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TO CORRECTIONS IN THE UNITED STATES

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ABSTRACT

THE CONTRIBUTION OF THE AMERICAN CATHOLIC CHURCH

TO CORRECTIONS IN THE UNITED STATES

By

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The Roman Catholic dioceses of the United States contribute prison chaplains and certain other services to the incarcerated population. Organized programs exist in very few places. A major statement on criminal justice was issued by the United States Catholic Conference in 1973, and nine percent of the Bishops have spoken on the subject since Attica. Examples of fourteen creative programs are given, most of them in the northeast quadrant of the country. Examination by size of diocese, Catholic population, number of priests, and crime rate all revealed little significance. Reasons for the comparative neglect of the incarcerated seem to lie in the conservative bent of the Catholic immigrant experience, but the problem has been receiving growing attention. The coming of age of the American Church may result in its taking its responsibilities to the prisoner with increased seriousness and effectiveness.

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CHAPTER I

PHILOSOPHICAL AND HISTORICAL BACKGROUND

Philosophy

The philosophy of punishment of the Roman Catholic Church stands on two feet--the principle of retribution and that of rehabilitation. Of the two, the goal of rehabilitation is more immediate, more personal, more urgent, and more reachable. For these reasons we would expect to find the Catholic Church deeply committed to and involved in the problems of corrections and criminal rehabilitation.

We shall therefore begin by briefly reviewing the Catholic philosophy of punishment, the history of the Catholic attitude toward crime, punishment, and corrections, and the practices today in some countries with a predominantly Catholic culture.

Besides the Gospel mandate to "come to" the prisoner, the Church has a duty to guide and assist earthly society in its struggle toward its own perfection. Each person's tendency to see himself as the center and measure of all things must be constantly checked and re-directed. Those who would infringe upon the rights of others must be prevented; or if prevention fails, must be reprimanded, re-taught, and re-formed. The good order of society must be maintained, or, when disturbed, re-established; for only in a well-ordered society does every man have the fullest opportunity to become what

God intends him to be.

This idea of reestablishing a damaged order is essentially what the Church means by the term, "retribution." The common understanding of the term today is one of vengeance and heaped-up punishments that go on long after the claims of justice have been satisfied. Christian philosophy does not use the word in that way.

Retribution, in Christian terms, is the exact and just return of punishment for the exact amount of evil done and intended. Evil itself is defined as the deprivation or absence of the good, so that the evil of punishment should be equal to the exact amount of good of which a person has deprived himself or someone else. The problem with this, of course, is that man cannot make such exact measurements.

> It is only God who can assess the true moral quality of any human act, and that is why in its fullest sense retribution can belong only to the justice of God. . . . In this life, therefore, all punishment must be remedial rather than merely retributive. . . . [T]he aim must be the reform of the offender and his restoration in due course to a constructive share in the life of the community.[1]

It should be noted here that the Church does not quarrel with the other two factors sometimes given as the ends of imprisonment, deterrence of the potential criminal and public security. They are not considered here because they are not part of punishment, but are separate reasons for incarceration.

Early Christian Views

St. Augustine, Bishop of Hippo 354-430, was one of the first Christian thinkers to write on the subject of crime and punishment.

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[1] New Catholic Encyclopedia, 1967 ed., s.v. "Punishment," by I. Evans.

Coming out of the Greek and Roman tradition, he accepted Cicero's eight penalties for crime: damages, imprisonment, scourging, reparation, disgrace, exile, death and slavery. ("Damages" here means money repayment, while "reparation" means talio--an exact repayment in kind, an eye for an eye and a tooth for a tooth.) He refuted some reformers of his day who came up with the curious idea that the punishment should last no longer than it took to commit the crime, and he accepted the authority of the state to inflict capital punishment as a means to "public justice."[2]

The idea of "public justice," the good order of the state, is a paramount one in Catholic philosophy. Close consideration reveals that personal offenses against other individuals, even offenses against oneself (the so-called "victimless crimes") are seldom divorced from the common good. The Catholic Encyclopedia therefore defines punishment as "the action of society against one who has transgressed its laws and so has threatened the common good."[3]

Modern legal theorists continue to see the problem in this way.

