

# RESPECT LIFE MONTH

## SOLUTIONS TO CRIME & CONFLICT

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## BEHIND THE BARS



With 2.3 million prisoners, the United States has the highest incarceration rate in the world. To put this into perspective, that is slightly less than the population of the entire state of Nevada. Why so high? There are many theories, citing outdated laws to disproportionately long sentences. Combined, they add up to the fact that the American prison system has lost its commitment to justice and rehabilitation.

When we sentence men, women and children to be incarcerated, we send them to a prison system in which they are at an exponentially greater risk of becoming victims of violence and suicide. On any given day in the United States, an estimated 600 people are raped in prison and roughly 80,000 incarcerated adults and youth are held in conditions of solitary confinement, a practice considered by many as a form of torture. These statistics are shocking but none of these numbers conveys the ripple effect this system has in our society in creating broken individuals, families, neighborhoods and communities. (*The Criminal Justice System: Statistics.* RAINN, [www.rainn.org/statistics/criminal-justice-system](http://www.rainn.org/statistics/criminal-justice-system).)

Our corrections system costs us tens of billions of dollars a year but is neither effective in rehabilitating offenders, nor in deterring crime. Haunted by institutionalized racism and the criminalization of mental illness, prison dehumanizes and hardens its residents rather than “correcting” them. Three quarters of all inmates are re-arrested within five years of their release, with more than half (56.7%) arrested by the end of the first year.

Our current prison system offers no positive alternative to the gangs and substance abuse inmates use to cope with prison life and the dead-end opportunities they face upon release.

## DEMANDS OF DIGNITY

Catholic teaching offers a unique perspective on crime and punishment. It begins with the recognition that the dignity of the human person applies to both victims and offenders. It affirms our commitment to comfort and support victims and their families. It also acknowledges the God-given dignity of every human life, even those who do great harm.

*“The dignity of human life must never be taken away, even in the case of someone who has done great evil. Modern society has the means of protecting itself, without definitively denying criminals the chance to reform.”*

*--Pope John Paul II,  
Evangelium Vitae, 1995*

How can we provide these persons the opportunity to experience the unconditional love of God? How can we meet their needs by counseling their broken spirits and addressing their addictions and mental illness?

Brian Nelson spent 12 years of his life in prison for a robbery and murder he committed at age 17. Much of that time was spent in solitary confinement, in an 8 by 10 foot cell with no connection to any other prisoner or the outside world. Approximately 80,000 prisoners are held in solitary confinement in America.

Some countries, including Norway, are attempting to look at the prison experience in a different way. There is a growing international movement to treat the incarcerated with respect and an eye toward rehabilitation that will move them toward re-entry into the world more effectively.

One prison in Norway, Bastoy Island, looks more like a resort than a prison with inmates given a great deal of freedom, but responsibility as well.

*"In closed prisons we keep them locked up for some years and then let them back out, not having had any real responsibility for working or cooking. In the law, being sent to prison is nothing to do with putting you in a terrible prison to make you suffer. The punishment is that you lose your freedom. If we treat people like animals when they are in prison they are likely to behave like animals. Here we pay attention to you as human beings."*

*-Arne Nilsen, Governor at the controversial Bastoy Island prison in Norway, where the reoffending rate for released prisoners is just*

*16%*

# RETRIBUTION VS REHABILITATION

Retribution focuses on punishing the offender. Restorative justice, by contrast, focuses on the needs of victims and their communities, and seeks to repair broken relationships and heal harm. Restorative justice is at the core of the Gospel. It witnesses to the dignity of all human life, guilty and innocent.

To offer the convicted person a path to restoration is seen by some as being “soft on crime”. There is a very human desire to see criminals treated poorly because they “deserve it” or they should “know what it feels like”.

Our Christian faith invites us to see a different option. Restorative justice calls the convicted person to do the hard work of justice, shoulder responsibility, and seek forgiveness. It can help repair broken relationships with victims and communities, and address the issues that led them to their actions.

Restorative justice done well recognizes the dignity of the person and seeks rehabilitation. It ensures that offenders are held accountable and remain part of the community while they serve their sentences. Restorative justice programs prove that people who appear broken can be rehabilitated through encounter and prayer.

Thankfully, in some prisons, a system is established for restoration that respects the dignity of the prisoners, something they do not lose based on their actions. At the Maryland Correctional Institution for Women, some inmates work at a horse rescue farm, where they maintain the grounds and even work with the horses. The Missouri Department of Corrections puts some inmates to work giving obedience training to shelter dogs. In other locations, victim-offender dialogues have helped both sides of the crime come to terms with what happened.

