
Interview: Bishop Leroy T. Matthiesen

'Every life is precious, even that of someone who has committed a crime'

Most Reverend Leroy T. Matthiesen, Bishop of Amarillo, Texas, gave this interview below to Anita Gallagher on Jan. 15. He has appealed to Texas Gov. Ann Richards for clemency for Johnny Frank Garrett, who is facing execution for his rape and murder of a nun in 1981.

EIR: How did you become involved in this case?

Bishop Matthiesen: In 1981, when this murder occurred, I was the bishop of the Roman Catholic diocese of Amarillo. I had been chaplain to St. Francis Convent for about 15 years. I personally knew the victim, Sister Tadea Benz; I also knew Johnny Frank Garrett, who did murder and rape her. He lived in a family right across the street from where I lived; so I observed that family, not ever dreaming that it would come to that, but observing a dysfunctional family. When that did happen, the head of that house of sisters, the provincial, and I talked about this, and we made a joint decision that we would forgive Johnny Frank Garrett, that if we were asked, we would ask that the death penalty not be carried out, but that instead he be given life.

Johnny Garrett's attorney, Warren Clark, is appealing to the U.S. Supreme Court to deny the execution, on the basis that Johnny Frank Garrett has been diagnosed by three psychiatrists as insane, and there is an international law, and I think the U.S. has signed some of those accords, that it is illegal to execute insane people.

We are getting together a statement as the Catholic Bishops of Texas, and others will probably be doing the same thing, appealing to the Texas Board of Pardons and Paroles, to commute to life. They have the authority; they are appointed by the governor. I am told that in practice, they look to the governor for a recommendation. So we are also appealing to the governor to give a positive recommendation to the Board to commute the sentence.

EIR: What are the mitigating circumstances of Johnny Frank Garrett's crime?

Bishop Matthiesen: The evidence is very strong that Johnny Frank Garrett is not morally culpable for the action of

killing and raping Sister Tadea Benz. He was born into a family in which there was a natural biological father and then four stepfathers. Johnny alleges he was loaned out to other men for homosexual sex. I have the testimony of a teacher who was a special education teacher, who was in the junior high school attended by Johnny Garrett. She said that at the age of 12, he was not able to read a single word, and yet the school refused to put him into special education. They kept him in a regular class, as a result of which he dropped out. She also told me that Johnny confided in her, and told her many times that he slept under the bushes, because he was afraid to go back into the house because of beatings.

He also alleges that on the night of Halloween in 1981, he was under the influence of three different drugs. He has no memory of killing or raping Sister Tadea Benz.

EIR: What has led the pope himself and the bishops of Texas to make this extraordinary intervention, to ask clemency for a man who murdered a 76-year-old nun?

Bishop Matthiesen: The Catholic Church has historically taught that the state does have the right to capital punishment in order to preserve the common good. For the last 25 years, perhaps that is contemporaneous with the Second Vatican Council, we have been urging the nations of the world not to use that, because in present circumstances, it does not seem to be preserving the common good. It is a situation of violence begetting more violence. A religious state, or a people who claim to be religious, certainly those who claim to be Christian, should not go along with the old teaching of "an eye for an eye, and a tooth for a tooth." In saying that, we rely on the words of Jesus, who said, "Of old, it was said to you you shall hate your enemies; of old it was said to you, thou shalt not kill, but I say to you, you should not even become angry. . . ." Anger is what leads to killing. You have the example of Jesus challenging the men who were going to kill by stoning the woman who was caught in the act of adultery. . . . What you have there is Jesus saying no, only if you have no sin, then go ahead.

Another reason why we have become involved in this, is

that we really do believe in a consistent ethic of life; that you must respect life from the very beginning to the very end. That is why we are opposed to abortion, that's why we are opposed to euthanasia and assisted suicide. We have to be consistent, and if we say that every life is precious, then even the life of one who has done something so heinous, that life has to be respected.

We reject the idea that we should have vengeance, because it seems to us that if we are going to be faithful to Jesus, and be faithful to try to follow Him, then we must do what He did. He forgave the people who killed Him, and I believe that His mother, His disciples, also forgave the Roman authorities who killed Him.

