

## **Keynote Address – CJM Conference**

**October 25, 2013**

**I have been asked to address the responsibility of the Church in criminal justice and evangelization as a foundation for change. I have also been asked to cover the role of the Church in all facets of Catholic Jail Ministry including pastoral care of the offender, the victim, the families, and the community with a focus on evangelization to help all impacted by crime, as well as the need for conversion and restorative justice. And I have 30 minutes to cover the topic, right?! Well, fasten your seatbelts, and let's get started...**

**You undoubtedly have seen the very moving picture of Pope Francis washing and kissing the feet of young prisoners in Rome on Holy Thursday. I want you to keep that image in mind.**

**According to Vatican Radio, Los Angeles County has one of the highest youth incarceration rates in the country. Up to 90% of the county's juvenile justice youth are Latino or African American. Some of those youngsters will spend their lives in prison without parole. Jesuit Father Mike Kennedy has set up the Jesuit Restorative Justice Initiative to provide support and hope to these juveniles. When the youths heard about the Holy Father's action, they wanted to**

participate somehow. Some of them wrote notes to the Holy Father.

Listen with your heart to their words:

Dear Pope Francis, thank you for washing the feet of youth like us in Italy. We also are young and made mistakes. Society has given up on us; thank you that you have **not** given up on us. . .

Dear Pope Francis, I am writing this letter because you give me hope. I know one day, with people like you, us kids won't be given sentences that will keep us in prison for the rest of our lives. . .

Dear Pope Francis, I don't know if you have ever been to where I live. I have grown up in a jungle of gangs and drugs and violence. I have seen people killed. I have been hurt. We have been victims of violence. It is hard to be young and surrounded by darkness. . .

Dear Pope Francis, the families of people we have hurt need healing. Our families need healing. We are all in pain. Let us feel Jesus' healing. . .

There it is in a nutshell! Pain, contrition, alienation – victims, families of victims, families of offenders, community-at-large. These young

offenders often have inadequate education, poor self-images, and the lack of effective role models. Living life in the confinement of jail or prison simply deepens their sense of isolation and hopelessness.

In vivid contrast stands the simple proclamation of the gospel by the Holy Father in a simple gesture of washing and kissing the feet of those on whom others have given up, the forgotten, the detained, members of the flock of the Good Shepherd – our sisters and brothers!

In 2007 Pope Benedict addressed the Congress of the International Commission of Catholic Prison Pastoral Care. The theme of the Congress was “Discovering the Face of Christ in Every Prisoner.” He said:

Your ministry requires much patience and perseverance. Not infrequently there are disappointments and frustrations . . .

Prisoners easily can be overwhelmed by feelings of isolation, shame and rejection that threaten to shatter their hopes and aspirations for the future. Within this context, chaplains and their collaborators are called to be heralds of God’s infinite compassion and forgiveness. In cooperation with civil

authorities, they are entrusted with the weighty task of helping the incarcerated rediscover a sense of purpose so that, with God's grace, they can reform their lives, be reconciled with their families and friends, and, insofar as possible, assume the responsibilities and duties which will enable them to conduct upright and honest lives within society. . . . When conditions within jails and prisons are not conducive to the process of regaining a sense of a worth and accepting its related duties, these institutions fail to achieve one of their essential ends. Public authorities must be ever vigilant in this task, eschewing any means of punishment or correction that either undermine or debase the human dignity of prisoners.

The bedrock of Catholic social teaching is the inherent and inalienable dignity of every human person created in the "image and likeness" of God, a dignity we all have to defend and nurture. A second principle related to our topic today is found in Matthew's Gospel: "When did we see you ill or in prison and visit you? Whatever you did to one of these least brothers of mine, you did for me" -- seeing the face of Christ in everyone, remembering that Jesus himself was a prisoner sentenced to execution.

Yes, but what about punishment for crimes? We are made in the “image and likeness” of God, but we also have the capacity within ourselves to do evil, engage in violence, hurt others.

There are three basic approaches to sin in the Old Testament. The oldest is a **taboo**. We don’t do (something) in our community. Why? The reason is lost in the ancient past, but we don’t do it now! The second and most recent is a **legalistic** approach: We don’t do (something) because it is against the Law. The Pharisees at the time of Jesus were experts in casuistry or case law, examining the *torah* and applying it to new circumstances. That is very valuable to the community of faith, but it does not necessarily get at the underlying purpose of the law. The third or **classical** approach is found especially in the prophetic books and is reflected in the teaching of Jesus, especially the Sermon on the Mount. This approach says we don’t (something) because it affects our relationships – with self, with others, with God.

The underlying purpose of the Law or *torah* is to help the community of faith establish, maintain, and **restore, when necessary**, right or just relationships that were broken by sin. This requires acknowledgement of the sin and its consequences, and attempts to

reconcile with those hurt by the sin, to bring healing, restore a sense of community.

Our criminal justice system in the U.S. focuses on the offenders and often neglects the victims and their families, the families of the offenders, and the communities impacted by the offense. The 2000 statement of the U.S. Catholic Bishops, *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice*, is well worth reading again, studying, and acting upon. In the past thirteen years many will argue that there has been more regression than progression in the criminal justice system. At any rate, I will not repeat the main points of this 37-page document.

