

United States Catholic Conference. Committee on  
Social Development and World Peace.  
Community and crime

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# Community and Crime

A STATEMENT OF  
THE COMMITTEE ON  
SOCIAL DEVELOPMENT  
AND WORLD PEACE



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# A Community Response to Crime

## I. INTRODUCTION

1. The people of the United States are clearly and legitimately concerned about crime. This concern is reflected in public opinion polls, in widespread fear that exists in many communities, and in the vast sums of money spent on crime prevention and detection devices.

2. The level of crime is alarmingly high in the United States. In 1976, for example, more than 18,000 people were murdered in cities, suburbs and rural areas; 56,000 women were reported to have been the victims of forcible or attempted rape; there were 400,000 robberies and 3 million burglaries; shoplifting, purse snatching and bicycle thefts cost Americans \$1.2 billion.<sup>1</sup> There has also been a resurgence of gang violence in some of our major cities. Furthermore, in the recent past, some high-ranking persons in government have resigned from office in the face of evidence of their apparent misconduct as officials; numerous industries and corporations have been charged with violating health standards and neglecting the safety of their workers; and over a thousand Americans were convicted of federal tax offenses.<sup>2</sup> Crime statistics, however, indicate only the recorded and nationally reported crimes and therefore only part of the problem. More important than the numbers is the fact that these figures represent human beings inflicting harm on other human beings.

3. There are various forms of criminal behavior. While murder, rape and armed robbery are the most obvious, any exclusive focus on violent crime neglects a significant proportion of criminal behavior. "White collar crime," abuse of power by public officials, discrimination and consumer fraud, among others, seriously harm our society by contributing to the destruction of trust among people and the breakdown of community. These crimes, although less violent, also undermine the common good and victimize people.

4. Fear of crime has been the focus of a great deal of political rhetoric. Partisan political rivalry has not provided the most suitable context for



analysis and positive action. It has at times led to proposals inconsistent with our religious and legal traditions. Our national response to the problem of crime ought to reflect certain basic values and principles—commitment to justice, respect for life and human dignity, concern for safety and community, recognition of personal moral responsibility and the rule of law.

5. The cost of crime is overwhelming. It includes the loss of life, personal injury and billions of dollars in property and financial losses from fraud, theft and embezzlement. Crime creates fear and distrust of individuals and institutions. Many people believe our institutions of law can no longer protect them from injury, theft or the abuses of power. Others believe they will not be treated fairly and justly by these institutions. This fear and distrust tears deeply into the social fabric of our nation.

6. We are shocked by the level of crime in our nation and the human suffering it leaves in its wake. Our concern is intensified by the fact that the impact of crime and the criminal justice system falls disproportionately on the weakest in our society—the poor, the minorities and the elderly. How can we remain silent about a problem which affects so many?

7. Crime is obviously a moral issue in itself, but it also has long range effects on society. In this document, our basic concern is with what crime is doing to American families, neighborhoods and communities. The human cost of crime undermines the trust and mutual respect that are the foundation of any successful society. The factors that contribute to crime are intensified where family and community life are weakened and personal responsibility lessened. These factors include: economic and social deprivation, toleration of injustice and discrimination, false values of materialism and greed, lack of respect for one another, loss of personal responsibility for one's actions and moral choices, failure to love one's neighbor, and toleration and condoning of organized and white collar crime by some officials and citizens. Until these basic concerns are addressed, the nation will not make significant progress against crime, despite future improvements in technology and increased financial expenditures. Any effective response to crime ought to focus on improving our community life, on strengthening our families and neighborhoods, on rooting out economic deprivation and social injustice and on teaching basic values of personal responsibility, human dignity and decency.

8. This means that the criminal justice system and its correctional institutions cannot be expected to shoulder alone the burden of crime. The efforts of law enforcement agencies, courts and correctional facilities are doomed to failure if they do not engage the interest and participation of the entire community in overcoming crime. Real progress in the struggle against crime can only be brought about by concerted community action that unites the efforts of citizens, ecumenical and Church groups, civic organizations, business, labor and professionals in a

comprehensive effort to improve our common quality of life.

## **II. PRINCIPLES**

9. The complexity of crime and criminal justice issues requires a keen sensitivity to the many competing interests and values which influence public policy and individual action on crime. The differing concerns of crime victims, offenders, criminal justice officials and taxpayers need to be balanced in a search for a just response. Too often, basic principles seem to conflict with each other. For example, concern for community safety sometimes conflicts with the legal tradition of respect for the civil liberties of offenders. In light of these tensions, it is necessary to state briefly the principles and values which underlie our analysis of the problem of crime and our proposals for action.

10. As Americans, we are blessed with rich resources which can be brought to bear on this problem—the tradition of freedom of religion, our American constitutional framework and strong legal traditions. As believers, we find strength in the Judeo-Christian heritage and in the teachings and example of Jesus Christ.

### **A. Christian Tradition**

11. Jesus, who was crucified and died between two thieves, preached a gospel of forgiveness and brought compassion and mercy to those whom society rejected.<sup>3</sup> He manifested the love that the Father offers to all and taught us to regard with charity even those who injure us.<sup>4</sup> His Church has constantly affirmed the basic rights of the human person: the right to life; the right to human dignity; and the right to those things necessary for life, including personal safety and freedom from fear. These rights are regarded as necessary for a free and responsible fidelity to God's commands and to our obligations as members of society. While affirming these rights, the Church has also recognized the corresponding duties, especially the responsibility to assure that the rights of all our fellow human beings are protected. Christian teaching recognizes human sinfulness and affirms the realities of moral choice, personal responsibility and obedience to rightful authority, at the same time that it proclaims the message of God's infinite love and saving grace.<sup>5</sup>

### **B. American Tradition**

12. The equality of all persons before the law, due process, trial by jury and the right to protection against unlawful search and seizure are basic principles of the American constitutional tradition. Their purpose is to assure that no person will be deprived of life, property or freedom without just legal proceedings.

13. The American legal system seeks to insure equal justice and the protection of the rights of offenders, victims and society as a whole. Too often, we have fallen short of the promise of our legal tradition. In

many instances, a double standard has afforded the affluent and influential better and more lenient treatment than the poor and the powerless. Such failures, however, by no means invalidate these principles.

14. Criminal law is the responsibility of civil society and is aimed at securing justice, harmony and correction. Criminal laws are moral expressions of the community, but they are not morality itself nor the source of morality. Behavior that is legal is not necessarily moral. For example, the practice of abortion is clearly immoral, but according to recent Supreme Court decisions, it is legal in the United States. Yet, there are instances of behavior which are presently regulated by criminal law, which could be dealt with more effectively by other means. For example, rather than relying solely upon criminal law and law enforcement officials, the active participation of community leaders, Church groups and the schools is needed to develop policies and programs for the research and treatment of drug and alcohol abuse. Greater community involvement can lead to the more humane and effective treatment of these problems. In the case of drugs, such a community approach can promote the development of measures to impede and eventually to eliminate organized crime's increasing corruption of law enforcement, the recruitment of youthful pushers, as well as to reduce the incidence of defiance of and confrontation with the criminal justice system by numerous persons.

15. The relationship between morality and criminal law is complex. The scope of moral responsibility often exceeds that of the law. As believers, we should not simply be satisfied with obeying the letter of the law. We are called to follow the Gospel message, which demands more than the civil law, but which offers us Christ's promise of help and saving grace.<sup>6</sup>

### **III. CAUSES OF CRIME**

16. No one can determine with precision and certainty the causes of criminal behavior. Several factors do, however, significantly contribute to an environment which fosters crime. Efforts to address these problems should be part of any attempt to reduce crime, although we recognize that even their eradication would not totally eliminate the problem of crime in our nation.

#### **A. False Values**

17. Our society is increasingly marked by false values which are inconsistent with Christian life and which contribute to crime. We refer here to materialism, excessive individualism, acceptance of violence and loss of respect for human life. We fear that an ethic of consumption and greed is a dominant force in our society. The desire for unlimited consumption of material goods, for excessive profit and for pleasure above all else, contributes to many forms of illegal and immoral behavior. Intense personal and corporate competition also contributes to crime by fostering an uncontrolled quest for power and personal



achievement which often leads to abuse of power and neglect of more important values, such as those pertaining to family life and ethical conduct. The absence of respect for life and acceptance of excessive violence have led to a devaluation of human life and to apathy in the face of the suffering of others. False values foster the violation of the spirit of the law by many citizens which, in turn, may contribute to the violation of the letter of the law—crime—by others.

## **B. Social Injustice**

18. Another major factor contributing to crime is the serious lack of social justice in our society. In the past few years, unemployment and social and economic deprivation in our nation have risen sharply and remained at very high levels. Decent housing, health care and education are unavailable to millions of Americans. Hunger continues to affect families in slums and rural shacks. The distribution of economic opportunities and rewards is still grossly inequitable. Our society, despite great dreams and some progress, is still characterized by serious injustice.

19. Most often it is the weak and unfortunate, the poor, the aged, the young, minorities and women who are forced to bear injustice. They are frequently the victims of crime and of the failures of the criminal justice system. Families mired in poverty, without adequate income, housing, education or health care, too often witness their children convicted and incarcerated as juvenile offenders. In many of our inner cities where unemployment approaches 50 percent, crime has become the major industry, filling the vacuum left by departing businesses and jobs. The studies of the Federal Bureau of Prisons indicate a high positive correlation between the rate of prison commitments and unemployment.<sup>7</sup> Although not solely problems of the poor, drug addiction and alcoholism fester in deprived areas and contribute to an unending cycle of crime and fear. Without major efforts to combat injustice, our struggle against crime will lack effectiveness and credibility.

## **C. Family and Neighborhood Breakdown**

20. Another factor which often contributes to increased crime is the decline of basic social institutions, particularly the family and neighborhood. This is critical, because they are the environments in which we learn how to relate to others. Furthermore, studies indicate that numerous crimes occur within families and among friends.

21. The indicators of increasing family stress are well known: rising divorce rates, increased irresponsible parenting, high incidence of domestic violence—child and spouse abuse. These problems are found in families of all racial, economic, cultural and social groups. In addition, family life is threatened by social and economic forces—deprivation, unemployment, lack of housing or health care, the influence of false values—as well as the debilitating effects of alcoholism and drug abuse. Inadequate family life, whether in the lower, middle or upper

class, clearly contributes to crime. The breakdown of family relationships is probably the most commonly stated explanation for criminal behavior. We have to work more diligently to strengthen the stability of the American family and restore it to a role of importance in our society, for it is in the family that we learn to respect one another and to harmonize our personal needs with those of others.<sup>8</sup>

22. Where the quality of neighborhood life declines, some of the most effective defenses against crime disappear. The sense of mutual concern and the community support, which are often effective curbs to the isolation and alienation that contribute to crime and fear, disintegrate. Positive relationships between community and police are broken down. Changes in the quantity and quality of city services and private investment, as well as the decline of community involvement, also help to erode community defenses against crime. It is important to reestablish neighborhood values and institutions since they, along with strong family life, are the most promising bulwarks against crime. Cooperation between neighborhoods should also be encouraged in order to respond to problems which reach beyond neighborhood boundaries.

