate: How JUMPSTART Prison Ministry is Breaking the Cycle of Incarceration*, Stand Together, <https://standtogether.org/stories/criminal->

justice/jumpstart-prison-ministry-program-breaks-incarceration-cycle. The social support religious communities provide is “important in improving outcomes for incarcerated individuals during the reentry process not only in terms of general wellbeing but also in gaining employment and avoiding recidivism.” See Jean Kjellstrand et. al, *The Importance of Positive Social Support During Reentry From Prison: Examining the Role of Volunteer Mentoring*, 67 Int’l J. Offender Therapy Compar. Criminology 567, 567 (2023). Such “support from religion and a faith community” for those desiring it is “critical for sustained reentry success.” Mowen et al., *During, After, or Both? Isolating the Effect of Religious Support on Recidivism During Reentry*, 34 J. Quantitative Criminology 1079, 1095 (2018).

Finally, religious practice also prepares prisoners to reintegrate into society with purpose and integrity by transforming their outlook on life. In yet another study which found that offenders who participated in faith-based prison programs were more likely to make successful transitions back to society, researchers identified five key internal markers associated with religious practice while incarcerated. See Shadd Maruna et al., *Why God Is Often Found Behind Bars: Prison Conversions and the Crisis of Self-Narrative*, 3 Rsch. In Hum. Dev. 161, 161 (2006). Specifically, religious exercise leads prisoners to develop a self-narrative that: (1) “creates a new social identity to replace the label of prisoner or criminal”; (2) “imbues the experience of imprisonment with purpose and meaning”; (3) “empowers the largely powerless prisoner by turning him into an agent of God”; (4) “provides the prisoner with a language and

framework for forgiveness”; and (5) “allows a sense of control over an unknown future.” *Id.* These internal changes, in turn, drive meaningful changes in external behavior, decreasing the odds of re-offending upon release.

III. Religious Practice, Not Mere Religious Belief, is Necessary to Secure These Benefits.

To enjoy the foregoing benefits, inmates need to be able to *practice* religion, not merely believe. In fact, studies show that prisoners who report religious affiliation without reporting religious *involvement* are “unlikely to reap the mental health benefit of religion that religiously involved inmates may experience.” Jang et al., 38 Just. Q. at, *supra*, at 1172. That outcome is unsurprising, as religion benefits prisoners in large part because it “allows them to exercise their agency in an arena that is fundamental to their identity” while living in a context that otherwise strips prisoners of autonomy. *Id.* Prisoners who are given only the comfort of their beliefs without the opportunity to act on those beliefs are thus denied the well-documented benefits that would otherwise provide them crucial support both during and after their incarceration.

This case offers a perfect example of the direct link between religious practice and its identity-affirming aspects. Landor’s Rastafarian beliefs require him to grow his hair as long locks, which mark “the fruits of decades of religious practice and a defining part of his identity.” Cert. Reply Br. at 6.

Without protection for this form of religious practice, Rastafarians are denied access to the well-documented benefits of religious exercise in prison.

Perhaps for that reason, the law has long recognized that physical expressions of religiosity must be protected. *See, e.g., Report on the Twentieth Anniversary of the Religious Land Use and Institutionalized Persons Act*, U.S. Dep’t of Just., at 2 (Sept. 22, 2020), <https://www.justice.gov/crt/case-document/file/1319186/download> (noting RLUIPA was constructed both to “protect[] *from* discrimination and violence,” and to provide “proactive protection *for* religious exercise that conflicts with various requirements imposed by the government”).

Indeed, it is hard to understand this Court’s precedent any other way. In *Holt*, this Court unanimously held that the Arkansas Department of Corrections violated RLUIPA when the department denied a Muslim prisoner a religious accommodation to grow a half-inch beard, even though the department allowed prisoners to grow similar beards for medical reasons. 574 U.S. at 356. In doing so, this Court noted RLUIPA’s “expansive protection for religious liberty” via its broad definition of religious exercise and requirement that the government may only substantially burden religious exercise where it survives strict scrutiny. *Id.* at 358. Then, in *Ramirez v. Collier*, 595 U.S. 411 (2022), this Court reinforced RLUIPA’s safeguards for religious exercise, granting a Christian prisoner a preliminary injunction against a Texas policy that denied him the presence of a pastor to pray with him in the execution chamber. And just last term, in *Mahmoud v. Taylor*, 145 S. Ct. 2332 (2025), this Court again emphasized that “religious acts and practices” receive “a generous measure of protection from our Constitution,” *id.* at 2351, which RLUIPA only heightens, *Ramirez*, 595 U.S. at 424

(“Both [RFRA and RLUIPA] aim to ensure ‘greater protection for religious exercise than is available under the First Amendment.’” (quoting *Holt*, 574 U.S. at 357)).

Barriers to religious practice, such as the atextual ban on money damages at issue here, are thus barriers to one of the most effective means of increasing prisoner well-being, safer and more efficient prisons, and post-incarceration rehabilitation. With these benefits in mind, the Court should hold that “appropriate relief” under RLUIPA may include money damages against individual defendants. To do otherwise would permit prison officials to violate inmates’ free exercise rights with impunity, thereby denying both prisoners and society at large the substantial benefits of religious practice in prison.

CONCLUSION

For the foregoing reasons, the Court should reverse the Fifth Circuit’s decision.

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Respectfully submitted,

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