

The Catholic Church and Victims of Crime

By Gregory J. Parry, Esq.

The Roman Catholic bishops of the United States recently issued a thirty-five page statement providing “A Catholic Perspective on Crime and Criminal Justice.” After years of research, the bishops concluded that “the status quo is not really working.” Their pronouncement pushes for a “new national dialogue on crime and corrections.” It covers a number of important contemporary topics, including the incidence and staggering costs of crime, juvenile justice measures, mandatory sentencing, over-incarceration, restorative justice, drug treatment programs, the balances between personal accountability and mercy, and capital punishment. The statement draws from U.S. Department of Justice crime statistics, select Old and New Testament passages, current Catholic social thinking, and interviews with victims, offenders, families impacted by crime, and numerous frontline professionals involved in the criminal justice system. In addition to its push for major reforms of the criminal justice system, the statement is important because it pays homage to crime victims and strongly advocates for victims’ rights. The purpose of this article is to focus on select portions of the statement that identify a proposed Catholic response to crime victims and victims’ rights.

The U.S. Catholic Bishops

There are 366 Catholic bishops and more than 62 million registered Catholics in the United States.ⁱ The bishops are organized in two related groups: the National Conference of Catholic Bishops (NCCB), an entity established by Church law, and the

United States Catholic Conference (USCC), a civil corporation. The NCCB focuses on church concerns such as the liturgy, ecumenism, the education and ministry of priests, and general pastoral responsibilities of bishops. The USCC focuses on issues that concern the Church as part of the larger society, and

is divided into various departments, including social development and world peace.

Through these two organizations, the bishops have taken public positions on numerous political and social issues, including crime and criminal justice.ⁱⁱ

Prior Bishops' Statements on Crime and Criminal Justice in America

More than twenty years ago, the USCC's Committee on Social Development and World Peace issued its seminal statement on crime and criminal justice in America entitled *Community and Crime*.ⁱⁱⁱ The bishops noted "special concerns" for crime victims in proclaiming that:

The victims of crime are often forgotten by the community and the criminal justice system. The experience can engender hatred, which often harms the individual more than the crime did. As Christians, we should demonstrate a deep compassion for victims of crime and be practically concerned that they receive the compensation and restitution due them.^{iv}

The statement expressed that "as a Christian community we have a responsibility to utilize our resources to respond to the problem of crime in America." The bishops called for the implementation of twenty-two action items, including "creating programs to

respond to the physical and emotional needs of victims of crime.” They also directed “the dioceses of this country to support governmental action and public policy initiatives,” and they identified eleven such initiatives.^v One was crime victim compensation. The bishops proclaimed that they “support the creation of systems of victim compensation.” Such programs should “provide compensation for personal injuries which were the result of a crime, compensation for surviving dependents of an individual whose death was a consequence of a crime, and compensation for a percentage of the property lost as a consequence of a crime.”

The bishops issued several additional pronouncements in the 1990s regarding specific aspects of crime and criminal justice. For example, they have squarely addressed domestic violence; the nation’s culture of violence; child sexual abuse; substance abuse; the media’s exploitation of sex and violence; and the death penalty.^{vi} The new statement is the first time since 1978 that the bishops have confronted the broad topic of crime and criminal justice.

Current Bishops’ Statement on Crime and Criminal Justice

On November 16, 2000, the Catholic bishops issued a statement entitled *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice*.^{vii} The bishops began formulating this new statement in the early 1990s in response to increased concerns about crime and violence, high incarceration rates, the growth of crime victims’ rights groups, and difficulties voiced by Catholic chaplains and others across the nation involved in the criminal justice system.^{viii} The

statement was the product of ten years of research and consultations with Catholic prison chaplains, police officers, prosecutors, defense attorneys, judges, probation and parole officers, wardens, correctional officers, offenders, victims, victim advocates, the families of victims and offenders, and drug and mental health treatment personnel. In a profound statement, the bishops concluded that, “all those whom we consulted seemed to agree on one thing: the status quo is not really working—victims are often ignored, offenders are often not rehabilitated, and many communities have lost their sense of security.” As a result, the bishops declared “it is time for a new national dialogue on crime and corrections, justice and mercy, responsibility and treatment.” In their statement, they repeatedly articulate that any “new dialogue” must embrace crime victims and strongly advance crime victims’ rights.