#### **D. Lack of Moral Leadership**

23. Still another factor contributing to crime is the lack of moral leadership within our society's major institutions. Too often those in authority have not demonstrated an attitude of respect for law. Although most people seek decency and morality in their relationships and lives, individuals may become caught in institutional pressures that diminish their ability to provide moral leadership. This breakdown in moral leadership pervades the community.

24. Within government, in the recent past, we have seen too much evidence of corruption and abuse of power. Unfortunately, some public servants have put their own thirst for power and money above their responsibility to the people and the common good. In some cases, political leaders have sought to manipulate legitimate concerns about crime for political advantage by feeding the fears of citizens in order to urge proposals inconsistent with our constitutional and legal traditions.

25. We have seen within the business community unfortunate examples of the pursuit of profit overwhelming concerns about the safety of workers, service to customers and the environmental impact of corporate actions. At times, some business leaders have become involved in illegal activity in their search for greater economic return. Monopolistic practices, price manipulation, failure to observe labor-management and environmental regulations, illegal campaign contributions and a variety of other abuses have left the impression in some quarters that many in business are not willing to abide by the law or provide examples of corporate responsibility.

26. Lack of moral leadership is not limited to business and government officials. Abuses are evident in labor, medicine, education and the social service professions, among others. Labor leaders have been



found guilty of corrupt practices. Recent reports indicate that the Medicaid and Medicare programs, which were developed to assist the needy and the aged, have been misused by some members of the medical profession. Some educational institutions have failed to meet their leadership responsibilities by failing to address discriminatory policies and practices; by favoring institutional needs above educational concerns; and by not providing the ethical training and example which are needed to preserve a just and moral society.

27. In addition, the entertainment and news media have contributed to this lack of moral leadership. By emphasizing and appearing to condone materialism, violence, greed and indecency and by glorifying the activities of the law-breaker, the media may have contributed to criminal behavior. Many programs and movies being produced today exalt the "supercop" and public officials who break laws which have been designed to protect individual rights. This glorification of illegal behavior by law enforcement and political officials undermines the values of honesty and respect for law, which are essential underpinnings of the good society. Others in the entertainment media have supported and condoned indecency, pornography and the exploitation of sex. These activities exploit the children and adults who participate in the production of these materials, as well as the problems of those who purchase or view them. The news media often sensationalize crimes, especially crimes of violence. This may lead to community demoralization as well as to the creation of an adverse image of a minority group or young people in general.

28. Finally, religious leaders also have to share the burden stemming from the lack of effective moral leadership. We have not spoken out as strongly and effectively as we should. We have not acted effectively enough to overcome the causes of crime and the circumstances which contribute to criminal behavior. In our own teaching and educational institutions, perhaps we have not stressed sufficiently personal responsibility, moral formation and social concern. Activities have been permitted which not only violated the spirit of the law, but which were illegal. If we are to provide effective moral leadership, it will be necessary to ensure that all Church activities demonstrate strict conformity to the law.

29. Many of those in government, business, labor, education, the media, religious life and other institutions have sought to provide moral leadership. The failure of others to do so and the acceptance of this failure by many in our society may have undermined the efforts of those who have tried. If we are to address crime effectively, it will be necessary to challenge those in positions of moral leadership to act. The leadership, participation and support of those in public life, business, education, labor, the media, the religious community, among others, need to be coordinated in programs of education and action to prevent and reduce crime and in efforts to eliminate the root causes of crime.

#### **IV. APPROACHES FOR ACTION**

30. There are two basic approaches to overcoming crime: one focuses on the individual while the other aims at society and the community.

31. First, we wish to affirm the personal moral responsibility of each individual. Without discounting the many powerful forces at work in our society, we believe that the individual makes basic choices about personal action and sometimes the result of these choices is the violation of criminal as well as moral law. Thus, crimes are frequently sins as well as illegal acts. We therefore urge that extensive research, education and other efforts be undertaken to understand and to foster the proper moral formation of each person, the development of Christian values and the acceptance of personal responsibility by every individual. Families and religious institutions have a primary responsibility in this area. The strengthening of family and religious life, in light of their influence on personal moral development, is a critical element of a religious, communal and effective response to crime.

32. Second, we recognize that these choices are also influenced by community and social factors. Individuals' perceptions of themselves, their future and the fairness of society obviously affect the likelihood of their becoming involved in crime. Religious organizations cannot restrict themselves solely to concern for the individual and his or her individual conscience. Actions for a more just and equitable society are clearly elements of the Church's ministry and are a part of any Christian response to the problem of crime.

33. An excessive emphasis on either personal responsibility or the social causes of crime is fundamentally inadequate. An integrated and comprehensive response to crime is necessary, if we are to deal with it in an effective way, which is consistent with our own ministry and teaching.

#### **V. CRIMINAL JUSTICE ISSUES**

34. Criminal justice issues are complicated and difficult to resolve, because they involve many legitimate but divergent and competing interests. Since most crimes involve a threat to person and property, interactions among these interests are often highly charged. In the midst of this diversity, it is imperative that our analysis of the issues reflect Christian values, the American constitutional and legal traditions, and a concern for social justice and human rights.

##### **A. Prisons/Jails Vs. Community Alternatives**

35. Identifying the just and charitable response to the criminal offender is a troubling challenge for any morally sensitive person. The community defines what behavior is legally criminal. It determines what response best communicates to the offender and to the community the condemnation of criminal behavior, and also sets forth the conditions for reintegration of those who have broken the law. Christians, as members of

the civil society, participate in the determination of the community's response to criminal behavior. As Christians, however, we have a particular responsibility to see that the message communicated to the offender and to the community reflects Christian principles, including: the right to life and human dignity; responsibility to protect the rights of all persons; mercy and compassion for those less fortunate; forgiveness of those who offend or harm us; and the openness of a loving and healing community.<sup>9</sup>

36. Our present prison system clearly does not reflect Christian values. Numerous studies document the fact that prisons are dehumanizing and depersonalizing. Prison life denies individual decision-making and responsibility; it provides the opportunity for an education in crime rather than for rehabilitation.<sup>10</sup> Rather than developing the skills of offenders for future employment, the purpose of prison job assignments is to provide for institutional needs. These job experiences are acknowledged by those in the correctional system as being useless. Research has also shown that crime is caused not only by personal inadequacies, but also by the complex interaction of social and economic forces. Yet prison life cannot address these problems. A prison system does not and cannot provide long-term employment opportunities, increase family stability, encourage responsibility or improve the ties between the offender and the community, because it is separated from the community in which the offender ultimately has to learn to function. Prisons communicate a message of hopelessness and of community anger devoid of concern.

37. As a Christian community, we should seek to express to the offender disapproval of his or her criminal behavior together with a strong willingness to accept that individual's reintegration into society as a contributing member. To do this, we should seek alternatives to our present approach to incarceration. It should be remembered that prisons, as we know them, are a relatively recent historical creation. Prior to the beginning of the 19th century, responses to crime other than confinement were utilized. Some were more brutal than incarceration, others less. Many alternatives<sup>11</sup> have now been developed and tried both here and abroad. These include having an offender perform a community service or provide restitution to the victim of his or her crime; conciliation of citizens' disputes through a community mediation program rather than the courts; drug and alcohol abuse programs to which defendants are diverted before trial; employment programs run through corporations; and many others. It should be borne in mind, however, that these programs are alternatives to incarceration and not post-release efforts or new ways to bring more people into the criminal justice system. To address the problem of the criminal offender effectively and thereby secure the safety of every citizen, it will be necessary to use the creativity and talents of all our people.

38. Admittedly, a small proportion of those now in our prisons have committed acts of violence or other serious crimes and either cannot or



should not be placed in unstructured settings. We need not, however, confine even these people in our present prisons. Small community-based facilities appear to provide the potentiality for a more humane and suitable environment. Our creativity is needed to develop positive and truly rehabilitative programs for these offenders. Caution, however, must be exercised to ensure that these facilities do not become small prisons.

39. Incarceration of accused individuals in jails prior to trial is another serious problem.<sup>12</sup> Too often, the difference between those who await their trial in jail rather than out on bail is the ability to pay, rather than the probability of court appearance or seriousness of the offense. A number of community groups have developed programs through which an accused person is released into the custody of a program participant. Other groups have established programs through which the information on the employment, residence and level of income of the accused is confirmed and provided to the court by a project volunteer. A reasonable bail should be set according to the following considerations: probability of court appearance, seriousness of charge and income of the accused. There are some individuals accused of crimes who appear to present a serious threat to the community and should not be released on bail. If, however, greater court resources were provided, the length of their pre-trial detention could be shortened by speeding up the adjudication process.

40. The effective rehabilitation and reintegration of criminal offenders requires active community participation. Having communicated our disapproval of criminal behavior, it behooves us to be willing to greet the ex-offender in the spirit of reconciliation and forgiveness of our Lord.<sup>13</sup>

## **B. Sentencing**

41. In addition to its prison system, America's failure to reduce crime has often been attributed to the disparity in sentences as a consequence of the policy of indeterminate sentencing. Under this system, the judge imposes a sentence as a minimum and maximum time to be served. (For example: one to 10 years.) An individual, once incarcerated, must serve a proportion of the minimum sentence before being eligible for release. Up to the maximum sentence, the release of the offender on parole or to other programs is usually at the discretion of correctional authorities. The disparity and inequity created by these sentencing procedures often create feelings of anger, frustration and a sense of mistreatment in the offender.

42. Several studies have been made which document these problems and which propose alternatives for change.<sup>14</sup> In our statement, *The Reform of Correctional Institutions in the 1970s* [reprinted in this booklet], we recognized the rehabilitative inadequacies of the penal system and the problems associated with indeterminate sentencing. We also articulated our belief that the correctional system should perform several functions, including the rehabilitation of the offender, restitu-

tion for the victim and the protection of society.<sup>15</sup> The present system of prisons and sentencing practices clearly does not achieve these goals nor does it, in practice, reflect Christian values.