Are there processes or programs that can bring healing and reconciliation to offenders, victims, their respective families, and their communities? I am familiar with one such effort: the Precious Blood Ministry of Reconciliation in the Back of the Yards neighborhood on the South Side of Chicago. It is a team effort sponsored by the Missionaries of the Precious Blood, now in its 13<sup>th</sup> year. The team acts as agents of reconciliation and healing in a violent inner-city neighborhood. They provide a safe place where

healing can occur, where people can find the support and encouragement that are needed to begin the process of reconciliation. The team is very aware of the fact that reconciliation is primarily God's work. Their philosophy and theology is restorative justice, and the primary means they use are Circle discussions. They have taken this ministry into the Cook County juvenile justice system and have worked with offenders, attorneys, judges, and those who work in the Juvenile Detention Center to familiarize them with the concept and value of a restorative justice approach.

Viewed through a restorative justice lens, "crime is a violation of people and relationships. It creates obligations to make things right. Justice involves the victim, the offender, and the community in a search for solutions which promote repair, reconciliation, and reassurance" (Howard Zehr, *Changing Lenses: A New Focus for Crime and Justice*).

As explained by Chaplain Paul Rogers, President of the American Catholic Correctional Chaplains Association:

Restorative justice is a process through which remorseful offenders accept responsibility for their misconduct to those

injured and to the community that, in response, allows the reintegration of the offender into the community. The emphasis is on restoration: restoration of the offender in terms of his or her self-respect, restoration of the relationship between offender and victims, as well as restoration of both offenders and victims within the community.

As you can see, restorative justice is consonant with the classical biblical view of sin as disrupting right or just relationships and the need for healing and eventual reconciliation of all involved.

There are many valuable approaches to ministry in jails and prisons. Some center on the celebration of the Sacraments of Penance and Eucharist. Others focus on a Catholic apologetic approach. Still others involve distributing Bibles, books, pamphlets. Yet others focus on small group discussions or prayer sessions.

The work is never easy. Those incarcerated develop a hardness and cynicism that is related to their self-image, the dangers of incarceration itself, mental health disorders, and many other causes. Some come into the criminal justice system already hardened, shaped by the environment in which they grew up.

Sometimes chaplains say that offenders come to prayer or Bible sessions primarily because of the coffee being served. Others have said that the main reason why offenders want to see a chaplain is to try to get extra toilet paper. On the other hand, such sessions do provide a time and space outside the cell while time within the cell often passes very, very slowly. Setting an environment in which an offender feels safe – physically, emotionally, and spiritually – can be very conducive to eventual helpful reflection and prayer.

It is clear that the entire Church has much to do in educating our people – for example, about sin and its consequences, the dignity and value of every human person. We also have much to do in order to help bring healing and reconciliation – to offenders, victims, their respective families, and their communities. We also have a long list of advocacy actions related to reforms in the criminal justice system. In this regard, I am thinking, for example, of capital punishment, solitary confinement, rehabilitation alongside punishment, mandatory sentencing laws, minors being treated as adult offenders. It is also of great concern to me that, while the overall U.S. prison population is decreasing, the number of detentions of undocumented persons is increasing. Allied with this is the controversial quota

driving the immigration detention boom. *The Washington Post* reported two weeks ago that this is caused by a little-known congressional directive known on Capital Hill as the “bed mandate.” This policy requires ICE to keep an average of 34,000 detainees per day in its custody – even though they are not violent offenders.

This is closely related to the detention center industry. These for-profit centers raise serious questions regarding respect for the human rights of detainees, and vigorous lobbying from this industry is often cited as one of the reasons why comprehensive immigration reform has difficulty in gaining full Congressional support. As federal, state, and local prison populations decline, the profits of this **private** industry depend on keeping a broken immigration system in place with added detentions!

My sisters and brothers, we clearly have a lot of work ahead of us. But how shall we do it? Pope Francis has a unique style of pastoral leadership. His humility, honesty, and courage are remarkable. There is no doubt that he proclaims the Lord Jesus and his gospel every day. He has stressed God’s mercy and compassion, the need for healing and forgiveness. He has called for

a “climate of encounter” to replace a “climate of clash.” We have been used to thinking about a “culture of life” to replace a “culture of death,” and that is still very much a part of the Church’s mission and ministry. But encounter and dialogue are also consistent with the teaching of the Second Vatican Council.

There have been many, many instances of Pope Francis’ own “encounter” with people – with youth at World Youth Day in Rio de Janeiro, Mass and lunch with Vatican gardeners and other workers, correspondence and an interview with an atheist. But to me, the most powerful encounter – without words – was his washing and kissing the feet of prisoners in Rome on Holy Thursday. One was a woman – raising eyebrows, of course. One was a Muslim – raising other eyebrows. It was a direct, powerful proclamation of the gospel of God’s love for all of his people. It reminds us of his namesake, St. Francis Assisi, who is credited with saying: “Proclaim the gospel always, using words if needed.”

Encounter and dialogue require respect for the other person, not only as a fellow human being but as a child of God, a sister or brother in the Lord Jesus. It takes time and effort. It is so very

simple and yet so very profound. I am learning to listen more, to be attentive to the suffering of the poor, the disenfranchised, the forgotten, the locked up, the detained, those “thrown away.” Showing the mercy, compassion, and love is a living example of evangelization. Offering forgiveness, healing, reconciliation, and restoration is at the heart of the gospel message.

I have a special place in my heart for Our Lady of Guadalupe, *la Morenita*. Consider the beauty and the richness of her image. She presents herself in the light of dawn, dispelling the darkness. She encounters Juan Diego and dialogues with him. When he speaks with her, she listens carefully to him – with great love and tenderness.

Our Lady is the Mother of the New Evangelization. She promises to be with us, her people, telling us not to fear the darkness, the violence, the hatred. She is the protector and liberator of the poor, the downtrodden, the neglected, the imprisoned, the detained and deported. May Our Lady of Guadalupe teach us true Christian witness to the gospel of love.