> The essential object of criminal law is the preservation of order in the community, and only indirectly the punishment of any injury that may be done to an individual.[4]

The other two functions of punishment, deterrence and reform, were considered and touched upon by various Christian thinkers after

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[2]Augustine of Hippo, City of God, in Basic Writings of St. Augustine, ed. Whitney J. Oates, Vol. 2 (New York: Random House, 1948), p. 28.

[3]NCE, "Punishment."

[4]A. K. R. Kiralfy, Potter's Outline of English Legal History, 5th ed. (London: Sweet and Maxwell, Ltd., 1958), p. 153.

Augustine, and finally codified by St. Thomas Aquinas in the thirteenth century in his writings on human law.

> The punishments which human justice inflicts . . . are bodily and temporal. They are also remedies or medicines against future sins, in order that either they who are punished, or others, may be restrained from similar faults.[5]

The Catholic Encyclopedia amplifies this:

> Punishment may be expected, because of its very painfulness, to prevent a man from repeating his offense . . . Yet its aim must be the re-establishment of the order of justice that has been disturbed, not only in the community at large, but in the offender's own life as well. It is in reconciling the claims of retribution and deterrence on one hand, with those of rehabilitation and reform, on the other, that the ethical basis of punishment properly lies.[6]

The term, "rehabilitation" is, of course, a modern one, but the old idea of reform of life carried it sufficiently in earlier days. Society was simple enough once upon a time that moral reform alone provided the rehabilitation; today it must usually be accompanied by increased opportunities for education, employment, and whatever else will facilitate a new stance in the community.

Anglo-Saxon Law

Since the start of Christian times, persons have been imprisoned for varieties of reasons. There have been political prisoners, prisoners of war, religious prisoners, and criminal prisoners. A person captured in the Crusades might have belonged to all four categories.

Imprisonment is not, however, one of the forms of punishment

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[5] Thomas Aquinas, Summa Theologica, trans. by Fathers of the English Dominican Province, Vol. I (New York: Benziger Brothers, 1947), p. 979.

[6] NCE, "Punishment."

on which modern American law is based. Where the Romans recognized eight punishments for serious offenses, the more direct Anglo-Saxons recognized only three: outlawry, blood feud, and compensation. Outlawry was the result of a decision by the community, not by the offender. The community expelled the offender and put him literally outside all the laws, so that no legal protections applied to him any longer. He could be hunted and killed like an animal, and those who voluntarily offered him shelter or comfort might, at the community's pleasure, incur outlawry themselves.

The blood feud was a withdrawing of legal protection under specific circumstances. If A had killed, raped, or inflicted serious harm on a member of B's family, then B and his relatives could seek out A for revenge, but the rest of the community did not participate. A was entitled to the assistance of his own relatives or clan.

Compensation was subdivided into at least four kinds. There was wer, the payment of the money value of a man's life. This was a graduated amount predetermined by the chieftain and his counselors, and pegged to the man's rank in the community. Wite was a fine, usually for a less serious crime, paid to the chief or some other public authority. Bot was a general term including any kind of compensation. It was intended as an "emendation" for the wrong actually done, rather than an automatic response to a person's tribal standing. Finally there were pleas to the Crown, fines payable to the king for breaches of the "king's peace" at certain times and places.

The Christian Church apparently had little difficulty adjusting to this system. Bishops were members of the Witan, the king's inner

circle of advisors, and sat with the ealdermen as members of the hundred courts and shire courts.

The Church from the beginning favored the system of bot. This was the only one that called for judging each case separately on its own merits, and it had in England a parallel development with the sacramental notion of Penance. As the priest assigns the penitent some form of reparation specifically tailored to the nature and causes of the offense, so bot was matched to the seriousness and type of offense, the case in which the victim was left, and the ability of the offender to make restitution.

There are certain offenses beyond restitution. Life or virginity cannot be restored to the victim of murder or rape. Society has always felt that stern punishment is called for in these cases. The Anglo-Saxons classified them as "botleas" (we have a modern word, "bootless" meaning futile) and added arson, robbery, and serious theft. These could only be expiated by "afflictive" punishment, which meant loss of all goods up to and including life if the court so decided. A person who was sentenced, under this law, to loss of an arm was undergoing a mild punishment for which he was expected to be suitably grateful.