The Christian Paradox: Justice and Mercy

According to the bishops, a distinctively Christian approach to criminal justice presents a paradox. Both personal accountability and societal justice are critical to such an approach. The bishops espoused that “[W]e cannot and will not tolerate behavior that threatens lives and violates the rights of others. . . . We believe in responsibility, accountability and legitimate punishment. . . . The community has a right to establish and enforce laws to protect people and to advance the common good.” However, the bishops also noted that mercy is equally important. “We believe both victims and offenders are children of God. . . . A Catholic approach leads us to encourage models of restorative justice that seek to address crime in terms of the harm done to victims and communities, not simply as a violation of law.” Here, the bishops

are suggesting a system of accountability tempered with mercy.

Scriptural Basis for Embracing Crime Victims

In their statement, the bishops were significantly guided by select scriptural readings. According to the bishops, the Old Testament provides a “rich tradition that represents God’s justice and mercy.” The Ten Commandments give very basic rules whereby “punishment was required, reparations were demanded, and relationships were restored.” In times of turmoil, “victims relied on God’s love and mercy, and then each other to find comfort.”

The bishops were also moved by the New Testament, including the story of “the Good Samaritan” (Luke 10:25). This story begins with a man who was robbed, beaten, and left to die—a crime victim. First, a priest saw the man and walked around him without rendering aid. An assistant priest next observed the dying man and he too walked by without helping. Finally, a Samaritan (a member of a widely despised group) approached the injured victim. The Samaritan took pity on the victim, bandaged his wounds, put him on his donkey, took him to a nearby inn, and cared for him. The next day, the Samaritan gave the innkeeper two silver coins and asked the innkeeper to take care of the man. The Samaritan promised to return later and reimburse the innkeeper for any extra expenses that he incurred. The bishops applied the “Good Samaritan” story to current times. They concluded that the Samaritan “who did all he could to help a victim of crime, a stranger, is a model for us today.” Therefore, “we must be willing to stop and help victims of crime recover from their physical and emotional wounds.”

Additional Support for Crime Victims and Victims' Rights

The bishops noted that due to the high incidence of crime and the ill treatment afforded to persons touched by crime, “a strong and growing movement has emerged that advocates on behalf of crime victims and seeks to make the justice system more responsive to their concerns.” The statement declares that “we believe that these efforts deserve support” and we “encourage and stand with victims and those who assist them.” The bishops affirmed that **“the fundamental moral measure of the criminal justice system is how it responds to those harmed by crime”** (emphasis added). According to the statement, the bishops “also wish to stand in solidarity with crime victims in their pain and loss, insisting that all our institutions reach out to them with understanding, compassion, and healing.” Christians and those involved in the criminal justice system are asked to treat crime victims with “humanity and dignity.” The bishops believe that “victims too must have the help of the faith community in recovering their dignity. . . . All of us are called to stand with victims in their hurt and in their search for healing and genuine justice.”

The bishops espouse that “the concept of redress or repair of the harm done to the victims and to society by the criminal activity is also important to restoring the common good.” They declare that “this often-neglected dimension of punishment allows victims to move from a place of pain and anger to one of healing and resolution. . . . In our tradition, restoring the balance of rights through restitution is an important element of justice.” The bishops recommend that victims and their families must have “a more central place in a reformed criminal justice system.” In addition to the physical

injuries that many victims suffer, “all victims experience emotional scars that may never fully heal.” Because most offenders are never apprehended, many victims never obtain “the satisfaction of knowing that the offender has been held accountable.” When offenders are apprehended, there should be full participation by victims in the criminal justice process. “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.”

The statement encourages “innovative programs of restorative justice that provide the opportunity for mediation between victims and offenders and offer restitution for crimes committed.” According to the bishops “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, victims should never be forced to participate in offender mediation because sometimes their pain and anger is too deep. If victims cannot confront offenders because it might be too painful or the offender has not been apprehended, victims could nevertheless participate on an “impact panel.” These panels join victims and offenders involved in similar types of crimes to assist victims with healing and to help offenders accept responsibility.

