



Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice

---

*Issued by USCCB, November 15, 2000*

*Copyright © 2000, United States Conference of Catholic Bishops, Inc. All rights reserved.*

[Order Copies of This Statement](#)

***A Statement of the Catholic Bishops of the United States***

*We are still a long way from the time when our conscience can be certain of having done everything possible to prevent crime and to control it effectively so that it no longer does harm and, at the same time, to offer to those who commit crimes a way of redeeming themselves and making a positive return to society. If all those in some way involved in the problem tried to . . . develop this line of thought, perhaps humanity as a whole could take a great step forward in creating a more serene and peaceful society.*

Pope John Paul II, July 9, 2000

---

Table of Contents

- [Introduction](#)
  - Crime and the Catholic Community
  - Some Dimensions of Crime and Punishment in the United States
  
  - Victims of Crime in the United States
  - Punishment in the United States
  - Characteristics of the Inmate Population
  - Detention of Immigrants
  - Offenders and Treatment
  
- [Scriptural, Theological, and Sacramental Heritage](#)
  - Scriptural Foundations

Sacramental and Historical Heritage  
Catholic Social Teaching

Human Life and Dignity  
Human Rights and Responsibilities  
Family, Community, and Participation  
The Common Good  
The Option for the Poor and Vulnerable  
Subsidiarity and Solidarity

- **Policy Foundations and Directions**

- Protecting Society
- Rejecting Simplistic Solutions
- Promoting Serious Efforts Toward Crime Prevention and Poverty Reduction
- Challenging the Culture of Violence
- Offering Victims the Opportunity to Participate
- Encouraging Innovative Programs
- Insisting That Punishment Has a Constructive Purpose
- Encouraging Spiritual Healing and Renewal
- Making a Serious Commitment to Confront Addiction
- Treating Immigrants Justly
- Placing Crime in a Community Context

- **The Church's Mission**

- Teach Right from Wrong, Respect for Life, Forgiveness and Mercy
- Stand With Victims and Their Families
- Reach Out to Offenders and Their Families
- Build Community
- Advocate Policies That Offer Real Alternatives to Crime
- Organize Diocesan Consultations
- Work for New Approaches

- **Conclusion**

- **Appendix: Suggestions for Action**

---

-----Pages removed here-----

## Policy Foundations and Directions

In light of this moral framework, we seek approaches that understand crime as a threat to community, not just a violation of law; that demand new efforts to rebuild lives, not just build more prisons; and that demonstrate a commitment to re-weave a broader social

fabric of respect for life, civility, responsibility, and reconciliation. New approaches should be built on the following foundations:

1. **Protecting society from those who threaten life, inflict harm, take property, and destroy the bonds of community.**

The protection of society and its members from violence and crime is an essential moral value. Crime, especially violent crime, not only endangers individuals, but robs communities of a sense of well-being and security, and of the ability to protect their members. All people should be able to live in safety. Families must be able to raise their children without fear. Removing dangerous people from society is essential to ensure public safety. And the threat of incarceration does, in fact, deter some crime (e.g., tougher sanctions for drunk drivers along with a public education campaign seem to have dramatically reduced the numbers of intoxicated drivers on our roadways<sup>34</sup>). However, punishment for its own sake is not a Christian response to crime. Punishment must have a purpose. It must be coupled with treatment and, when possible, restitution.

2. **Rejecting simplistic solutions such as "three strikes and you're out" and rigid mandatory sentencing.**

The causes of crime are complex and efforts to fight crime are complicated. One-size-fits-all solutions are often inadequate. Studies and experience show that the combination of accountability and flexibility works best with those who are trying to change their lives. To the extent possible, we should support community-based solutions, especially for non-violent offenders, because a greater emphasis is placed on treatment and restoration for the criminal, and restitution and healing for the victim. We must renew our efforts to ensure that the punishment fits the crime. Therefore, **we do not support mandatory sentencing that replaces judges' assessments with rigid formulations.**

**We bishops cannot support policies that treat young offenders as though they are adults.** The actions of the most violent youth leave us shocked and frightened and therefore they should be removed from society until they are no longer dangerous. But society must never respond to children who have committed crimes as though they are somehow equal to adults—fully formed in conscience and fully aware of their actions. **Placing children in adult jails is a sign of failure, not a solution.** In many instances, such terrible behavior points to our own negligence in raising children with a respect for life, providing a nurturing and loving environment, or addressing serious mental or emotional illnesses.