English Church Law

English Church law was recodified in 787. Possibly the most important law in the new canon, as far as criminal procedures was concerned, was the one forbidding a churchman to spill blood. This meant that for those tried in church courts, capital punishment had been abolished. Three types of punishment could be imposed:

excommunication (the church equivalent of outlawry, and very serious in its secular consequences), fines, and imprisonment.

Most serious offenses could be punished by any major authority, which in practice meant the Bishop, the earl, or the King. Citizens tended to drag a malefactor to the nearest authority. With the prohibition of bloodshed in the Church courts, however, the accused would attempt to be tried by the Bishop, knowing that whatever happened he would not be killed or mutilated, possibly not even flogged. His accusers, if sufficiently aroused, might try to avoid the Bishop's court and see to it that the offender lost at least a hand or an ear in the secular court. As the separate court systems developed, both were about equally used.

This was the arrangement found by William the First at the time of the Conquest. Under William and his Norman successors, the Church continued to influence legal developments, but the separate coexistence of two court systems was allowed to die out.

Limits of Criminal Liability

The alliance with the principle of bot was not the only contribution of the doctrine of penance. Penance demands contrition, or sorrow for sin, and a prerequisite of contrition is that one know and understand what one has done. The offense must be recognized as an offense, and the intention to do harm must be present. Recognizing the necessity of wrong intention, the laws in the reign of Henry I (1100-1135) held that infants and lunatics could not be held criminally liable. In the reign of Edward III (1327-1377) accident and self-defense were allowed as defenses to a charge of homicide.

> During the fourteenth and fifteenth centuries it was accepted in criminal, as distinct from civil, cases that the intent of a man was triable. A judge in the reign of Henry VII said that in trespass the intention of the defendant was not material, though it would have been in felony--"for instance, if an archer is shooting at the target and kills another it is not felony and it shall be accounted as if he had no intent to kill him."[7]

Jails and prisons figure in the very beginning of Christian history. St. John the Baptist was held in Herod's prison, and suffered capital punishment at the whim of Herod's dancing girl, during the lifetime of Christ. (Mark 6:17-29) St. Peter was let out of jail by an angel (Acts 12: 1-11) and St. Paul, who could have escaped when the jail in which he was confined fell apart in an earthquake, refused to go, partly so as not to get his guards in trouble, and partly because, as a Roman citizen, he was demanding, and got, vindication on his charges. (Acts 16: 25-40) In the early years of Christianity, Christians were frequently prisoners merely because they were Christians, and their fellow Christians ministered to their needs.

As Christianity emerged as the dominant force in Europe and the Mediterranean world, it found itself involved in a series of local and international religious wars, culminating in the Crusades. Many persons were made prisoners because of their religious beliefs, embodied in military activity. In the thirteenth century St. Peter Nolasco and St. Raymond of Pennafort founded the Order of Our Lady of Mercy for the Ransom of Captives, an order whose members took a vow to exchange themselves for Christian captives in Turkish lands,

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[7]Philip Schaff, History of the Christian Church, Vol. 5, The Middle Ages 1049-1294, by David S. Schaff (Grand Rapids: Erdmans Pub. Co., 1907), p. 158.

or serving as galley slaves in Turkish or North African ships.

Reformation Period

Religious unrest characterized the three centuries which followed the Crusades. The Protestant Reformation at the end of the period fragmented Christianity but led to the clear distinction between the powers of church and state. Even in countries with established churches, governments no longer behaved like theocracies. Legal offenses became separable from moral offenses. The age of the criminal prisoners whose crimes had neither political nor religious overtones had arrived.

Catholic philosophy now flowed in several channels. In England, the Roman Church was persecuted and forbidden to exist; under Elizabeth I the profession of Catholicism was equivalent to treason. But the differences between the old and the new religion were more liturgical and disciplinary than philosophical or, as theologians on both sides are now discovering, doctrinal. In France there was a deep undercurrent of Catholic philosophy overlaid with rationalism and the peculiar French brand of cynicism.

Spanish Catholic Countries

In the Spanish-speaking countries, continuing into the present time, both church and state are strongly authoritarian in principle; in reality governments dominate and the church supplies certain services. Correctional work is often among those services. In Central and South America penal institutions for women, and detentional facilities for juveniles are run by the church.