43. We therefore believe that the sentencing procedures should be restructured to enhance the possibility of achieving these goals and to reflect more closely the values and teachings of the Christian tradition. The type and length of sentence should be based upon the following principles:

- Use of imprisonment as a measure of last resort;
- Utilization of community alternatives for most criminal offenses;
- Consideration of the seriousness of the offense;
- Reduction of arbitrary disparity in sentences by placing primary consideration on the seriousness of the offense and previous convictions for similar offenses;
- Consideration of aggravating or mitigating circumstances in individual cases;
- Promotion of respect for and understanding of the law;
- Concern for adequate specific deterrence with safeguards against general deterrence being abused and utilized as a justification for punishment; and
- Reconciliation of the victim and the offender.

These changes should contribute to the development of fairer and more effective sentencing practices.

### **C. Capital Punishment**

44. The use of the death penalty involves deep moral and religious questions as well as political and legal issues. In 1974, out of a commitment to the value and dignity of human life, the Catholic bishops of the United States declared their opposition to capital punishment.<sup>16</sup> We continue to support this position, in the belief that a return to the use of the death penalty can only lead to the further erosion of respect for life in our society.

45. Violent crime in our society is a serious matter which should not be ignored. We do not challenge society's right to punish the serious and violent offender, nor do we wish to debate the merits of the arguments concerning this right. Past history, however, shows that the death penalty in its application has been discriminatory with respect to the disadvantaged, the indigent and the socially impoverished. Furthermore, recent data from corrections resources<sup>17</sup> definitely question the effectiveness of the death penalty as a deterrent to crime.

46. We are deeply troubled by the legislative efforts being undertaken under the guise of humanitarian concern to permit execution by lethal

injection. Such a practice merely seeks to conceal the reality of cruel and unusual punishment. We find this practice unacceptable.

47. The critical question for the Christian is how we can best foster respect for life, preserve the dignity of the human person and manifest the redemptive message of Christ. We do not believe that more deaths is the response to the question. We therefore have to seek methods of dealing with violent crime which are more consistent with the Gospel's vision of respect for life and Christ's message of God's healing love. In the sight of God, correction of the offender has to take preference over punishment, for the Lord came to save and not to condemn.

#### **D. Youth Crime**

48. Perhaps one of the most disturbing aspects of the crime problem is the youthful age of many serious offenders. In 1976, 76 percent of all persons arrested for robbery, 84 percent of those arrested for burglary, and 57 percent of those arrested for forcible rape were under 25 years of age. Twenty-four percent of those arrested for murder were between the ages of 20 and 22.<sup>18</sup>

49. Most juveniles designated as offenders have not committed violent crimes. In almost all states, children who run away from home, who are truant or who are declared incorrigible by their parents can be sent to juvenile institutions. Such offenses are generally referred to as status offenses. They are crimes solely because of a child's status as a child; they are not crimes if committed by an adult. In 1975, 75 percent of the females and 25 percent of the males in facilities for juvenile offenders were there because of status offenses.<sup>19</sup> The status offender is often incarcerated longer than a child who has committed a crime, because in many cases there is no home to which the runaway or incorrigible child can be returned.

50. Most youthful offenders are the victims of broken families, unresponsive school systems, turbulent neighborhoods or limited job opportunities. Many have become insensitive and cynical after having been neglected, abused, battered and even raped by members of their families.<sup>20</sup> Some with average or above average intelligence have learning disabilities, such as dyslexia, which, untreated, have resulted in academic failure, in frustration and ultimately in truancy and/or delinquency.

51. We stated in our document on correctional reform that extraordinary efforts should be made to rehabilitate the juvenile offender.<sup>21</sup> These efforts should begin before the juvenile is sent to the youth facility. The Christian community has to address itself to the needs of all youth. Children have to be taught self-respect and respect for others; however, only by our actions can we hope to demonstrate to them effectively the meaning of these values. Juvenile offenders should be kept and treated within the community. We support efforts to decriminalize status offenses in all states. Community programs and alterna-



tives, such as foster care, special education, family counseling, recreation programs and other noninstitutional supportive services, should be available to youth and their families without resorting to the juvenile justice system and without stigmatizing those who participate in these programs.

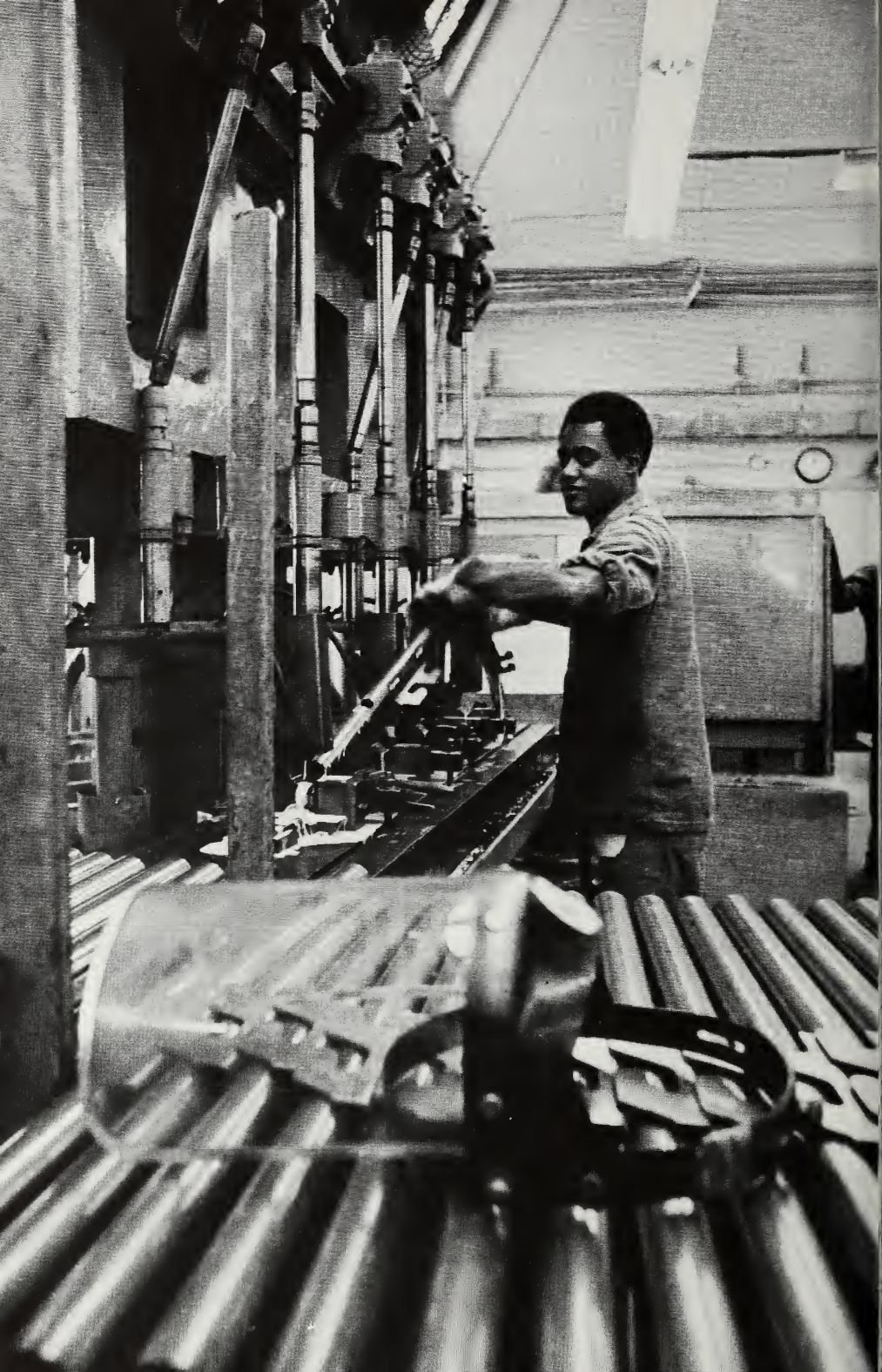
52. Our primary goal for youth care should be to keep our children out of the juvenile justice system by providing them with the needed attention and services. While we do not condone acts of violence by young people, we recognize that institutionalizing them in the juvenile system is usually a brutalizing rather than a rehabilitative experience and serves to further embitter them as well as oftentimes to teach them how to be more clever criminals rather than better citizens.

### **E. Nonviolent Crimes**

53. Since nonviolent crimes are so often viewed with laxity, we feel compelled to stress their seriousness and costliness to society. One category of nonviolent crime is referred to as "white collar crime." This term generally means crimes committed by persons in the course of their employment. It may be an act of an individual, for example, forgery or embezzlement; or it may be a crime committed in a corporation's name, for example, commercial bribery, antitrust crimes such as price-fixing, product safety and health crimes, and financial crimes. It may be committed by or perpetrated against corporations, firms, non-profit organizations, clients, customers, governmental units, *et al.* It has been estimated that "white collar crimes" such as embezzlement; bank, stock and consumer fraud; pilferage; computer crimes; check and credit card fraud (but excluding antitrust violations) cost \$40 billion each year. This is 200 times the amount stolen by the country's bank robbers in 1974.<sup>22</sup> In 1973, \$135.6 million was lost in bank frauds and embezzlement, while \$22 million was lost in robberies.<sup>23</sup> Although the economic costs are staggering, we are most concerned about the human costs; therefore, we reiterate our opposition to "white collar crime," as stated in our 1973 document on correctional reform.

54. Failure to comply with attainable and practical air or water pollution standards, mine safety regulations or safety standards for nuclear reactors can cause death and destruction. Violations of these regulations can create conditions that shorten the lives of workers, people living near the industry and consumers.

55. At times, the regulations themselves are developed under questionable circumstances. The human costs of not implementing stringent standards are weighed against the anticipated profit losses from observing them. The resulting regulations often reflect a greater concern for industrial profit than for human life. For example, government agencies may issue licensing criteria which have been opposed by their own experts, but are supported by the manufacturers or the producers of the particular product.<sup>24</sup>





56. Our national political institutions—political parties, state, local and federal governments—are sometimes instruments for criminal activity. Our recent national scandals are particularly shocking because they took place at the highest levels of government. They were not, however, unique. Scandals also pervaded our state and local governments.<sup>25</sup> Crimes by public officials violate the public trust and encourage the belief that some people are above the law. In many instances, political corruption has been related to the need of politicians to raise large sums of money for election campaigns. Reform of campaign finance laws is a necessary element of any attempt to address the problem of political crimes effectively.

57. The response of the criminal justice system to the white collar offender also undermines respect for law in our society. A study of the New York Southern District Court during the period from July 1, 1971, to June 30, 1972, indicated that the likelihood of imprisonment for those convicted of embezzlement was 23.2 percent; for bribery, 25 percent; and for bank robbery, 82.3 percent. The average length of the sentences was 18 months for embezzlement, 11 months for bribery, and 69.6 months for bank robbery.<sup>26</sup>

58. Many citizens who are usually law-abiding commit acts for which they could be prosecuted, if they were caught. Today, many regard the taking of questionable income tax deductions or driving while intoxicated as normal. This type of activity and the individualistic philosophy which it reflects were condemned by the Second Vatican Council.<sup>27</sup>

59. "White collar crime" imperils our lives and the social fabric of our society. Yet, our law enforcement agencies devote only a small portion of their resources to these crimes. In fiscal year 1974, less than 15 percent of the Department of Justice's legal activities, manpower and budget were allocated for tax, antitrust and consumer fraud activities.<sup>28</sup> Only a few officials maintain useful data on these crimes.<sup>29</sup> More important, however, is the fact that many of these crimes are viewed with indifference by the community.

60. An effective response to "white collar crime" ought to begin with the community. No longer should we tolerate "white collar crime" as normal. We should also examine our own lives to determine how we contribute to this problem by our actions, attitudes or indifference. While the "white collar" offender should be treated with compassion and we should seek the individual's reconciliation with the community, we ought to respond vigorously to these crimes and seek their elimination from our society.

## **F. Handgun Control**

61. In 1976, crime statistics indicated that 64 percent of all murders were committed with a firearm and 49 percent were committed with handguns. Twenty-four percent of all aggravated assaults and 43 percent of all robberies were committed with firearms. Eighty-five percent



of the police officers killed were killed with firearms.<sup>30</sup> Other studies have shown that most homicides are committed against friends and relatives, not strangers. Since such a significant number of violent offenses are committed with handguns and within families, we believe that handguns need to be effectively controlled and eventually eliminated from our society. We acknowledge that controlling the possession of handguns will not eliminate gun violence, but we believe it is an indispensable element of any serious or rational approach to the problem.<sup>31</sup>

## **G. Law Enforcement and Legal Professionals**

62. The swift apprehension, judgment and correction of offenders are necessary to uphold the law and to secure justice. This requires a law enforcement and criminal justice system which has strong community support and is provided with the resources and personnel necessary to perform its functions justly and effectively. We recognize that most law enforcement and court personnel work hard to enforce and uphold the law. This task is often difficult and dangerous. Cooperation between those professionally involved in the criminal justice system and citizens and community groups is quintessential to any effort to control crime effectively.

63. The preservation of law and justice does, however, place a particular burden on those who enforce the law. As they are often perceived as symbols of the law and the criminal justice system, they have a special responsibility to demonstrate respect for law, the community and the rights of others. Too often in recent years, there have been incidents of police brutality, of illegal wiretaps on American citizens, of illegal searches and even of burglaries being committed by law enforcement officials. At times, widely-publicized trials have presented a circus-like image of the judicial process. Many citizens have become aware of the fact that most offenders do not receive a jury trial, but rather that their case is decided through an informal process called plea bargaining. In its most prevalent form, plea bargaining involves an arrangement between the prosecutor and the defendant or the defense lawyer whereby the accused pleads guilty to a less serious charge than could be proven at trial. "Less serious" usually means a charge carrying a lower maximum sentence; thus, this confines the judge's sentencing power.<sup>32</sup> This approach to arriving at a criminal conviction devalues the criminal justice process.<sup>33</sup>

64. A sufficient quantity of quality legal services for indigent clients is critical to a just criminal justice system. Studies indicate that in spite of the constitutional guarantee of counsel, many poor defendants are not properly represented.<sup>34</sup> Quality legal counsel is a right and not a privilege dependent upon one's financial resources. It is the responsibility of the legal profession, the appropriate levels of government and lay citizens to ensure that this right is protected for all citizens.

65. We recognize that most law enforcement and court officers do not engage in illegal activities. Too often, they suffer loss of essential support from the community because of the misdeeds of others. Those who do engage in illegal acts should be disciplined if respect for law and law enforcement is to be maintained and if those who seek to justly enforce the law are to receive the respect due to them. Many of the problems of administering criminal justice, however, often lie deeper than individual errors. For example, plea bargaining, some instances of corruption within police departments and the illegal use of wiretaps have come to be viewed as acceptable procedures by many criminal justice professionals. Some of these activities have become common practice as a consequence of the limited resources of the criminal justice system. Others have endured because of poor management or political pressures. Better administrative management and greater community support are needed to reorganize the criminal justice system in order that it may achieve the best aspirations of all our people.

## **H. Grand Jury**

66. The grand jury system has come under attack for its use as a mechanism to abuse the rights of many Americans.<sup>35</sup> A grand jury is generally selected at random from a voter registration list and sits either for a period of time or for a specific case. Its purpose is to examine in private session evidence against those accused of serious crimes and, on the basis of just cause, to decide whether or not to indict the individual for the crime. During a grand jury hearing, practices are permitted which can lead to abuse, including: the government's ability to call any witness without explanation and without advance notice; the barring of the witness' attorney from the court room; the practice that, once a witness begins to answer questions, the Fifth Amendment right to silence has been waived; the ability to place a witness in jail for contempt for the length of the grand jury because of refusal to testify; and the government's ability to forcibly impose immunity upon a witness and thereby require the person to choose between jail or testifying. These powers have in many instances been used by government prosecutors against government critics, political opponents and even leaders of churches.

67. Out of a concern for the life and liberty of our people and for social justice in our society, we believe the time has come to reform the grand jury system. Reforms should reflect a concern for the human dignity of each person; the constitutional rights which would be afforded during a regular trial; and the recognition that the purpose of the grand jury process is to ensure justice and to protect against capricious accusation, but not to secure a conviction.

## **I. Community Crime Prevention**

68. Recent discussions about crime have often focused on community action to prevent crime,<sup>36</sup> as well as on sophisticated weapons and the training of criminal justice professionals. In spite of the "community"

rhetoric, however, most of the responsibility for efforts to reduce and prevent crime has continued to be relinquished to professionals using modern techniques.

69. While we recognize that criminal justice professionals should be trained and that new technologies facilitate the detection of crime, they alone cannot effectively respond to the causes which contribute to crime in our society. Any effective response to crime has to be sought in the community. This approach requires the participation and talents of all members of the community—professionals, nonprofessionals, young, old and middle-aged. Without this mobilization of all citizens, we shall remain at the mercy of crime.

### **J. Research**

70. It is evident that the cause of crime and the development of an effective response to this problem are complex. Further study is needed of both the root causes of crime and of various alternative approaches to crime. In recent years, federal and state agencies have funded research, but too many of these efforts have been directed toward the development of hardware and equipment. Furthermore, the limitations of self-evaluative research—in this case, agencies studying their own programs—are well-documented.

71. What is needed is research, which may be governmentally funded, but which focuses on the objective study of the causes of crime and appropriate responses. Catholic educational institutions have a particular capability to promote such research as they possess the expertise and background in both the relevant academic disciplines and in the moral and social teachings of the Church. As a consequence of this unique position, they have a responsibility to both the Church and to the society to apply their resources to the study of crime and criminal justice.

### **K. Special Concerns: the Crime Victim/the Elderly/the Media**

72. The victims of crime are often forgotten by the community and by the criminal justice system. This experience can engender hatred, which often harms the individual more than the crime did. As Christians, we should demonstrate a deep compassion for the victims of crime and be practically concerned that they receive the compensation and restitution due them.

73. The elderly are often the victims of violent and nonviolent offenses. Many of these crimes can be prevented by providing community efforts as simple as better lighting at a bus stop or informing people about techniques used to defraud the elderly of their savings. The elderly can assist in crime prevention efforts by working as volunteers in law enforcement agencies, with ex-offenders in transition or by becoming involved in programs for juveniles. Recently, we have also found examples of programs through which young people, even gang members, have worked to assist and protect senior citizens from crime. These



efforts provide meaningful employment for the young, needed help to the elderly and create a means to develop love and understanding between the two generations. By seeking to utilize the skills of both the young and the old, the community not only receives assistance in its anti-crime efforts, but also reaffirms the human dignity of those who are all too often cast aside.

74. While strongly supporting the constitutional rights of free speech and press, we believe that those in the media should exercise, as many are doing already, greater moral responsibility in the development of entertainment and news programs and materials. We also believe that efforts should be made within the family and through schools and parishes to help children develop a critical sense with which to approach media presentations and to provide alternatives to the quick thrills and simplistic problem-solving approaches depicted by the media.

## **VI. THE ROLE OF THE CHURCH**

75. As a Christian community, we have a responsibility to utilize our resources to respond to the problem of crime in America. Our actions should reflect our Christian values, as well as our constitutional and legal traditions. We should seek to revitalize our basic social institutions, which are our strongest weapons against the destruction caused by crime. Action should be taken at the local level through parishes and dioceses and at the national, public policy-making level.

### **A. The Responsibility of the Local Church**

76. The most important setting for Church activities to reduce and prevent crime is the local church. It can join with other local groups to assess and respond to the problem of crime in a community. Many parishes and dioceses are already involved in a variety of anti-crime activities. We extend our support to this work and encourage other parishes and dioceses as well as religious orders to undertake or cooperate with others in efforts such as:

- (1) More actively seeking to foster Christian values through education, liturgy and the media, in order to prevent as well as to respond to crime. The Church, as a community of Christians, needs to reflect a positive image of uncompromising respect for the law and the human rights of all persons, as well as a strong desire for the rehabilitation and reintegration of the individual offender into the community.
- (2) Providing forums for the discussion of the nature and types of crime and criminal justice issues.
- (3) Sponsoring discussions and developing materials on Christian approaches to reduce and prevent all types of crime.
- (4) Organizing exchanges between criminal justice professionals and citizens and ex-offenders about the problems, services and needs of the community.

- (5) Organizing discussions among business professionals and between professionals and citizens to discuss and seek effective ways of responding to all types of "white collar crime."
- (6) Encouraging Catholic lawyers, psychologists, psychiatrists and other professionals to offer their expertise to the indigent and the disadvantaged.
- (7) Providing educational, employment and recreational opportunities for youth to assure that they are presented with a clear alternative to the false values of violence and materialism often idealized in our society.
- (8) Initiating or supporting community efforts to improve housing conditions, city services, safety and the general quality of life in the area.
- (9) Sponsoring crisis intervention and family counseling projects, especially to respond to the problems of battered wives, abused spouses and battered children.
- (10) Establishing a system of "block patrols" and citizen watches in high crime areas. Developing strong, supportive neighborhood groups.
- (11) Providing assistance and protection to the elderly, particularly in high crime areas, and encouraging their participation in crime prevention efforts.
- (12) Supporting or sponsoring efforts to assist the accused, such as pre-trial release projects and legal services programs.
- (13) Sponsoring programs to monitor court proceedings in order to assure that the rights of all citizens who come before the court are protected.
- (14) Establishing, supporting, as well as educating people about the importance of: community correctional alternatives, such as, half-way houses, group homes and drug and alcohol abuse centers; community service sentencing alternatives; community mediation centers; and other models.
- (15) Supporting foster care, group home and nonresidential community programs for youthful offenders and encouraging their participation in community crime prevention efforts.
- (16) Supporting efforts to assist and work in cooperation with offenders and their families, for example, in third party custody release programs, projects to facilitate visiting by the offenders' families, furlough programs and educational and job training programs.
- (17) Aiding parolees to find suitable work and encouraging employers to hire these individuals.
- (18) Creating programs to respond to the physical and emotional

needs of the victims of crime.