3. **Promoting serious efforts toward crime prevention and poverty reduction.**

Socio-economic factors such as extreme poverty, discrimination, and racism are serious contributors to crime. Sadly, racism often shapes American attitudes and policies toward crime and criminal justice. We see it in who is jobless and who is poor, who is a victim of crime and who is in prison, who lacks adequate counsel and who is on death row. We cannot ignore the fact that one-fifth of our preschoolers are growing up in poverty and far too many go to bed hungry. Any comprehensive approach to criminal justice must address these factors, but it

---

*From a State District Attorney*

As a Catholic prosecutor, I am constantly challenged to consider the dictates of my faith in the context of the prosecution decisions I make. Those decisions range from filing criminal charges to plea bargaining considerations, to making criminal justice policy decisions for my community, to the most serious of all questions: whether or not to seek the death penalty. Two aspects of my faith buttress me in these endeavors: (1) my deep commitment to social justice issues and (2) my overwhelming belief in the power of prayer to direct us. Both are the products of my Catholic faith and the Church's teaching. I was fortunate to have been grounded in Catholic teaching all of my life, and it acts as a powerful influence for me.

The decisions I make are often difficult ones; some may even seem at odds with the Church's teaching. But I am an elected official who has taken an oath to uphold the civil laws of this state, even those about which I harbor some disagreement or question. As a prosecutor and a Catholic, I realize the Church may have some ability to change those laws that do not square with church teaching. However, the Church should also focus its efforts on reaching out to those individuals already in the system or those headed toward the system because of their at-risk behavior. And finally, I would ask that Catholics pray constantly for me, and those like me, who strive for justice every day in an imperfect world and in an imperfect system.

---

should also consider the positive impact of strong, intact families. Parents have a critical and irreplaceable role as primary guardians and guides of their children. One only has to observe how gangs often provide young people with a sense of belonging and hope when grinding poverty and family disintegration have been their only experience. And while it is true that many poor children who are products of dysfunctional families never commit crimes, poverty and family disintegration are significant risk factors for criminal activity. Finally, quality education must be available for all children to prepare them for gainful employment, further education, and responsible citizenship. The failure of our education system in many communities contributes to crime. Fighting poverty, educating children, and supporting families are essential anti-crime strategies.

**4. Challenging the culture of violence and encouraging a culture of life.**

All of us must do more to end violence in the home and to find ways to help victims break out of the pattern of abuse.<sup>35</sup> As bishops, we support measures that control the sale and use of firearms and make them safer (especially efforts that prevent their unsupervised use by children or anyone other than the owner), and we reiterate our call for sensible regulation of handguns.<sup>36</sup>

Likewise, we cannot ignore the underlying cultural values that help to create a violent environment: a denial of right and wrong, education that ignores fundamental values, an abandonment of personal responsibility, an excessive and selfish focus on our individual desires, a diminishing sense of obligation to our children and neighbors, and a misplaced emphasis on acquiring wealth and possessions. And, in particular, the media must be challenged to stop glorifying violence and exploiting sexuality.<sup>37</sup> Media images and information can communicate fear and a distorted perception of crime. We encourage the media to present a more balanced picture, which does not minimize the human dignity of the victim or that of the offender.<sup>38</sup> In short, we often fail to value life and cherish human beings above our desires for possessions, power, and pleasure.<sup>39</sup>

We join Pope John Paul II in renewing our strong and principled opposition to the death penalty. We oppose capital punishment not just for what it does to those guilty of horrible crimes, but for how it affects society; moreover, we have alternative means today to protect society from violent people. As we said in our *Good Friday Appeal to End the Death Penalty*,