> The women criminals of Lima are housed in Santo Tomas, which is administered by the Third Order of St. Francis of Assisi, founded expressly to carry on penal work . . . The regime is described as "understanding and humane." Those who have babies are extended every facility for caring for them under wholesome and healthy conditions.[8]

A boys' school in Lima had been under the charge of laymen until 1931 when it was given to an order of Brothers.

> According to Senora de Park: "The Brothers have changed the reformatory to an almost unbelievable extent. The discipline is very strict, yet it is enforced almost entirely by a system of enlightened kindness combined with firmness. The percentage of reformed boys is very high."[9]

In Spain the adult prisons come under the attention of the Church. Spiritual rehabilitation, according to a phamphlet of the Spanish Ministry of Justice, is a primary goal. The booklet shows pictures of prisoners attending Mass (standing at military attention), singing in the choir, and being visited by the Bishop. It is difficult to say how much of this is voluntary and part of the ordinary fabric of prison life, and how much is staged for public relations purposes. But it does seem clear that the church is fairly active on the prison scene. The Society of Our Lady of Mercy, which functions both inside and outside the prisons, takes care of children, helps ex-offenders, arranges time cuts for artistic endeavors, and fosters spiritual development.

French Cultures

French cultures function somewhat the same way. Homes for delinquent girls in Quebec are funded by the government but staffed

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[8] Negley K. Teeters, Penology from Panama to Cape Horn (Philadelphia: University of Pennsylvania Press, 1946), p. 146.

[9] Ibid., p. 144.

by Sisters. In France, Le Patronage des Condamnés Adults et des Jeunes Librerés was founded as a kind of parole supervision under private auspices.

> Supervision is not imposed on those recently freed. Its purpose is to find work for them, and meanwhile to give them temporary housing, clothing and food.[10]

The Society formulated three rules: not to force anyone to accept their services; not to let him isolate himself, but to bring him back into the communal society from which life in a cell had separated him; and to encourage him to settle in a rural area or a small town, as big cities are "dangerous" for him.[11]

The American Situation

In the United States, there has been a general absence of church influence from the prison scene right from the beginning. The religion of the early Puritans in New England was harsh and bleak, and was reflected in their treatment of offenders. Corporal punishment, incarceration and death were the principal penalties. Corporal punishment took the form of whipping, dunking, maiming, and enclosure in the stocks. These were carried out in public, to accomplish the double purpose of punishment and deterrence. In the early prisons, those who could not pay for firewood or blankets simply went cold, sometimes freezing to death. Conditions were nearly as bad in the summer. The Reverend Charles Woodmason wrote of Charles Town prison in 1767:

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[10] J. Stevens, Le Patronage des Condamnés Adults et des Jeunes Liberés. (Bruelles: Societé Belge de Librairie, 1891), p. 20. My translation.

[11] Ibid.

> A person would be in a better Situation in the French King's Gallies,or the Prison of Turkey or Barbery, than in this dismal Place--which is a small House hir'd by the Provost Marshall containing 5 or 6 Rooms, about 12 feet square each and in one of these Rooms have 16 Debtors been crowded . . . They often have no Room to lye at length, but succeed each other to lye down--One was suffocated by the Heat of the Weather of this Summer--and when a Coffin was sent for the Corps, there was no room to admit it, till some Wretches lay down, and made their wretched Carcasses, a Table to lay the Coffin on . . .[12]

Things were no better in Phildalephia, the City of Brotherly Love. The first American penitentiary was the Walnut Street Jail, originally built to serve as a detention jail, but changed into a state prison for the segregation of convicted felons in 1790.

> There was no segregation of sex, age, or degree of criminality. Liquor was dispensed at a jail bar at inflated prices. Inmates slept on the floors of "night rooms" in indiscriminate fashion. Cruelty, apathy, and filth abounded.[13]

The Penal Code of 1790 changed the county jail to a state penitentiary, the first; it substituted labor for mere imprisonment, separated the sexes, as well as witnesses from convicts and both from debtors; and provided for solitary confinement for "hardened offenders."

It was a long time before conditions improved. There is no readily accessible record of church participation in the improvement. It was the Quakers who originated the idea of the penitentiary--the prison as a place to do penance. Meanwhile, the Catholic Church was struggling with its immigrant status, trying to teach its German, Polish and Italian constituents some English, trying to get them

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[12]Law Enforcement Assistance Administration, Two Hundred Years of American Criminal Justice, An LEAS Bicentennial Study (Washington: U. S. Department of Justice, 1976), p. 10.

