

# Leaders Seek Reform Of U.S. Justice System

by Marianna Wertz

Two recent reports point toward the kind of fundamental changes long needed in the American justice system. The National Conference of Catholic Bishops issued a statement at their biannual convention on Nov. 15, calling for a massive reform of the nation's justice system, one which would base America's policy toward crime on "justice, mercy, responsibility and treatment, rather than vengeance." In the statement, entitled "Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice," the bishops say that a "moral revolution" will be required to achieve such an approach, but that the current policy, based on vengeance toward the criminal, and lack of real concern for the victims, is not only *not* stopping crime, but is undermining the concept of "the common good" in America, which is so crucial to the nation's very survival. In the same document, the bishops renewed their call for an end to the use of the death penalty in the United States.

Just days later, at a press conference on Nov. 21, the Washington, D.C.-based Citizens for a Moratorium on Federal Executions (CMFE) issued an open letter to President Clinton, calling for a moratorium on Federal executions. The group, founded this year, asked Clinton to act before Dec. 12, the date on which Juan Garza, one of 21 Federal death-row inmates, is scheduled to be executed, the first Federal execution in 37 years. Signers on the CMFE's open letter include many prominent civil libertarians and political and religious leaders, not all of whom are opposed to capital punishment in principle, but who have such "grave doubts" about the "fairness and reliability" of the justice system in determining who is to be executed, that they believe a moratorium is required until these issues can be resolved.

Among the 40 signers are Dr. Mary Frances Berry, Chair, U.S. Commission on Civil Rights; National Association for the Advancement of Colored People Chair Julian Bond; National Conference of Catholic Bishops President Bishop Joseph A. Fiorenza; Angela E. Oh, Member, Advisory Board One America: The President's Initiative on Race (see interview below); former U.S. Secretary of Labor Robert Reich; Rabbi David Saperstein, Director, Religious Action Center of Reform Judaism; former U.S. Senators Alan Cranston (D-Calif.), Paul Simon (D-Ill.), and Tom Eagleton (D-Mo.); and Nobel Peace Laureate Elie Wiesel. (For a complete list of signers and the text of the open letter to Clinton, see [www.Federalmoratorium.org](http://www.Federalmoratorium.org).)

## Moral Test for the Nation

The National Conference of Catholic Bishops' statement, approved unanimously at the bishops' biannual convention, is intended as the religious leaders' major message for the beginning of the new millennium. It is the product of ten years of study, and was authored by Cardinal Roger Mahony, Archbishop of the Catholic Archdiocese of Los Angeles, who is also a signer on the CMFE statement.

It begins, "As Catholic bishops, our response to crime in the United States is a moral test for our nation and a challenge for our Church. Although the FBI reports that the crime rate is falling, crime and fear of crime still touch many lives and polarize many communities. Putting more people in prison and, sadly, more people to death, has not given Americans the security we seek. It is time for a new national dialogue on crime and corrections, justice and mercy, responsibility and treatment."

The bishops warn that "the common good is undermined by criminal behavior that threatens the lives and dignity of others and by policies that seem to give up on those who have broken the law (offering too little treatment *and* too few alternatives to either years in prison or the execution of those who have been convicted of terrible crimes). New approaches must move beyond the slogans of the moment (such as 'three strikes and you're out') and the excuses of the past (such as 'criminals are simply trapped by their background'). Crime, corrections, and the search for real community require far more than the policy clichés of conservatives and liberals."

The importance of the document lies not only in its content per se. It lies in the fact that the leadership of the Catholic Church in America is telling its adherents, many of whom hold top positions in law enforcement (including FBI Director Louis Freeh and Supreme Court Justice Antonin Scalia), that the way America has conducted its criminal justice system, essentially since Richard Nixon's Presidency, is *immoral* and *un-Christian*. "As bishops, we believe that the current trend of more prisons and more executions, with too little education and drug treatment, does not truly reflect Christian values and will not really leave our communities safer," the bishops write.

A truly Christian approach to criminal justice, they write, "begins with the recognition that the dignity of the human person applies to both victim and offender. . . . We are convinced that our tradition and our faith offer better alternatives that can hold offenders accountable and challenge them to change their lives; reach out to victims *and* reject vengeance; restore a sense of community and resist the violence that has engulfed so much of our culture."

The statement points to some of the hideous facts about today's criminal justice system. "In 1998, the imprisonment rate in America was 668 per 100,000 offenders, which is six to 12 times higher than the rate of other Western countries. . . . The U.S. spends more than \$35 billion annually on correc-