Increasing reliance on the death penalty diminishes us and is a sign of growing

disrespect for human life. We cannot overcome crime by simply executing criminals, nor can we restore the lives of the innocent by ending the lives of those convicted of their murders. The death penalty offers the tragic illusion that we can defend life by taking life.<sup>40</sup>

5. **Offering victims the opportunity to participate more fully in the criminal justice process.**

Victims and their families must have a more central place in a reformed criminal justice system. Besides the physical wounds some victims suffer, all victims experience emotional scars that may never fully heal. And since a majority of offenders are not apprehended for their crimes, these victims do not even have the satisfaction of knowing that the offender has been held accountable. This lack of closure can increase victims' fears and make healing more difficult.

This vital concern for victims can be misused. Some tactics can fuel hatred, not healing: for example, maximizing punishment for its own sake and advancing punitive policies that contradict the values we hold. But such abuses should not be allowed to turn us away from a genuine response to victims and to their legitimate and necessary participation in the criminal justice system. Victims of crime have the right to be kept informed throughout the criminal justice process. They should be able to share their pain and the impact of the crime on their lives after conviction has taken place and in appropriate ways during the sentencing process. If they wish, they should be able to confront the offender and ask for reparation for their losses. In this regard, we offer general support for legislation to respond to the needs and the rights of victims, and we urge every state to strengthen victims' advocacy programs.

6. **Encouraging innovative programs of restorative justice that provide the opportunity for mediation between victims and offenders and offer restitution for crimes committed.**

An increasingly widespread and positive development in many communities is often referred to as restorative justice. Restorative justice focuses first on the victim and the community harmed by the crime, rather than on the dominant state-against-the-perpetrator model. This shift in focus affirms the hurt and loss of the victim, as well as the harm and fear of the community, and insists that offenders come to grips with the consequences of their actions. These approaches are not "soft on crime" because they specifically call the offender to face victims and the communities. This experience offers victims a much greater sense of peace and accountability. Offenders who are willing to face the human consequences of their actions are more ready to accept responsibility, make reparations, and rebuild their lives.

Restorative justice also reflects our values and tradition. Our faith calls us to hold people accountable, to forgive, and to heal. Focusing primarily on the legal infraction without a recognition of the human damage does not advance our values.

One possible component of a restorative justice approach is victim-offender

---

*From Husband and Wife Volunteer*

*Prison Ministers*

Just before Christmas, the Sunday Gospel was Matthew 25:35-39—"When did we see you ill or in prison, and visit you?" That afternoon, I saw a classified ad from a prison social worker begging people to send a Christmas card to men in prison who hadn't had a visit or a letter in years.

Responding to that call started our twenty-five-year journey of prison ministry. My husband and my journey began with weekly discussion groups with inmates under the guidance of Catholic chaplains in several prisons. Men and women found their voices, shared their heartaches, and found solace in Bible readings and companionship.

Then there were three-day faith-building workshops for inmates, similar to Cursillo workshops. Many inmates saw themselves in a very new light: as children of God. Later an opportunity was found to join an ecumenical group doing three-day character-building workshops in Alternatives to Violence, a project initiated by the Quakers. Clever exercises to build confidence in self, compassion, communication, cooperation, and conflict resolution skills were delightful. Often, we could see an interior awakening and the light returning to an inmate's eyes. All these special human contacts created within us an awe for the incredible potential and beautiful gifts in every human being, and deepened our faith in the divine providence.

Those experiences led to a belief that the criminal justice system could do so much more for the growth and restoration of "unfinished" prisoners.

---

mediation. With the help of a skilled facilitator, these programs offer victims or their families the opportunity to share the harm done to their lives and property, and provide a place for the offender to face the victim, admit responsibility, acknowledge harm, and agree to restitution. However, we recognize that victim-offender mediation programs should be a voluntary element of the criminal justice system. Victims should never be required to take part in mediation programs. Sometimes their pain and anger are too deep to attempt such a process.