[13]Harry Elmer Barnes and Negley K. Teeters, New Horizons in Criminology (New York: Prentice Hall, 1943), p. 391.

educated out of their poverty level in their own schools where their faith would not be attacked. The Irish immigrants did not suffer from the language problem, and used their advantage to move forward as fast as possible via politics, the Church, and the police force. This is developed below in Chapter 5.

A check of the literature on Catholic social justice will show that it is devoted almost entirely to the problems of the factory worker, the dock worker, the mill hand, the teamster. Specifically the problem of unionization is well covered. These were the problems of the people who paid the pew rent, and the Church went into them thoroughly. A French commentator has seen the problem:

> For several years it [American Catholicism] had serious internal difficulties. Of these the multiplicity of national groups and their progressive assimilation were the chief causes. Living more or less in ghettos, the Catholics were not always able to respond to problems posed on a national scale. Unfortunately, some deeply rooted racial prejudices also had their part in the situation.[14]

American Catholicism may be just now emerging from a long adolescence. The unquestioning obedience to authority, the concern with measuring up to expectations of superiors, the family quarrels and bickering combined with a strong front against all outsiders, are all things of childhood currently being reassessed. Some will disappear; some will continue to be observed, but for better reasons. When young adults feel the freedoms and responsibilities of maturity for the first time, some begin to contribute to the problems of society, others to their solutions. There is an analogous situation in the Catholic Church in the United States at the end of

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[14] Francois Houtart, Aspects Sociologiques du Catholicisme Americain (Paris: Les Editions Ouvrieres Economie et Humanisme, 1957), p. 106. My translation.

the 1970's. The problems are beginning to be felt; the solutions are beginning to be sought.

This paper hopes to contribute to the solution seeking.

CHAPTER II

NATURE AND SCOPE OF THE STUDY

This study will examine the participation of the American Catholic Church in the corrections process, looking separately at each diocese and collectively at groups of dioceses and the totality. It is expected that such participation is at present small but growing.

Definitions

The terms of the statement are defined as follows:

Participation means the active and official acceptance of responsibility. Although we shall allude to the numbers of priests, Sisters, and other church personnel who engage in the prison apostolate by reason of personal choice, the reference to them will be mainly by way of contrast. They do not constitute the official "sending" of the church; some of them work without sanction and some are even under the shadow of official disapproval. In the same way, although we will take notice of official statements by Bishops and state Catholic conferences, and recognize the value of the support such statements provide, words are not to be confused with deeds. Active participation presupposes that someone is doing something: serving as a chaplain, running a halfway house, counseling families of offenders, supervising juveniles. It also presupposes that the

person engaged in the activity has been duly appointed to do so by the Bishop of the diocese.

Catholic Church means the Roman Catholic Church of the Roman Rite as constituted within the fifty states. It does not include dioceses of Melkite or other non-Roman rites. (There are only seven of these dioceses, and they are quite small, with a combined population of 591,330. They all exist within the geographical limits of Roman Rite dioceses.) Nor does the definition include territorial dioceses such as Puerto Rico. The Military Ordinariate is also excluded. (The Catholic Directory for 1976 estimates the number of Catholic military personnel, including families, at about 1,900,000. It is impractical to try to deal with this group, because it is a fluid group and a considerable part of it is always outside the borders of the United States. The military has its own system for dealing with those who break its internal laws, and for interaction with local authorities when local laws are broken. Reserve chaplains not on active duty will, of course, be accounted for in their usual positions within their own dioceses.) It should also be noted that many Catholic lay persons are engaged to different degrees in this apostolate. Their efforts are worthy of another whole study. Individual or diffused efforts will probably not appear here. Those that are coordinated with official tasks will be accounted for, though the presence of lay persons among the workers may or may not be.

Corrections refers to state and federal prisons, county jails, correctional centers, and juvenile institutions. It also covers extended facilities such as halfway houses, parole and probation.

A person is considered to be engaged in correctional work if he or she is counseling families, providing legal services, or taking part in an advocacy, employment, or bail bonding program. The definition, therefore, does not stop inside prison walls but extends to all facets of dealing with offenders, former offenders, and their families.