The final argument that is given for capital punishment is that it will deter others. It certainly will deter the person who committed the crime, but experience shows that in that process we have also executed some innocent people. We do not see any compelling evidence that capital punishment serves as a deterrent.

We do need security. There is violence, there is evil. There are people who have succumbed to evil. But the Texas Department of Corrections really is no longer able to do any correcting. So they are just into incarcerating, giving custodial care, and executing those who have been convicted of serious crimes.

EIR: Do you think it is ironic that the United States lectures other countries so often regarding human rights?

Bishop Matthiesen: Absolutely. We brand others as evil empires, and so forth, and what that does, is point the finger away from us to somebody else. Jesus would say about that, "Don't look at the mote in your brother's eye; look at the beam in your own." Our country is still a great country, but we have very serious problems we're not dealing with. If we continue on this path, that's a very clear indication that we are losing our way morally. When a nation loses its moral focus, that's the end.

There have been a number of people here who have said, what is Gov. Ann Richards doing in responding to an appeal from the Church? The prosecutor, Danny Hill, was quoted as saying that he was very upset that "these groups," namely, the Church, and the Texas Conference of Churches, which has done the same thing, are interfering with justice. Our response is, when the time comes that the churches, which need to be the conscience and the moral voice of a society, are silenced, then the end has come.

EIR: With regard to the circumstances of Johnny Garrett's upbringing, do you think they are typical of many of the individuals who are sentenced to death?

Bishop Matthiesen: Yes. There is evidence that 94% of the inmates in Texas were abused when they were children. It's a vicious circle. It has been demonstrated that those who abuse as adults, were themselves abused as children. That

is, they learned by experience that that's how adults relate to children. So that when they became adults, even though they were the object of the abuse, they themselves become abusers. I have said here, the real issue is child abuse, and our failure to deal with it, even to recognize it, and our failure to deal with those who are mentally ill. We have more mentally ill people in the United States in our prisons than we have in our mental health institutions. The criminal justice system cannot possibly cope with mentally ill people, and yet that's where they are.

EIR: How does the Texas criminal justice system function?

Bishop Matthiesen: Our prisons are getting overcrowded with first offenders. There's a case of a man who stole a bicycle before Christmas, because he wanted to give it to one of his children; he was given five years in prison. We have a law that says you can't occupy more than 95% of available beds, so you get this revolving door going on here in Texas. It's costing the taxpayers more and more money. . . .

We have to look for different kind of ways to take care of first offenders, minor offenders; what we are in fact doing in Texas, I believe, is turning the Texas Department of Corrections into a network of colleges for criminals, where, unwittingly and unintentionally, we are providing them with teachers and classrooms, on how to beat the system. There's a lot of despair. Then, when it comes to capital punishment, of course, the idea here is, "Kill them. They're all mad dogs." They've been described that way; Johnny Garrett has been described that way. So, it's "throw away the key" for those you allow to live, and kill the other ones.

We've got to have a completely new system to deal with first offenders and minor offenders. They shouldn't be in jail for terms like five years, mingled together with offenders of every kind, and abused sexually by other inmates. We have got to empty our prisons of all these first, minor offenders and put them into rehabilitation programs, work programs, all kinds of things like that. We need a much better parole system. That costs money, but it's not going to cost as much money as building all these prisons and maintaining the exorbitant number of inmates that we have currently.

EIR: What will be the result of the efforts made in this case?

Bishop Matthiesen: We have said that regardless of what happens with Johnny Frank Garrett . . . whether he lives or dies, if he dies, his death will have made a contribution to this whole issue. I think that our consciousness, our sensibilities, have been touched by this, and for our part, we are going to pursue it.

There is more than one victim here. One of the victims, clearly, is Sister Tadea Benz, who was—and I knew her—a beautiful person, and certainly didn't deserve to die that way. But I am equally certain that Johnny Frank Garrett was a victim also, of the kind of society, the kind of circumstances, the kind of family in which he grew up. He didn't have a chance.