(19) Sponsoring special Dismas Sunday liturgies.

(20) Providing subsidies to correctional chaplains through the diocese or religious order, where needed, in order to permit those in prison ministry to exercise more fully and freely their mission as ministers of Christ.

(21) Implementing adequate guidance programs for those choosing to minister to residents of correctional facilities. Whenever possible, these should be ecumenical in spirit.

(22) Supporting and encouraging the development of research on the causes of crime and alternative responses, particularly through Catholic universities, colleges and research organizations.

77. Many of these efforts can and should be undertaken in cooperation with other religious and community groups, as well as governmental agencies. They should be developed in conjunction with efforts to secure greater social justice in other areas, such as health, housing, welfare, economics and discrimination. Although the needs and therefore the response of each community will differ, it is evident that the Church has a responsibility to act to reduce crime and that this involvement ought to reflect values and principles which are consistent with the Gospel and the American constitutional traditions.

## **B. Public Policy**

78. Crime and criminal justice have traditionally been the concern of state and local authorities in the United States. Only a few specific offenses, such as bank robbery and crimes involving interstate activities, have fallen under the jurisdiction of federal authorities. Since the 1960s, the federal government has expanded its role in the criminal justice field. It now exerts a much greater influence over state and local criminal justice policies as a consequence of several U. S. Supreme Court decisions and the policies and programs of the Law Enforcement Assistance Administration of the U. S. Department of Justice. In light of the complex network of government controls in criminal justice, a comprehensive response to crime will require governmental action at the national and state levels, as well as the local level.

79. In accordance with the principles expressed earlier in this document, we encourage the United States Catholic Conference and the dioceses of this country to support governmental action and public policy initiatives in several areas:

(1) *An effective response to the socioeconomic causes of crime.* Action has to be taken to end socioeconomic deprivation through full employment and a guarantee of a decent income for all Americans. We also urge that measures be adopted to secure the right to a decent home, quality education and adequate medical care.<sup>37</sup> We need to mobilize



our national and community resources to respond to the inadequate social conditions which contribute to certain types of crime.

(2) *Response to "white collar crime."* "White collar crime" is a complex problem which will have to be addressed on a variety of levels. In order to approach this problem effectively, we believe that it will be necessary to develop measures to respond both to the different types of white collar offenses and to provide for relief for the victims of these crimes. Much of the public policy effort will involve technical issues on which we cannot comment. We do believe, however, that public policy initiatives to address white collar crimes are needed and that they should reflect the seriousness of these offenses with respect to individuals and society. Strict codes of ethics and conduct should be adopted and enforced by institutions, organizations, professions and associations. Educational initiatives are needed to assist the potential victims of these crimes—members of the business community, professionals and citizens—to recognize these crimes and thereby help to prevent them.

(3) *Handgun control.* We support the development of a coherent national handgun control policy that includes: a several day cooling-off period between the sale and possession; a ban on "Saturday Night Specials"; the registration of handguns; the licensing of handgun owners; and more effective controls regulating the manufacture, sale and importation of handguns. We recognize, however, that these individual steps will not completely eliminate the abuse of handguns. We believe that only prohibition of the importation, manufacture, sale, possession and use of handguns (with reasonable exceptions made for the police, military, security guards and pistol clubs where guns would be kept on the premises under secure conditions) will provide a comprehensive response to handgun violence.<sup>38</sup>

(4) *Juvenile justice.* Our primary goal should be to keep our youth out of the juvenile justice system and to provide the resources to meet their needs within the community. Status offenses should be decriminalized in all states and, at the same time, the needed services and community assistance to these youth should be provided outside the confines of the juvenile justice system. We support the development of job training programs, meaningful employment opportunities, recreational facilities and other community alternatives to assist our youth to develop self-respect and respect for others.

(5) *Federal criminal justice assistance.* Federal criminal justice monies should be primarily utilized for state and local community development and for crime prevention efforts rather than for sophisticated equipment.

(6) *Community-based alternatives.* For most offenders, we support the utilization of federal, state and local correctional funds for community-based alternatives, including requiring the offender to perform a service for the community, providing restitution to the victim, utilizing other forms of nonresidential alternatives and placement in community-

based facilities in limited cases. Primary concern should be placed on developing creative alternatives to incarceration. We recognize, however, that there are a few individuals who cannot function in the community. They should be cared for in small and secure facilities which respect their dignity and protect the community. While prisons are operative, efforts should be made to assure humane conditions for the incarcerated. Funds should be directed toward community-based alternatives and rehabilitative programs. At the pre-trial stage, community alternatives, such as third party release programs and projects to identify and verify the residence and employment of the accused, should be developed to permit the more frequent release of offenders on bail while protecting the security of the community. These practices should not be used to discriminate against the poor, the weak and minorities.

(7) *Local, state and federal sentencing policies.* Our primary goal in reforming sentencing policies should be to assure the following: the limited use of imprisonment, the utilization of community alternatives for most criminal offenders and the elimination of arbitrary disparity in sentences in order that those committing essentially the same crime receive equivalent sentences. Committees comprised of citizens and experts should be created to review sentencing procedures and policies periodically, as well as to establish the types of mitigating and aggravating circumstances that may be considered in individual cases.

(8) *Capital punishment.* We continue to oppose efforts to reinstitute the death penalty.

(9) *Electronic surveillance.* In general, we oppose the use of wiretaps and other electronic surveillance mechanisms for the purpose of gathering economic and political information from conversations customarily considered private. We believe that there is a need for further study of the ethical dimensions of surveillance for the purpose of national security. We support the creation of legislative regulations which would limit the use of these devices to cases of extreme national danger and permit the Congress to review the use of wiretaps by the executive branch.

(10) *Victim compensation.* We support the creation of systems of victim compensation at the federal, state and local levels. We believe that the community has to share in the responsibility of providing restitution to the victims of crime. Such a program should provide compensation for personal injuries which were the result of a crime; compensation for surviving dependents of an individual whose death was a consequence of a crime; compensation for a percentage of the property lost as a consequence of a crime. Where possible, the offender should be a participant in the process of restitution.<sup>39</sup>

(11) *Grand jury reform.* We support the reform of the grand jury system so as to assure the constitutional rights of grand jury witnesses.

80. The need for action in these areas exists at the state and local levels as well. We encourage individuals, parishes, dioceses, those in re-

ligious orders and other organizations to support such efforts in their communities.

## VII. CONCLUSION

81. The magnitude and complexity of the American crime problem are so formidable that they create a feeling of hopelessness and a temptation to accept crime as a fact of life because solutions are difficult. Rather than allowing ourselves to succumb to these feelings, what is needed is a united and widespread effort to address this problem.

82. At this time, our concern is not to console those who are discouraged by the dimensions of the crime problem but to challenge our people, and all Americans, to confront crime and the attitudes, conditions and false values that foster it, in spite of the immensity of the task. We seek the talents, initiatives, responses and support of all God's people.

83. As believers, we have strong traditions from which to develop a response to crime. As Americans, we can find real support in our constitutional heritage and our fundamental social institutions—the family, the community and the neighborhood.

84. In efforts to reduce and prevent crime, believers have to strive to exemplify the attitude of Christ our Lord, who loved His enemies, who forgave those who persecuted and executed Him, and who taught that love and forgiveness are the only forces that can overcome evil and hatred.<sup>40</sup> Despite the difficulty of this task, we should endeavor to create communities which incarnate this saving love. We also need to balance the competing interests of those involved with the criminal justice system, in accordance with the protections which are guaranteed in the American Constitution.

85. It is recognized that many of the solutions to the problem of crime, such as the elimination of deprivation and unemployment and changes in attitudes and values, will take time, patience, financial resources and considerable self-sacrifice. Yet, we are hopeful that as a community in the land of the free and home of the brave, we can respond effectively to the problem of crime in our society.

86. This very difficult task of responding to the problem of the curtailment and the elimination of crime in America needs a commitment full of faith, hope and charity—one that embodies the teaching of Jesus who is both Lord and Messiah.<sup>41</sup>

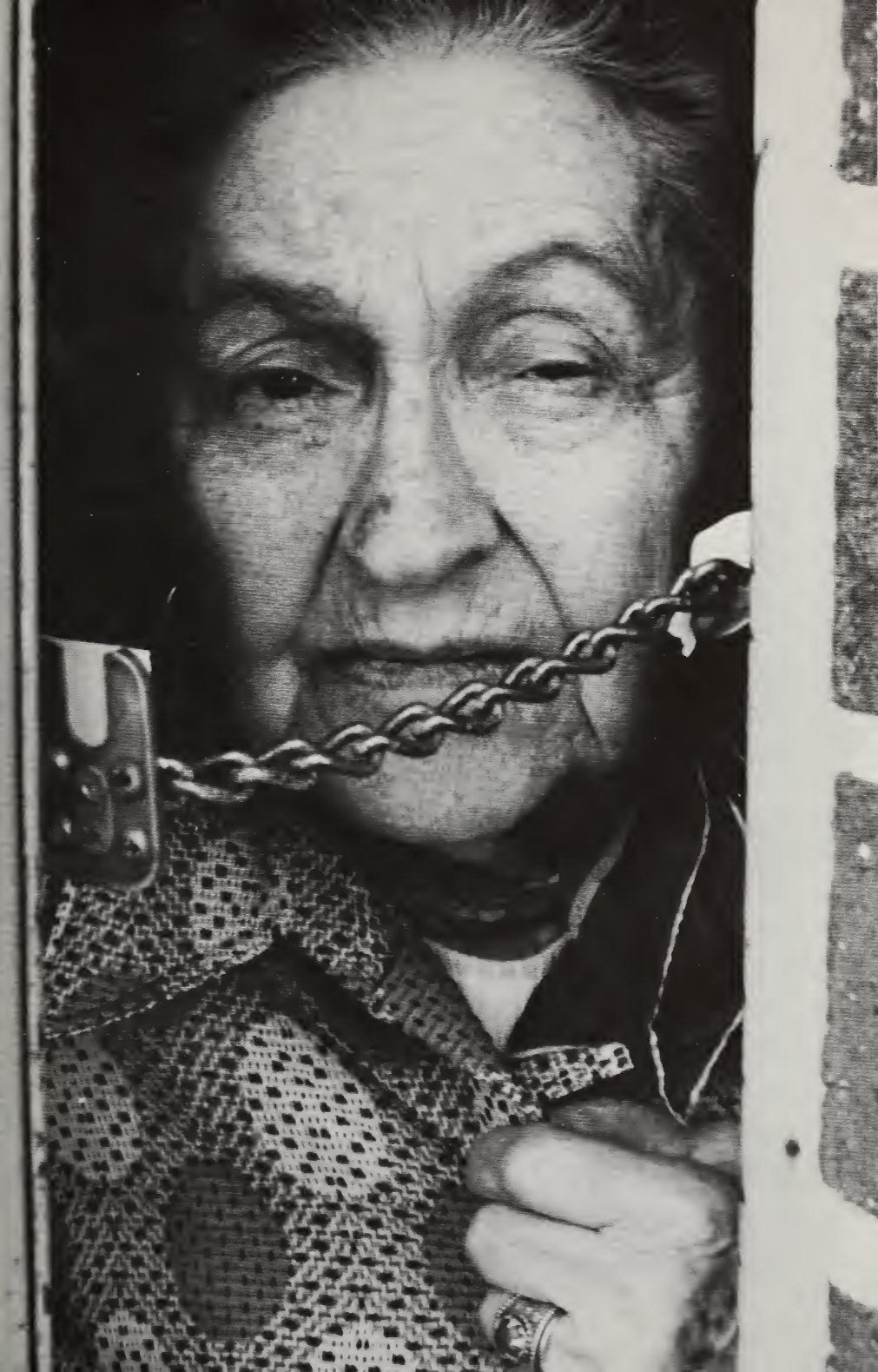
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## Footnotes