Diocese means a geographical and administrative subdivision of the Catholic Church, under a Bishop. The terms "diocese" and "Bishop" as used here also include the terms "Archdiocese" and "Archbishop." The term "archdiocese" indicates a standing of importance; most of them are or were at the time of their erection into archdioceses, major population centers. Some, such as Santa Fe, were historically significant in the growth of the American Church. Others, like Anchorage, are chosen for geographical location. Twelve dioceses (Boise, Burlington, Charleston, Cheyenne, Honolulu, Little Rock, Manchester, Portland in Maine, Providence, Reno-Las Vegas, Salt Lake City, and Wheeling-Charleston) cover an entire state. Dioceses do not cross state lines, with the following exceptions:

El Paso--ten counties in Texas, and seven counties in New Mexico

Washington--the District of Columbia and five counties in Maryland

Norwich--four counties in Connecticut and part of one county in New York

Gallup--seven counties in New Mexico and three counties in Arizona with parts of others in both states

At the beginning of this study, there were 158 archdioceses

and dioceses in the United States. While the study was in progress, two new ones were set up--Biloxi, Mississippi and Orange, California. Figures were not available on these dioceses, and they have mostly been considered under their parent dioceses--Natchez-Jackson and Los Angeles. Until the erection of Biloxi, Natchez-Jackson covered the entire state of Mississippi.

Instruments

Questionnaires were sent out to each of the 158 dioceses. Each questionnaire contained the following six questions designed to measure the extent of diocesan participation in correctional ministry.

1. Does your diocese maintain an office of Correctional Services or anything comparable?

2. How many priests in your diocese are assigned to jail or prison ministry?

3. Are any Sisters in your diocese officially assigned (by Bishop) to jail or prison ministry?

4. Are any Brothers, lay deacons, or seminarians officially assigned to jail or prison ministry?

5. Are any priests, Sisters, Brothers, lay deacons, or seminarians involved in jail or prison ministry without official assignment but with diocesan approval?

6. Has your diocese ever issued a pastoral letter on criminal justice or prisons, or included these subjects as major topics in a letter?

Several respondents found fault with one term in the questionnaire, pointing out that a deacon is an ordained minister, and there is no such thing as a lay deacon. Pursuant to this correction, the term "permanent deacon" is used hereafter in this paper. There was never any definition of the term "ministry," but it was correctly taken to mean the act of bringing the strengthening and consolatory

functions of the Church to the incarcerated population, both in the form of Sacrament and in the form of human assistance.

The questionnaire was accompanied by a letter of endorsement from the United States Catholic Conference, which is the executive arm of the American Bishops acting as a group. The inclusion of this letter accounts for the 97% return rate. Only five dioceses--Allentown, Beaumont, Gallup, Scranton, and Wichita--failed to respond.

Procedure

The procedure is a simple survey type--a mere counting of answers and totaling of results. Patterns are sought on the basis of totals. No mathematics more complicated than percentages is involved. This is not a sampling; the entire population is included in the survey. There is no replication nor attempt to match any previous literature. It seems entirely safe to say that no such study has ever been done before. If it has, it does not appear in the libraries of Catholic University, the University of Notre Dame, or the Center for Applied Research in the Apostolate, and it is unknown to the staff at the United States Catholic Conference.

While some philosophical and historical bases for the study have been set forth in the previous chapter, the study itself is limited to such activities as are actually occurring at present. In order for these activities to have appeared on the survey it was also necessary that they be known about at diocesan headquarters and be considered important enough for inclusion by whoever filled in the questionnaire. This last consideration is important because

respondents were asked to list activities that were proceeding in their diocese, not necessarily under episcopal assignment, but at least with passive approval. There is reason to think, as will be seen later, that many worthwhile activities have escaped official notice.

There will necessarily be some focus on the dioceses where more is happening, judged by the return. If nothing at all is happening in a diocese, no further statement about that diocese can be made. A small number of dioceses seem to be leading in correctional awareness, and they may possibly serve as models to the others. Therefore, the study will be comprehensive in extension, providing at least some information for every diocese in the country (except Orange, and, in some items, Biloxi). But it will also be somewhat narrowly indicative in intention, with extra concentration on a few places.