The statement concludes by establishing the “Church’s Mission” with regard to “curbing crime and reshaping the criminal justice system.” The bishops begin by

proclaiming “we respect the humanity and promote the human dignity of both victims and offenders. . . . We believe society must protect its citizens from violence and crime and hold accountable those who break the law. . . . Both victims and perpetrators of crime are children of God.” The bishops urge local parishes to “stand with victims and their families.” “Victims of crime and their families often turn to their local parishes for compassion and support.” As a result, “pastors and parish ministers must be prepared to respond quickly and effectively Our pastoral presence to victims must be compassionate and constant which includes developing victim ministry programs.” According to the statement “such programs will teach ministers to acknowledge the emotional strain felt by victims, to understand that the search for wholeness can take a very long time, and to encourage victims to redirect their anger from vengeance to true justice and real healing.”

The Catholic Campaign for Human Development (CCHD) has put aside \$1 million to help communities confront violence, comfort victims, and reintegrate offenders into society.^{ix}

Conclusion

The Catholic bishops of the United States propose a Christian approach to crime victims, and crime victims’ rights. They unanimously agree that the incidence of crime is too high, and that the nation’s criminal justice system is seriously flawed. They invite a “new dialogue on crime and corrections, justice and mercy, responsibility and treatment.” The bishops urge, as part of the “new dialogue,” that the nation’s 62 million Catholics, and those involved in the criminal justice system, recognize and meet the

physical, emotional, financial, and spiritual needs of crime victims. The bishops also strongly favor the emergence and proliferation of crime victim's rights groups, and support compensation and restitution to crime victims and their families. Amen.

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- i. P.J. KENNEDY, OFFICIAL CATHOLIC DIRECTORY (2000).
 2. BRIAN J. BENESTAD & FRANCIS J. BUTLER, QUEST FOR JUSTICE, A COMPENDIUM OF STATEMENTS OF THE UNITED STATES CATHOLIC BISHOPS ON POLITICAL AND SOCIAL ORDER 1966-1980 (1981). Visit the website for the U.S. bishops' Office of Domestic Policy at www.nccbusbb.org/sdwp.
 - iii. USCC, COMMITTEE ON SOCIAL DEVELOPMENT AND WORLD PEACE, COMMUNITY AND CRIME, (Feb. 15, 1978).
 - iv. *Id.*
 - v. The other initiatives included an effective response to the socioeconomic causes of crime; white-collar crime; handgun control; juvenile justice; community-based alternatives; sentencing policies; capitol punishment; electronic surveillance; and grand jury reforms.
 - vi. See, e.g., BISHOPS' COMMITTEE ON MARRIAGE AND FAMILY LIFE & BISHOPS' COMMITTEE ON WOMEN IN SOCIETY AND IN THE CHURCH, WHEN I CALL FOR HELP: A PASTORAL RESPONSE TO DOMESTIC VIOLENCE AGAINST WOMEN (1992); USCC, CONFRONTING A CULTURE OF VIOLENCE (1994); and BISHOPS' COMMITTEE ON MARRIAGE AND FAMILY LIFE & BISHOPS' COMMITTEE ON WOMEN IN SOCIETY AND IN THE CHURCH, WALK IN THE LIGHT: A PASTORAL RESPONSE TO CHILD SEXUAL ABUSE (1995).
 - vii. RESPONSIBILITY, REHABILITATION, AND RESTORATION: A CATHOLIC PERSPECTIVE ON CRIME AND CRIMINAL JUSTICE is available electronically at www.nccbusc.org/sdwp/criminal.htm. It may also be ordered by calling (800)

235-8722. Ask for publication No. 5-394 (English) or 5-846 (Spanish). The cost is \$2.95 per copy, plus shipping and handling.

viii. Patricia Levere, *Bishops Write on Criminal Justice*, NATIONAL CATHOLIC REPORTER (Nov. 2000).

ix. NCCB/USCC, *Bishops Challenge Criminal Justice System: Call for Responsibility, Rehabilitation, and Restoration*, COMMUNICATIONS (Nov. 15, 2000).