When victims cannot confront offenders—for example, because it may be too painful or the offender has not been apprehended—they can choose to be part of an "impact panel." Led by professional counselors, these panels bring together victims and offenders who have been involved in similar crimes and can assist the victim's healing, the community's understanding of the crime, and the offender's sense of responsibility.

- 7. Insisting that punishment has a constructive and rehabilitative purpose.** Our criminal justice system should punish offenders and, when necessary, imprison them to protect society. Their incarceration, however, should be about more than punishment. Since nearly all inmates will return to society, prisons must be places where offenders are challenged, encouraged, and rewarded for efforts to change their behaviors and attitudes, and where they learn the skills needed for employment and life in community. We call upon government to redirect the vast amount of public resources away from building more and more prisons and toward better and more effective programs aimed at crime prevention, rehabilitation, education efforts, substance abuse treatment, and programs of probation, parole, and reintegration.

Renewed emphasis should be placed on parole and probation systems as alternatives to incarceration, especially for non-violent offenders. Freeing up prison construction money to bolster these systems should be a top priority. Abandoning the parole system, as some states have done, combined with the absence of a clear commitment to rehabilitation programs within prisons, turns prisons into warehouses where inmates grow old, without hope, their lives wasted.

In addition, the current trend towards locating prisons in remote areas, far away from communities where most crimes are committed, creates tremendous hardships on families of inmates. This problem is particularly acute for inmates convicted of federal offenses and for state prisoners serving their sentences out of

---

*From a Federal Prison Warden Who Witnessed  
a Bishop Minister to Inmates*

He stood barely five feet tall and was slight of stature, very quiet, and humble. When as part of his tour he asked to visit the segregation unit at the Miami Federal Metropolitan Correctional Center in 1988, I hesitated. After nearly twenty years in prison work I knew that segregation units could be dangerous, loud, and often depressing places. This was where we placed those who couldn't, or wouldn't, behave in the general inmate population. Here were the predators, the malcontents, those who threatened authority, as well as those . . . who were the victims . . . unwilling or unable to live with other inmates. Such units are usually terribly noisy, and the air is often filled with threats, cursing, and, at times, crying.

Augustin Roman, the auxiliary bishop of Miami, was at the center fulfilling his pastoral duties. As warden I was responsible for his safety and would never forgive myself if he were embarrassed, abused, or hurt. It would be better, I tried to explain to him, if he bypassed the unit. He looked up at me with gentle dark eyes and pleaded that he must tour the unit, for there were those most in need of God's care.

As we entered the unit, it was more raucous than usual, and I was concerned that the bishop would become a target of vulgar verbal abuse. Unfazed by the noise, he went to the first cell. He visited briefly with the inmates, blessed them, and moved on. As he moved down-range, the unit became increasingly silent. I followed him and saw inmates I knew to be violent street thugs with tears in their eyes, kneeling, blessing themselves, and asking for his prayers. As we left, the unit was as silent as a tomb. The bishop's face was radiant as he smiled and thanked me. I thanked him, for I had been witness to God's work.

---

state. Families and children may have to travel long distances, often at significant expense, to see their loved ones. Distance from home is also a problem for those in the religious community who seek to provide much-needed pastoral care. Being away from support systems is especially hard on juvenile offenders, who need family and community support. Public safety is not served by locating prisons in remote communities—regular inmate contact with family and friends reduces the likelihood that upon release they will return to a life of crime.

Not all offenders are open to treatment, but all deserve to be challenged and encouraged to turn their lives around. Programs in jails and prisons that offer offenders education, life skills, religious expression, and recovery from substance abuse greatly reduce recidivism, benefit society, and help the offenders when they reintegrate into the community. These programs need to be made available at correctional institutions regardless of the level of security and be offered, to the extent possible, in the language of prisoners. More effective prevention and treatment programs should also be available in our

communities.

We bishops question whether private, for-profit corporations can effectively run prisons. The profit motive may lead to reduced efforts to change behaviors, treat substance abuse, and offer skills necessary for reintegration into the community. Regardless of who runs prisons, we oppose the increasing use of isolation units, especially in the absence of due process, and the monitoring and professional assessment of the effects of such confinement on the mental health of inmates.

Finally, we must welcome ex-offenders back into society as full participating members, to the extent feasible, and support their right to vote.

- 8. Encouraging Spiritual Healing and Renewal for those who commit crime.** Prison officials should encourage inmates to seek spiritual formation and to participate in worship. Attempts to limit prisoners' expression of their religious beliefs are not only counterproductive to rehabilitation efforts, but also unconstitutional. As pastors, we will continue to press for expanded access to prisoners through our chaplaincy programs, including by dedicated volunteers. We oppose limitations on the authentic religious expression of prisoners and roadblocks that inhibit prison ministry. The denial of and onerous restrictions on religious presence in prisons are a violation of religious liberty. Every indication is that genuine religious participation and formation is a road to renewal and rehabilitation for those who have committed crimes. This includes contact with

trained parish volunteers who will help nourish the faith life of inmates and ex-offenders.

**9. Making a serious commitment to confront the pervasive role of addiction and mental illness in crime.**

Far too many people are in prison primarily because of addiction. Locking up addicts without proper treatment and then returning them to the streets perpetuates a cycle of behavior that benefits neither the offender nor society.

Persons suffering from chemical dependency should have access to the treatment that could free them and their families from the slavery of addiction, and free the rest of us from the crimes they commit to support this addiction. This effort will require adequate federal, state, and local resources for prevention and treatment for substance abusers. Not providing these resources now will cost far more in the long run. Substance abusers should not have to be behind bars in order to receive treatment for their addictive behavior.

We need to address the underlying problems that in turn attract drug users into an illegal economy—lack of employment, poverty, inadequate education, family disintegration, lack of purpose and meaning, poor housing, and powerlessness and greed. The sale and use of drugs--whether to make money or to seek an escape--are unacceptable.

At least one third of inmates are jailed for drug-related crimes. Many of them would likely benefit from alternatives to incarceration. "Drug courts"—where substance abusers are diverted from the traditional criminal courts and gain access to serious treatment programs—is one innovation that seems to offer great promise and should be encouraged.

Likewise, crimes are sometimes committed by individuals suffering from serious mental illness. While government has an obligation to protect the community from those who become aggressive or violent because of mental illness, it also has a responsibility to see that the offender receives the proper treatment for his or her illness. Far too often mental illness goes undiagnosed, and many in our prison system would do better in other settings more equipped to handle their particular needs.

**10. Treating immigrants justly.**

As a country, we must welcome newcomers and see them as adding to the richness of our cultural fabric. We acknowledge that the law treats immigrants and citizens differently, but no one should be denied the right to fair judicial proceedings. We urge the federal government to restore basic due process to immigrants (including a repeal of mandatory detention) and allow those seeking asylum a fair hearing. Migrants who cannot be deported because their country of origin will not accept them should not be imprisoned indefinitely. Legal immigrants who have served sentences for their crimes should not be re-penalized and deported, often leaving family members behind. Many of these immigrants

have become valuable members of their communities. Likewise, we oppose onerous restrictions on religious expression and pastoral care of detained immigrants and asylum seekers under Immigration Naturalization Service (INS) jurisdiction and urge the INS to guarantee access to qualified ministerial personnel.

**11. Placing crime in a community context and building on promising alternatives that empower neighborhoods and towns to restore a sense of security.**

"Community" is not only a place to live; the word also describes the web of relationships and resources that brings us together and helps us cope with our everyday challenges. Fear of crime and violence tears at this web. Some residents of troubled neighborhoods are faced with another kind of community, that of street gangs. These residents feel powerless to take on tough kids in gangs and have little hope that the situation will ever improve.

But there are communities where committed individuals are willing to take risks and bring people together to confront gangs and violence. Often organized by churches—and funded by our Catholic Campaign for Human Development—these community groups partner with local police to identify drug markets, develop specific strategies to deal with current and potential crime problems, and target at-risk youth for early intervention. Bringing together many elements of the community, they can devise strategies to clean up streets and take back their neighborhoods.