Reasons for the Study

There are five main reasons for pursuing a study such as this. First, the Catholic Church has a mandate to minister to the prisoner in the words of Jesus Christ as recorded in the Gospel of St. Matthew: "I was hungry and you gave me to eat; I was thirsty and you gave me to drink; I was a stranger and you took me in; naked and you covered me; sick and you visited me; I was in prison and you came to me . . . as long as you did it for one of these, the least of my brethren, you did it for me." (Matt. 25: 35-40) The Catholic Church has covered the United States with hospitals for the sick. Its charities dispense thousands of tons of food and drink each year.

Persons all over the world are wearing clothes collected at its annual Thanksgiving clothing drive. Shelters for the stranger, in this country, it mostly leaves to other authorities. The cry of the prisoner it sometimes seems scarcely to have heard at all.

But there is a trend in the Church today toward grappling with social justice problems, and that is the second reason for looking at correctional ministry at this time. Perhaps it is an apostolate whose time has come. Perhaps if the church authorities were to be made aware of the dimensions of the problem, change in the direction of increased participation would accelerate.

Third, this problem is taking on importance in the context of the modern Church. Even while changes develop, and partly because of their development, the Church faces a continuing crisis of credibility both internal and external. At the same time, the American citizen today places the crime problem high on his list of anxieties; in a recent survey of the city of Flint, crime was listed as a major problem in 22 of 38 neighborhoods.[1] The sight of the Church exercising its office of charity while reducing the threat to society by re-directing the offender toward more acceptable life styles should help to reduce the credibility problem.

Fourth, such a study ought to be useful for finding out whether trends exist, and if so, what they are. Decisions can be made whether to encourage present trends or to try to halt, deflect, or re-route them. If no trends exist, at least a few leaders can be discerned, and the more valuable parts of their example can be

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[1]Systems Development Institute, The Flint Process (published as a supplement to the Flint Journal, 20 November 1978), passim.

identified for admiration, consideration, and possibly eventual imitation.

Fifth, there will be at least the pragmatic usefulness of having something to present to the United States Catholic Conference. It is likely that the Bishops will reach conclusions of their own, quite aside from any conclusions reached in this study. But they will need data on which to base any conclusions, so that the final value of the study lies in the mere collection and presentation of data. It is also expected that this study will have some usefulness as a basis for future investigations of the Church's role. The question of whether or not the Church is fulfilling the mandate of Christ seems to be too important to be left to guesswork.

Expectations

The study begins with six main expectations:

1. That chaplaincies will be provided in most major prisons. This has been the pattern of historical involvement (to the limited extent to which that pattern can be known), and will probably be the most significant continuing activity. By "major prisons" is meant Federal prisons and large correctional centers, and state prisons where the percentage of Catholics in the state population is 15% or more.

2. That there will be fewer organized efforts beyond the above provision.

   By "organized" is meant the persons engaged in the effort will have been assigned by the Bishop, and that the

activity will be at least partially diocesan-financed. By "few" is meant that when the ten leading dioceses are subtracted, these efforts will average less than one per diocese.

3. That much will be left to individual initiative.
   This means that priests will have an option to serve or not serve as chaplains to institutions which fall within their parishes, such as county jails; that diocesan organizations such as Social Justice offices will be free to take up or leave alone the problems of correctional ministry; that there will be at least as many persons engaging voluntarily in this work as by assignment; and that other indications of individual choice and initiative will probably arise.
4. That Bishops will give little leadership in this field.
   This means that there will be few dioceses where the Bishops have issued statements or letters on criminal justice topics; that state Catholic Conferences will usually not deal with such topics; that a minority of dioceses will have offices through which such matters are handled.
5. That there will be variations in response by:
   a. North-South locations.
   Since the Catholic population of the country is much more heavily settled in the north, northern dioceses should have larger Catholic percentages among the offender population, and should therefore give more attention to the problem.

b. City-rural locations.

With certain regional exceptions, Catholics also tend to cluster in the cities rather than settle in rural areas. Also, of course, crime rates tend to follow population densities. Therefore it would be expected that heavily populated centers would have both more Catholics and more crime (which does not necessarily imply that the Catholics are the criminals) and therefore would have a more thorough response to a more urgent problem.

c. Size of diocese.

This can be taken to mean one of three things. "Size" can refer to (a) the total population, (b) the Catholic population, or (c) the number of square miles covered by the diocese. Thus, the archdiocese of Atlanta is large by the first definition but not by the second; