



# *SOLUTIONS TO CRIME AND CONFLICT*

*Wednesday, October 19, 2016*

**W**ith 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 There are many theories, citing outdated laws to disproportionately long sentences.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.

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.

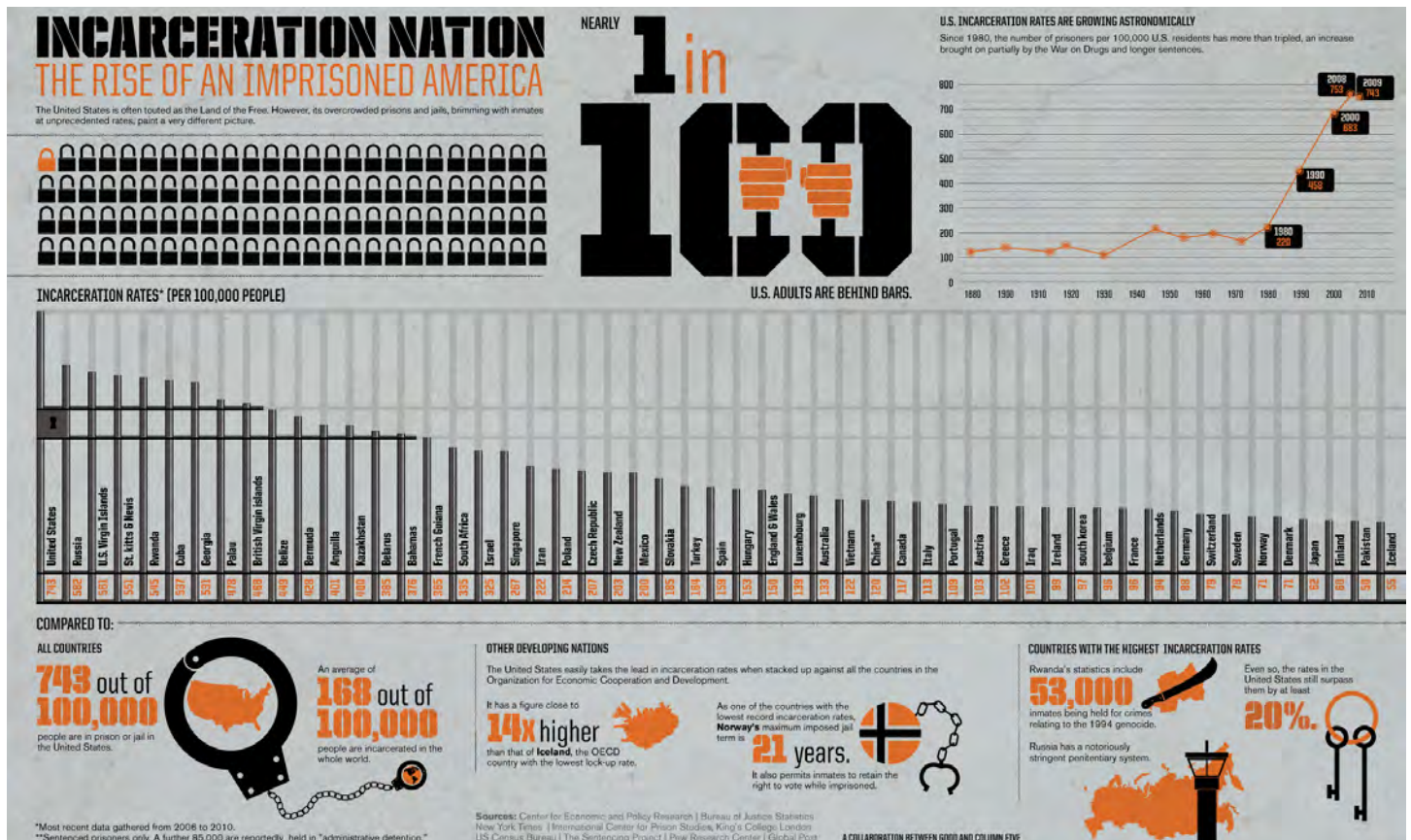
DEMANDS OF DIGNITY

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.

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%

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

### 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 sentence. Restorative justice programs prove that broken people can be rehabilitated through encounter and prayer.

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– Pope Francis

### 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. As it is applied to the death penalty, this teaching is both complicated and clear. The Church has long acknowledged the right of the state to use the death penalty in order to protect society.

However, Pope 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.

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.”

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 St JPII's statement, but is increasingly supportive of a ban on the death penalty.

*Nowadays the death penalty is unacceptable, however grave the crime of the convicted person. It is an offence to the inviolability of life and to the dignity of the human person; it likewise contradicts God's plan for individuals and society, and his merciful justice. Nor is it consonant with any just purpose of punishment. It does not render justice to victims, but instead fosters vengeance. The commandment "Thou shalt not kill" has absolute value and applies both to the innocent and to the guilty.*

Pope Francis, June 2016

When Pope Francis visited the United States in 2015 and spoke to Congress, he took no one by surprise when he said, "The Golden Rule ... reminds us of our responsibility to protect and defend human life at every stage of its development."

What he said next, though, may have surprised quite a few: "This conviction has led me, from the beginning of my ministry, to advocate at different levels for the global

abolition of the death penalty. I am convinced that this way is the best, since every life is sacred, every human person is endowed with an inalienable dignity, and society can only benefit from the rehabilitation of those convicted of crimes."

Then, after affirming the U.S. bishops' renewed effort to end the use of the death penalty, the Holy Father added, "I also offer encouragement to all those who are convinced that a just and necessary punishment must never exclude the dimension of hope and the goal of rehabilitation."

### GOLDEN OPPORTUNITY IN THE GOLDEN STATE

In the 2016 election, we have a unique opportunity to advance the culture of life. Prop 62, on the California ballot, seeks to repeal the death penalty and replace it with life in prison without the possibility of parole.

While this will not fix all of the pieces of our broken prison system, it will go very far toward treating prisoners with the dignity that they have, regardless of their crimes.

Even if you cannot vote in this election, you can bring attention to Prop 62 and mobilize people to end the death penalty!

## DISCUSSION

1. What is the difference between retribution and rehabilitation?
2. Which of these are we called to as Christians?
3. What is the goal of Restorative Justice?
4. Is there ever a need for torture?
5. What is Catholic teaching about the Death Penalty? Is it ever morally allowed? What about right now in our current culture?