One successful community strategy is Boston's Ten Point Coalition, which is credited with reducing juvenile gun deaths, over a several-year period, from epidemic proportions to near zero. This strategy requires a close relationship among religious leaders and law enforcement and court officials, as well as a pervasive presence of people of faith on the streets offering outreach, opportunities for education, and supervised recreation to at-risk youth. The strategy also sends a clear signal that criminal activity in the community will not be tolerated. Similar strategies that model the Boston coalition are now emerging in other cities.

Another community-based strategy to prevent crime is the "broken-window" model. Proponents contend that tolerance of lesser crimes (such as breaking windows of cars and factories) undermines public order and leads to more serious crimes. Stopping crime at the broken-windows stage demonstrates that a low-cost, high-visibility effort can be effective in preventing crime.

Community policing and neighborhood-watch groups have proven to be effective models of crime control and community building, empowering local leaders to solve their own problems. These efforts reflect the Catholic social teaching principles of solidarity, subsidiarity, and the search for the common good.

-----Pages removed here-----

## Notes

34. U.S. Department of Justice, Bureau of Justice Statistics, *Alcohol and Crime: An Analysis of National Data on the Prevalence of Alcohol Involvement in Crime* (Washington, D.C., 1998).
35. Cf. Committee on Marriage and Family and the Committee on Women in Society and in the Church, United States Conference of Catholic Bishops, *When I Call for Help: A Pastoral Response to Domestic Violence Against Women* (Washington, D.C.: United States Conference of Catholic Bishops, 1992).
36. However, we believe that in the long run and with few exceptions (i.e., police officers, military use), handguns should be eliminated from our society. "Furthermore, the widespread use of handguns and automatic weapons in connection with drug commerce reinforces our repeated 'call for effective and courageous action to control handguns, leading to their eventual elimination from our society.'" U.S. Catholic Bishops, *New Slavery, New Freedom: A Pastoral Message on Substance Abuse* (Washington, D.C.: United States Conference of Catholic Bishops, 1990), 10.
37. Cf. U.S. Catholic Bishops, *Renewing the Mind of the Media: A Statement on Overcoming Exploitation of Sex and Violence in Communication* (Washington, D.C.: United States Conference of Catholic Bishops, 1998).
38. A recent study of issues covered on the evening news by selected major television stations found that murder stories rose over 300 percent, from 80 in 1990 to 375 in 1995, while actual murder rates in that period declined 13 percent. See Marc Mauer, *Race to Incarcerate* (New York: New Press, 1999), 172.
39. U.S. Catholic Bishops, *Confronting a Culture of Violence: A Catholic Framework for Action* (Washington, D.C.: United States Conference of Catholic Bishops, 1994).
40. Administrative Board, United States Conference of Catholic Bishops, *A Good Friday Appeal to End the Death Penalty* (Washington, D.C.: United States Conference of Catholic Bishops, 1999), 3.

---

The text for *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice* originated from the Committee on Domestic Policy of the United States Conference of Catholic Bishops. It was approved for publication by the full body of bishops at their November 2000 General Meeting and has been authorized for publication by the undersigned.

Msgr. Dennis M. Schnurr, General Secretary, NCCB/USCC

Stories from people involved in the criminal justice system are used with permission.

Scripture texts used in this work are taken from the *New American Bible*,

copyright © 1991, 1986, and 1970 by the Confraternity of Christian Doctrine, Washington, D.C. 20017 and are used by permission of the copyright owner. All rights reserved.

Copyright © 2000, United States Conference of Catholic Bishops, Inc., Washington, D.C. All rights reserved. No part of this work may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without permission in writing from the copyright holder.

*Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice* is available in a print edition and may be ordered by telephoning (800) 235-8722. Ask for publication number 5-394 for the English edition or 5-846 for the Spanish edition; the cost is \$5.95 for a single copy, plus shipping and handling.

Email us at [JPHDmail@usccb.org](mailto:JPHDmail@usccb.org)

Justice, Peace and Human Development | 3211 4th Street, N.E., Washington DC 20017-1194 | (202) 541-3180 © USCCB. All rights reserved.