1. Statistics were taken from: *Crime in the United States 1976: Uniform Crime Reports*, Federal Bureau of Investigation, U. S. Department of Justice (Washington, D. C.: Government Printing Office, 1976).
2. *Annual Report of the Attorney General of the United States*, U. S. Department of Justice (Washington, D. C.: Government Printing Office, 1975), p. 146.
3. Mk. 15:27; Lk. 23:34a; Lk. 4:18f.
4. Mt. 5:11-12, 38-48
5. Col. 3:2, 5-10; Rom. 14:7-8; Rom. 13:1-7; Rom. 14:9.
6. Mt. 6:33.
7. "Interview With Norman A. Carlson," *Corrections Digest* 5 (June 12, 1974): 464.
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10. For example: Gresham Sykes, *Society of Captives* (New Jersey: Princeton University Press, 1958); *Theoretical Studies in Social Organization of the Prisons*, ed. Richard Cloward (New York: Social Research Council, 1960); Tom Wicker, *A Time To Die* (New York: Quadrangle, 1975).
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14. Among them were: Andrew von Hirsch, *Doing Justice* (New York: Hill and Wang, 1976); *Fair and Certain Punishment*, Report of the Twentieth Century Fund Task Force on Criminal Sentencing (New York: McGraw-Hill Book Company, 1976); David Fogel, *We Are the Living Proof* (Cincinnati: W. H. Anderson, 1976).
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17. For example: T. Sellin, *The Death Penalty* (Report for the Model Penal Code of the American Law Institute, 1959); *Idem.*, "Capital Punishment," *Federal Probation* 25 (September 1961); David C. Baldus and James W. L. Cole, "A Comparison of the Work of Thorsten Sellin and Isaac Ehrlich on the Deterrent Effect of Capital Punishment," *Yale Law Review* 85 (December 1975): 170-186; William J. Bowers and Glenn L. Pierce, "The Illusion of Deterrence in Isaac Ehrlich's Work on Capital Punishment," *Yale Law Review* 85 (December 1975): 187-208; Peter Passell, "The Deterrent Effect of the Death Penalty," *Stanford Law Review* 28 (November 1975): 61-80.
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19. Rosemary Sarri, *Under Lock and Key: Juvenile Jails and Detention* (Ann Arbor, Michigan: National Assessment of Juvenile Corrections, University of Michigan, December 1974), p. 18.
20. For example: Gisela Konopka, *The Adolescent Girl in Conflict* (Englewood Cliffs, New Jersey: Prentice-Hall, 1966); Kenneth Wooden, *Weeping in the Playtime of Others* (New York: McGraw-Hill Book Company, 1976).
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23. Hearings before the Senate Subcommittee on Criminal Laws and Procedures of the Committee on the Judiciary on S. 1 and S. 1400, 94th Cong., 1st sess., (July 19, 1975).
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34. For example: David L. Bazelon, "The Realities of Gideon and Argersinger," *Georgetown Law Journal* 64 (March 1976): 811-838; National Advisory Commission on Criminal Justice Standards and Goals, *Courts* (Washington, D. C.: Government Printing Office, 1973), pp. 250-252; *Idem.*, *A National Strategy to Reduce Crime* (Washington, D. C.: Government Printing Office, 1973), pp. 105-106; *Guidelines for Legal Defense Systems in the United States: The Report of the National Study Commission on Defense Services* (Washington, D. C.: National Legal Aid and Defender Association, 1976).
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38. *Handgun Violence: A Threat to Life.*
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40. Lk. 23:34; Rom. 12:17, 20-21.
41. Acts. 2:36.





A FORMAL STATEMENT OF THE  
UNITED STATES CATHOLIC CONFERENCE ON

**THE REFORM OF  
CORRECTIONAL INSTITUTIONS  
IN THE 1970s**

NOVEMBER 1973

*I was ill and you comforted me, in prison and you came to visit me. Then the just will ask him: "Lord . . . when did we visit you when you were ill or in prison?" The King will answer them: "I assure you, as often as you did it for one of my least brothers, you did it for me."* (Matt. 25:36ff)

### **Introduction**

In the preparation of this statement, more than a score of persons were consulted, both in their individual professional capacities and, in some instances, as representatives of particular groups. Included in this consultation were prison chaplains, minority group representatives, administrative and custodial personnel of correctional institutions and representatives of an ex-offender organization. Comments of the Federal Bureau of Prisons were helpful, particularly in verifying certain factual points and the feasibility of specific recommendations, without implying endorsement of this statement by the bureau.<sup>1</sup> To all who assisted us we are indebted for their contribution.

### **Concern**

In recent years Americans have experienced deepening concern over the presence and nature of crime in our nation.<sup>2</sup> We share this concern. Fully adequate law enforcement and protection of law-abiding citizens are clear but unmet needs. We oppose violence, whether in defiance of law and order or under the cover of preserving law and order. We oppose both "crime in the streets" and "white collar crime." Dedicated people throughout the country are earnestly striving to identify and deal with the roots of crime.<sup>3</sup> Some, very properly, are questioning society's reaction to victimless crimes. Others are addressing themselves to the issues of law enforcement and the procedures of our criminal courts. Still others are concentrating their attention upon the manner in which suspects and convicted criminals are dealt with and provided for while incarcerated.

The numerous reports issued by representatives of this last group, coupled with incidents of violence in correctional institutions across the nation, have aroused many consciences. In a few instances, federal district court orders have dealt positively with abuses in local institutions of incarceration, because some of the constitutional rights of the resident offenders were being violated. We believe it is timely and ur-

gent that we express ourselves on the moral problems involved in sentencing and incarcerating violators of the law.

We wish it clearly understood that most administrators, guards and other staff members of our correctional institutions are decent, dedicated public servants and that those confined—aside from those awaiting trial—are there because they have been found guilty of crimes or contempt of court.

Crime and punishment are pre-eminently moral issues.<sup>4</sup> Much of the amorality in society today arises from contemporary man's neglect or refusal to place his affairs ultimately in God's hands. In attempting to take control away from God one begins the process of losing control over himself. The immorality of crime results from disregard for the love and worship owed to God; from lack of consideration and esteem for one's neighbor; and from failures in self-knowledge and in self-discipline.

It behooves us to be aware that, despite well-publicized exceptions, prisons are largely filled with the poor, the disadvantaged minorities and the "losers" of our society. We need to examine whether we may not have a "poor man's" system of criminal justice. Often the petty thief—the shoplifter or the pickpocket—goes to jail while the clever embezzler, the glib swindler, the powerful racketeer, the polished profiteer may only undergo the litigation of the civil courts. In the case of the open "vices" prohibited by law, the "town drunk" is sentenced by a judge while the "country club alcoholic" is treated by a physician. We insist that punishment, in order to fulfill its proper purpose, must fit the nature of the crime; it must be considerate of the offender's human dignity; and, it must be tempered by mercy and constantly aimed at reconciliation.

In our response to the urging of Jesus, recorded in St. Matthew's Gospel, to "visit" those in prisons, it is necessary that we not only visit individuals confined in prison but "visit" the correctional system itself. Our concern for correctional institutions does not exist in isolation from other related issues. The injustices and inequities that plague our society affect both the incidence of crime and the administration of correctional institutions. The problems in these institutions are also intimately bound up with the inadequacies of our judicial system. These include unreasonably delayed trials, particularly aggravating when the accused is jailed; the lack both of quality and adequate quantity of legal counsel for the needy; difficulties with bail bonds; and widespread abuses of such useful expedients as plea bargaining.

What happens in the correctional institutions of this nation should not be considered apart from what is happening in the courts, in the executive offices of powerful corporations where major economic decisions affecting millions of people are often made, in the legislatures, in police stations, in employment offices, in schools, in homes and on the streets. Society's most serious failings—in the ugly and despicable forms of

racism, disrespect for life, physical violence, political repression and corruption, erosion of individual and civil liberties, setting profit for the few over the necessities of the many, sexual perversion and materialistic inducements—all add explosive fuel to the smoldering problems in the field of correction.

Several broad issues of criminal justice are distinct from, but related to, conditions in correctional institutions. One is the general slowness and inadequacy of federal and state criminal judicial procedures. Delays and overloads by themselves raise serious questions of equity, most often adversely affecting the poor. The rights of the accused should be protected before and during trial. Before formal charges are made, adequate evidence should be an absolute requirement. Additional analyses and funding to reorganize the criminal justice system to accord with the best aspirations of all our people should be given urgent priority.

Recompense for the innocent victims of crime is a sensitive and painful problem. Society must share at least some of the responsibility for compensating innocent victims of crime. When a way is found to pay offenders a fair rate for the work they do in confinement, provisions should be made for regular court-determined payments as at least partial recompense to the victims, or the survivors of the victims of their crimes. This also could become a more personalized aspect of programs such as now exist in several states to compensate innocent victims of violent crimes.

### **Purpose of Correctional Institutions**

Whether the penal system of the United States should not seek to deal with all except dangerous offenders outside of penal institutions is a question which merits much attention. This is a challenging concept clamoring for a fair chance to prove itself—a chance which society should give it forthwith. There is increasing and strongly convincing evidence that a large center of incarceration should *not* be the major instrument for dealing with convicted offenders. Bigger, better, more modern buildings are not the answer.