*“The jailed offenders receive no shortened sentences or any kind of credit for their involvement. No dialogue occurs if an offender doesn't fully accept responsibility for the crime. What they do get is an opportunity to think more deeply about what they've done” (Grits for Breakfast).*



*In his encyclical **The Gospel of Life**, Pope John Paul II called us to choose to be “unconditionally pro life” (no. 28). During his last visit to the United States, he referenced the encyclical in a speech in St. Louis:*

*“The new evangelization calls for followers of Christ who are unconditionally pro-life: who will proclaim, celebrate and serve the Gospel of life in every situation. A sign of hope is the increasing recognition that the dignity of human life must never be taken away, even in the case of someone who has done great evil. Modern society has the means of protecting itself, without definitively denying criminals the chance to reform.”*

## THE PENALTY OF DEATH

Catholic teaching on human life is rooted in the belief that life is a gift from God that we must respect and protect.

Pope Saint John Paul II looked at the situation of the modern world and made a very bold proclamation about the death penalty that has been taken up by the Catechism of the Catholic Church and the Vatican’s Compendium of the Social Doctrine of the Church.



Our fundamental respect for every human life and for God, who created each person in his image, requires that we choose not to end a human life in response to violent crimes if non-lethal options are available.

Moreover, at a time when respect for the sanctity of human life is undermined in many ways, the Church's opposition to the use of the death penalty is an important witness in support of a culture of life.

Pope Francis not only agrees with Pope Saint John Paul II's statement, but went a step further last October of 2018, stating that the death penalty is, "in itself, contrary to the Gospel."



*The death penalty, no matter how it is carried out, is, in itself, contrary to the Gospel, because a decision is voluntarily made to suppress a human life, which is always sacred in the eyes of the Creator and of whom, in the last analysis, only God can be the true judge and guarantor. Furthermore, in a modern "state of law, the death penalty represents a failure because it obliges the state to kill in the name of justice. On the other hand it is a method frequently used by "totalitarian regimes and fanatical groups" to do away with "political dissidents, minorities" and any other person deemed a threat to their power and to their goals. Human justice is imperfect" and the death penalty loses all legitimacy in penal systems where judicial error is possible."*

*Pope Francis, October 2018*



The Catechism now will read: "recourse to the death penalty on the part of legitimate authority, following a fair trial, was long considered an appropriate response to the gravity of certain crimes and an acceptable, albeit extreme, means of safeguarding the common good.

Today, however, there is an increasing awareness that the dignity of the person is not lost even after the commission of very serious crimes. In addition, a new understanding has emerged of the significance of penal sanctions imposed by the state. Lastly, more effective systems of detention have been developed, which ensure the due protection of citizens but, at the same time, do not definitively deprive the guilty of the possibility of redemption".

# CHANGES ON THE CATHOLIC CATHECHISM

The human person, made in the image and likeness of God, is the foundation of a moral vision for society and stands at the heart of the Church's understanding of justice.

We are called to be a people of life. As Catholics, we believe in a consistent ethic of life, from conception to natural death the sanctity of the human person cannot be diminished. "Where life is involved, the service of charity must be profoundly consistent. It cannot tolerate bias and discrimination, for human life is sacred and inviolable at every stage and in every situation; it is an indivisible good. We need then to show care for all life and for the life of everyone" (Evangelium vitae, 87). The death penalty violates this consistent ethic and does not conform to our pro-life teaching.

In August 1st 2019 Pope Francis approved a new revision of The Catholic Catechism, paragraph number 2267 of the Catechism of the Catholic Church, according to which "a new understanding has emerged of the significance of penal sanctions imposed by the state," thus "the death penalty is inadmissible":

## The Previous text:

2267. Assuming that the guilty party's identity and responsibility have been fully determined, the traditional teaching of the Church does not exclude recourse to the death penalty, if this is the only possible way of effectively defending human lives against the unjust aggressor.

If, however, non-lethal means are sufficient to defend and protect people's safety from the aggressor, authority will limit itself to such means, as these are more in keeping with the concrete conditions of the common good and more in conformity to the dignity of the human person.

Today, in fact, as a consequence of the possibilities which the state has for effectively preventing crime, by rendering one who has committed an offense incapable of doing harm - without definitely taking away from him the possibility of redeeming himself - the cases in which the execution of the offender is an absolute necessity "are very rare, if not practically nonexistent."<sup>68</sup>

## The new text:

2267. Recourse to the death penalty on the part of legitimate authority, following a fair trial, was long considered an appropriate response to the gravity of certain crimes and an acceptable, albeit extreme, means of safeguarding the common good.