Smaller, community-based facilities are beginning to prove that they are more appropriate and effective. Half-way houses, work contracts and other alternatives need to be more fully explored. A sympathetic consideration of such approaches should precede any extensive remodeling of existing buildings or construction of contemplated new structures.

In the meantime, however, we must deal with the correctional system as it is. When one examines the situation of confined, convicted criminals, one finds an urgent need to clarify precisely what society is seeking to achieve through their incarceration. Is a correctional institution an instrument of punishment whereby a criminal “does time” in expiation for his misdeeds? Is it a place of custody where a dangerous citizen is detained in order to protect and restore order in society? Is it a means of retribution designed to deter the criminal himself and/or the populace



at large from engaging in unlawful behavior? Is a correctional institution ultimately a place for rehabilitation in which a criminal is re-educated or reconciled to a lawful way of life? We feel it is, or ought to be, a composite of all of these, but that pre-eminently it is a place for rehabilitation.

Correctional institutions in fact do harm if they do not offer opportunity for rehabilitation. We are unequivocally committed to the view that rehabilitation should be their primary concern and will do all in our power to make this a reality. There are, however, limitations in this concept. The ideal of rehabilitation cannot, for example, justify investing members of the criminal justice system with excessive discretion to extend a prisoner's term of incarceration. Because of the very common practice of indeterminate sentencing and the frequently arbitrary decisions of overburdened parole boards, a criminal's confinement time can be unjustly and inhumanly extended beyond any reasonable criterion of retribution for his offense. There is need for a mechanism by which parole board decisions can be reviewed, with provision for judicial intervention if necessary.

Those engaged in motivating confined individuals should bear in mind that they are dealing with human beings, created in the image and likeness of God and endowed with free will. Rehabilitation cannot be imposed. The offender has to be convinced of its value and led freely to desire it. Moreover, methods of rehabilitation whose appropriateness can be called into question by reasonable persons should not be forced upon any and all indiscriminately. Certain kinds of group therapy or chemico-psychological treatments or experimentation should not be required of those unwilling or unable to make an intelligent and free decision to submit to them. Furthermore, when such unwillingness results in prolonging the term of incarceration or other discretionary penalties, basic freedoms of the incarcerated are affronted. "Hiring out" the sentenced, as is occasionally done with illegal immigrants in particular, is a wholly unacceptable practice. As the intention to rehabilitate does not exempt from the obligations of retributive justice, so retribution does not legitimize assaults upon human dignity. Although we speak in the defense of rights of prisoners, we are not unaware of their responsibilities and obligations. They should obey reasonable regulations, serve the just sentences imposed, respect the staff and other residents of the institution and cooperate in the process of rehabilitation.

There is general agreement among qualified commentators that the correctional institutions of our land have, in most cases, failed in the matter of rehabilitation. The numbers of those who are re-incarcerated tend to prove this. Chief Justice Warren E. Burger recently argued the need to reform penal institutions and to develop processes to determine whether particular convicted persons should or should not be confined.<sup>5</sup> The widespread failure to rehabilitate, the Chief Justice observed, is demonstrated by the degree of recidivism. It is true, of course, that rehabilitation is not the only purpose of prisons and that their historic purpose has been to incarcerate. However, even the effectiveness of prisons in

incarcerating is related to their effectiveness in rehabilitation. Certainly with regard to rehabilitation, they are, in general, not performing acceptably. All blame, however, for recidivism cannot be attributed to the institutions. Society's unwillingness to accept released offenders with compassion and understanding is a large factor in recidivism.

### **Operation of Correctional Institutions**

Whatever the professed intentions of society may be, our correctional institutions are fundamentally places of custody, strongholds for the secure removal of certain citizens from our midst. Accordingly, the rehabilitative staff (psychologists, sociologists, chaplains, teachers, instructors, etc.) is regularly subordinated to the custodial staff (wardens, guards, etc.), not only on the organization chart of the institution's administration but also in regard to budget. In addition, correctional institutions are commonly located far from urban centers from which the majority of convicted criminals come and to which they are likely to return. Consequently, inmates have little opportunity gradually to learn or re-learn conventional societal living through controlled educational and social contacts or even through regular visits from relatives, friends or sympathetic volunteers. Distance from urban centers also greatly reduces the likelihood of recruiting a staff whose racial, ethnic and social backgrounds are similar to those of the inmates. Thus, alienation and lack of understanding between staff and residents are almost inevitable; and rehabilitation remains largely an abstract ideal rather than a concrete achievement.

Add to all of this in some cases such positive injustices as minimal opportunities for academic or vocational training, unsatisfying work experience with pay that is frequently demeaning, sexual assaults, inadequate diet, meager bathing and recreational facilities, insufficient psychological and medical care, fear, loneliness and shame, plus the all-too-common outrage of associating youthful first offenders with hardened criminals, and the result can be the very reverse of an institution of rehabilitation. It is instead an instrument of punishment or perhaps just a means of deterring the criminally inclined from engaging in unlawful behavior; it may also be a setting which generates further crimes in a spirit of vindictiveness.

### **Rights of Prisoners**

The conditions which prevail in many of our correctional institutions cannot be defended on the grounds of either punishment or deterrence. Christian belief in the potential goodness of man and recognition of every human being's dignity as a child of God redeemed by Jesus Christ causes us to recoil from any form of punishment which is degrading or otherwise corrodes the human personality. Society has a right to protect itself against lawbreakers and even to exact just and measured retribution, but the limits of what is reasonable and just are far exceeded in too many penal institutions. Abuses cannot be justified on the basis of their

effectiveness as deterrents to crime. The disturbing statistics of recidivism demonstrate that our correctional institutions have little deterrent effect. It is necessary in any case to raise serious moral objection to tormenting one man unjustly in order to instruct or caution another.

All these considerations bring us back to the primary purpose of houses of correction in the United States as commonly articulated in law and accepted by society. Correctional institutions should be institutions of rehabilitation. They should help men and women rebuild their lives so that, with few exceptions, they can return to society as considerate, free and law-abiding citizens. They are places of custody, but they are never to be only that. They are also instruments of retribution and in a measure strategies for deterrence. These purposes, nevertheless, are to be kept in balance with the need to safeguard the moral order in society while at the same time assisting in the rehabilitation of offending human beings who urgently need society's understanding and care.

Such an analysis clearly derives from a religious conception of man and commitment to the virtues of justice and charity. However, even apart from religious and humanitarian motivation, society's self-interest will best be served by adopting such a view of correctional institutions and working to make it a reality. Nothing whatever is gained by permitting correctional institutions to function as mere fortresses within which self-hatred and embitterment thrive. Confined offenders are not our "enemies." They are fellow human beings, most of whom will one day move freely in our midst, either better or worse for their prison experience. If worse, either they have failed themselves or we have failed both them and ourselves. If better, we have acted in righteousness before God and man; and we have also made an important, essentially positive, contribution to safety and tranquillity in society. In addition, we are ever mindful that each resident offender has individual needs. We emphasize this even as we urge that the correctional institutions develop a relationship—far closer than heretofore—to society in general.

## **Recommendations**

With all this in mind, we offer the following suggestions for reform in the correctional institutions of the United States. Some of these proposals are already being implemented in various places. We add our own endorsement not as experts in penology but as concerned citizens and men of faith. There is no intent to coddle criminals or to harass administrators of correctional institutions. We speak with a view to motivating all those with responsibilities in the field of correction so that their efforts may render correctional facilities more efficacious instruments for the rehabilitation of offenders and for deterrence of further crime. In the prayerful hope of sustaining the best efforts of the often heroic men and women who staff correctional institutions and whose skill, patience, prudence, kindness and dedication are vital to the rehabilitative process, we strongly recommend a higher scale of remuneration.



ation with realistic provisions for safety and security in the performance of their duties. Our fundamental purpose remains throughout—to insure protection for all the civil rights of confined offenders in an atmosphere of human compassion conducive to reconciliation and rehabilitation.

1. Correctional institutions whose residents come mainly from urban centers should usually be located near these centers. This will facilitate such desirable things as visitation by relatives, friends and volunteers, recruitment of prison staffs from among members of racial, ethnic and social groups similar to those to which the residents belong, and even the gradual reintegration of the residents into free society.
2. Staffs should be recruited on the basis of ability, training and experience without reference to partisan politics.<sup>6</sup> The most modern sociological and psychological means should be used to screen and select the staff. Salaries should be competitive with those paid persons engaged in education and training activities in the private sector. The custodial and rehabilitative staffs should be integrated so that rehabilitation is furthered rather than subordinated to other purposes. Staff members should be encouraged to seek further training through courses in universities and colleges and through regular participation in “in-service” training programs. Advancement and salary increases should be determined at least in part by the extent of such continuing education.
3. In developing programs and facilities careful consideration to the varying needs of men and women is important. Male residents should be separated from female residents in different facilities; juveniles from adults; first offenders from repeaters; sexual offenders in specialized treatment centers. The emotionally disturbed should be treated in institutions designed for this purpose. The availability of educational training and any other appropriate programs for men and women together should be investigated. Extraordinary efforts should be made to rehabilitate juvenile offenders. Few, if any, offenders should be deprived of access to families and friends.
4. Discrimination because of race, religion or national or ethnic background is never tolerable. Inspectors should be especially alert to expressions of such discrimination in work assignments, the granting of privileges and the manner in which residents are addressed, responded to, given orders and corrected by members of the staff.
5. Free exercise of religion should be guaranteed in every institution. Religious services of various faiths and denominations should be regularly available; chaplains should be welcomed on a continuing or an occasion-by-occasion basis, as needed; and dietary laws should be respected. Residents should be free to consult their chaplains in private and at length. The chaplains should never be

constrained to testify before parole boards or to share privileged information with members of the staff. Chaplains should not be required to serve on administrative boards which make decisions about discipline, parole or probation.