Today, however, there is an increasing awareness that the dignity of the person is not lost even after the commission of very serious crimes. In addition, a new understanding has emerged of the significance of penal sanctions imposed by the state. Lastly, more effective systems of detention have been developed, which ensure the due protection of citizens but, at the same time, do not definitively deprive the guilty of the possibility of redemption.

Consequently, the Church teaches, in the light of the Gospel, that "the death penalty is inadmissible because it is an attack on the inviolability and dignity of the person",<sup>[1]</sup> and she works with determination for its abolition worldwide".

## Solitary confinement and other malpractices in the jail system.

Today, the prison system includes malpractices on the way inmates are treated. An example of this is solitary confinement. Many studies and research have shown how high-levels of stress caused by solitary confinement are related to serious mental health conditions.

This practice is unethical, yet the United States continues to place thousands of people in solitary confinement sometimes for decades. Placing people in enclosed spaces with no-or-extremely limited contact with others is inhumane and ought to be opposed by all reasonable and honorable governments.

Other countries like Germany or the Netherlands use alternative treatment rather than solitary confinement. The United States needs to reform and re-evaluate the way the corrective system works, in every moment, people are still humans and they should always be treated like it.



Craig Haney, a social psychologist, interviewed a group of inmates in solitary confinement at Pelican Bay State Prison, California's toughest penal institution. He was studying the psychological effects of isolation on prisoners. Many of the inmates Dr. Haney interviewed talked wistfully about mothers, wives and children they had neither touched nor spoken to for years – prisoners in the isolation unit were not allowed personal phone calls and were prohibited from physical contact during visits. Some had not had a single visitor during their years in solitary.

"I got a 15-minute phone call when my father died," said one inmate who had been isolated for 24 years. "I realized I have family I don't really know anymore, or even their voices."

Another prisoner described placing photographs of his family facing the television in his cell and talking to them while he watched. "Maybe I'm crazy, but it makes me feel like I'm with them," he told Dr. Haney. "Maybe someday I'll get to hug them."

Some prisoners became so disoriented they began to question their own existence. Another inmate said that the hour or so he had spent in the interview was "the most I've talked in years."

Studies have found that suicides among prisoners in solitary confinement, who make up 3 to 8 percent of the nation's prison population, account for about 50 percent of prison suicides. Cutting and other forms of self-harm are also more common in isolation units than in less restrictive settings. (*The New York Times*, Aug 3, 2015)

# TAKE ACTION

- **Pray** for victims of crime and their loved ones, for those awaiting execution and their families, for our leaders, for those who work in the criminal justice system, and for one another—that we might help bring an end to the culture of violence and build a culture of life in our nation and throughout the world.
- **Reach out** to the families of those whose lives have been taken away through violence, and assure them of the Church’s support, compassion, and care, ministering to their spiritual, physical, and emotional needs. Support efforts to provide hope and help for the families of murder victims.
- **Advocate** for public policies that better protect society from perpetrators of violence and do not resort to the death penalty.
- **Learn** more about Catholic teaching on the death penalty, and seriously reflect on and re-examine our own attitudes and positions on the death penalty.
- **Educate** people in parishes, schools, religious education programs, universities, and seminaries about Catholic teaching on the death penalty and the criminal justice system.
- **Act** by continuing to advocate in state legislatures, in the Congress, in the courts, and in the public square. Urge public officials to support measures that restrict the death penalty or provide alternatives; and in a particular way, ask those who make decisions about the death penalty to take their own opportunities to bring an end to its use. Work to reform the criminal justice system to make it more just, more effective, and more “restorative” to victims, offenders, and communities.
- **Change** the debate and decisions on the use of the death penalty by building a constituency for life, not death, and by calling on lawmakers to lead, not follow—to defend life, not take it away.



## QUESTIONS FOR DISCUSSION:

- What is the difference between retribution and rehabilitation?
- Which of these are we called to as Christians?
- What is the goal of Restorative Justice?
- What is the role of solitary confinement? Is it just?
- Is there ever a need for torture?
- What is Catholic teaching about the Death Penalty? Is it ever morally allowed? What about right now in our current culture?
- What do you think about the new changes in the Catholic Catechism? Do you think they were necessary? What has changed?
- What can we do to change this malpractices in the jail system?

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