6. All residents should be given the regulations of the institution in writing. They should be advised of their rights and privileges, their responsibilities and obligations, punishments to which they are subject for infractions of regulations and established grievance procedures. When necessary, the regulations should be read to residents, in a language they understand. The regulations should be available not only to inspectors but also to the general public.
7. Residents should never be authorized to punish one another. Members of the staff should not inflict any punishments other than those stipulated in the regulations for a particular infraction. Whipping, shackling as a punishment and other penalties which are of their nature cruel or degrading are to be excluded. If solitary confinement is necessary as a last resort, the cell should be standard size, well lighted and ventilated, and the resident should be properly clothed. Adequate diet and facilities for bodily hygiene are to be provided together with regular visitation by a medical officer.
8. All residents should be afforded protection against all assaults, sexual or otherwise, even if this requires a transfer.
9. At least elementary and secondary education and vocational training that is truly useful in free society should be provided all residents who wish to take advantage of these opportunities. In vocational and apprentice training the wholehearted cooperation of industry and labor is indispensable and could very well become a key factor in personal readjustment for the residents.
10. The work to which a resident is assigned should be – and appear to be – worthwhile and compatible with the dignity of a human being. Nothing is so devastating to human aspirations as a work assignment which both parties know is really useless. National standards\* should be adopted and promulgated regarding compensation for work. Enabling the residents to work at a fair wage may, among other things, help keep their families off the welfare rolls, either totally or partially. Much greater emphasis is needed on practical job training and post-release employment opportunity. Government agencies should make it their policy to purchase products produced in correctional institutions whenever possible.
11. National standards should be adopted and promulgated regarding residents' diets, the lighting and ventilation of their living and working environments, their access to toilet and bathing facilities, the

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\*Reference here and elsewhere to "national standards" implies the hope that states would voluntarily adhere to them. However, consideration should be given to making adherence a pre-condition of any federal grants to the state's criminal justice system.

extremes of temperature in which they are required to live and work, the quality and cleanliness of their clothing and the medical and psychiatric care available to them. Undue regimentation in clothing and grooming should be eliminated.

12. A resident should be free to refuse treatments, aimed at social rehabilitation, whose appropriateness can be called into question by reasonable persons in and outside the institution. No penalties of any kind should result from such refusal.
13. National standards should be adopted and promulgated regarding the residents' right to send and receive mail, censorship of mail (allowing for necessary inspection), access to printed literature within the institution and from without, and opportunities to listen to the radio and watch television. In developing these standards, it should be borne in mind that most resident offenders are preparing to return to free society, where their survival will depend largely upon the persons with whom they maintained contact during their confinement and their knowledge and understanding of current events and thinking.
14. Authorities should encourage visiting by residents' relatives, friends and acquaintances. The design and appointments of visiting rooms should create an atmosphere of dignity, warmth and as much privacy as possible. Where feasible, opportunity and facilities for conjugal visits should be provided for married residents and their spouses. Where possible, family celebrations, picnics and such events as "father-son" and "mother-daughter" days should be arranged. Furloughs should be more liberal, when this is prudent in order to strengthen family life. Furloughs can help offenders apply for jobs, visit sick relatives, attend funerals and maintain social ties useful toward rehabilitation. The experience can also be a helpful forerunner to parole. In some states this has proven to be a success.<sup>7</sup> Several states have developed the work-release system for felony offenders; happily, even more have done so with regard to residents of local county jails. Work-release programs should be extended as far as feasible. Obviously the above opportunities could be made available only to offenders who exhibit an interest in rehabilitation.
15. A national committee of lawyers, state and federal legislators, members of correctional staffs, offenders and ex-offenders and other knowledgeable citizens should be assigned the task of establishing a national code of civil rights for the incarcerated and the development of standardized grievance and due-process procedures as well as a bill of rights clearly defining the extent of duties and limits of obligations of the incarcerated. A similar committee should be assigned to develop a plan of self-governance in such areas as recreation, entertainment, and voluntary educational and vocational training.



16. National standards should be adopted and promulgated regarding the inspection of correctional institutions. Educational requirements for inspectors should be specified. All inspectors' reports should be required to follow a standardized form in order to facilitate comparison from year to year and between various areas of the nation and various institutions. These reports should be available to the general public.
17. No resident should be detained simply because employment is not available. If employment is a condition for release and no private employment is available, federal, state or local government should make every effort to assist the resident. Career counseling, testing, guidance and bonding—where applicable—should be offered all who are preparing to be released.
18. A resident should be informed of the date beyond which further detention demands another intervention of the court.
19. Parole is a vital function, both for the offender and for society. Consideration should be given to shifting the "burden of proof" by making a parole automatic after a definitely determined period of confinement unless there is sound reason against it.
20. Congress should investigate the feasibility of extending the Social Security Act (OASDI) coverage to residents of correctional institutions.
21. After release, ex-offenders, upon their resumption of life in society, should have their civil rights completely restored. Limiting the activities of an ex-offender in public life could undo what took years to build-up. Individual and community acceptance of ex-offenders with love and understanding is absolutely necessary for their complete integration into normal community living. Community-based correctional efforts, therefore, should be high on the list of priorities.
22. The use and dissemination of arrest records should be strictly controlled. The revelation of arrest records, where there was no conviction, should be forbidden, as should the denial of employment for reason of an arrest without conviction. (There may, however, be some exceptions to these principles in the case of persons who have been committed for actions resulting from emotional disturbances, or where an inquiry can be demonstrated to be justified in terms of personal or community security. But care should be taken that the exceptions do not degenerate into abuses.)

### **Parole and Pre-Trial**

Closely allied with concerns about correctional reform are two other issues: parole and conditions in jails for those awaiting trial. Both matters urgently need study and attention.

On every side, one hears of institutional caseworkers obliged to pre-

pare recommendations for parole boards on the basis of meager records and little or no contact with the custodial or training staffs. Parole officers are commonly overburdened with lengthy reports and unreasonable numbers of persons to serve. Parole boards themselves often include members who have only token preparation for their responsibility and who frequently do not have the time even to grant a hearing to those upon whose freedom they are to rule. The effect of all of this on morale is devastating.

In our nation a man is presumed innocent until proved guilty. Yet after arrest he may spend many months awaiting trial in jail under conditions that can only be described as penal. Usually it is the poor who suffer most under these circumstances. Deprived of freedom, forced to idleness, associating with persons who in many instances are dangerous, the accused may well wonder just how much value the legal presumption of innocence really has. The result all too often is that he grows angry, bitter and is started—or confirmed—in a life of crime. If the prisons of our nation need reform, so also do the jails—a great many of which are houses of terror.

### **Responsibility**

We wish to bring all these matters to the attention of chief executives, legislators and judges and of the staffs of correctional institutions, for we believe that they have an obligation in law and in conscience to undertake or continue a thoroughgoing reform of the American criminal justice system. At the same time, we recognize our own duty to alert all the Catholic faithful and to call these considerations to the attention of all our fellow Christians and citizens of this nation to the need for such reform and to the part they can take in urging, supporting and participating in it. Significant achievement in the reform of our correctional system will benefit society more than it will benefit the reformed criminal. The replacement of just a small tile in a grand mosaic makes a noticeable difference in its composite beauty.

### **Suggested Action Steps**

Among other appropriate actions, and with whatever modifications are appropriate and prudent, the following steps are indicated.

The United States Catholic Conference will undertake widespread distribution of this statement. In addition, under coordination of the Conference's Division for Urban Affairs, each staff office, department and division of the USCC and the committee secretariats of the National Conference of Catholic Bishops will be asked—as will the National Catholic Community Service, the National Conference of Catholic Charities, and the National Council of Catholic Laity—to develop programs furthering the purposes of this statement. The USCC will also consider joint ventures with other organizations in the field of correctional institution reform.

The state Catholic conferences should consider the many aspects of this problem which will require state legislation, interventions with the executive branches of the state governments and—as appropriate—the filing of briefs *amicus curiae* in cases of special significance. State Catholic conferences may also wish to develop more specific documents on reform, relating to conditions in their own states.

Dioceses will, we trust, continue or undertake a major role in fostering the concern of the clergy, religious and laity for the human rights of offenders. Diocesan newspapers and other programs of communication can highlight the moral considerations involved in correctional reform and urge action. As bishops we will make every effort to provide qualified chaplains to serve the offenders.

Parishes have a singular opportunity to serve by helping to improve local institutions within their boundaries. This will include support of the chaplains or providing such periodic services where there are no chaplains. In addition, parishes can maintain continuing contact with correctional institutions by committees or groups of concerned parishioners and can work to overcome neighborhood resistance to community-based institutions.

Religious orders, because of their dedication and knowledge in various disciplines, can bring special assistance to administrative and custodial officials, as well as to the residents in our correctional system. They can offer the People of God a greater understanding of the problems of our correctional system and of all of the people concerned with it. In addition, religious communities can literally “visit” those “in prison.” Perhaps some will make service to confined offenders their special apostolate as counselors and educators.

College and university groups, including those engaged in campus ministry, can bring companionship and comfort to prisoners by visiting and otherwise assisting them. Visits to prisons by local groups of the National Council of Catholic Women have proven valuable. Various groups can offer special services to the families of prisoners such as providing transportation for visits to the prisoners.

Recognizing that accountability at every level is a major ingredient for making our nation’s criminal justice system truly a system of justice, we urge specific methods for evaluation and reasonable community accountability of the work of criminal justice professionals. This applies at every level of the system to both custodial and treatment personnel, pre-sentence investigators, parole and probation officials and all other workers involved.

Finally each of us should responsively recall that Christ our Lord was a prisoner and according to His living gospel is still present in the person of those who are prisoners today. His apostles knew the agonies of dark dungeons. Many of His original disciples experienced the inhuman cruelty of primitive jails. To this day—in many lands—many of



His most dedicated followers find themselves in penal cells or isolated under house arrest.

May our contemplation of these facts inspire us to provide a humble human presence—touched with the sacred—for those accused and those convicted. Let our standing by them or walking with them reunite us as good neighbors and true friends worthy of sharing in the lasting joys of the only absolute unity, God our heavenly Father.

## Conclusion

We ask for the prayers and support of all God-fearing people and all those of good will in a renewed effort to improve our criminal justice system; to bring law, order and justice to society; and to strengthen correctional institutions as places where human dignity will be protected and advanced by serious, innovative programs directed to rehabilitation. We ask God's blessing on such efforts and on all who take part in them.

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## Footnotes

1. Larry F. Taylor, Executive Assistant, Federal Bureau of Prisons, to John E. Cosgrove, 5 November 1973, Personal Files of John E. Cosgrove, Division of Urban Affairs, U. S. Catholic Conference, Washington, D. C.
2. Harry Fleischmann, "Crime" (to be published in the *Encyclopedia Yearbook 1973*), pp. 8-9.
3. Milton Rector, President, National Council on Crime and Delinquency, to John E. Cosgrove, 26 December 1972, Personal Files of John E. Cosgrove.
4. Archbishop Philip M. Hannan to John E. Cosgrove, 24 January 1973, Personal Files of John E. Cosgrove.
5. Warren E. Burger, Chief Justice of the United States, address to the National Conference of Christians and Jews Annual Dinner, Philadelphia, Pennsylvania, 16 November 1972, p. 3.
6. Joseph R. Rowan, Executive Director of the John Howard Association, to John E. Cosgrove, 20 December 1972, Personal Files of John E. Cosgrove.
7. *Ibid.*



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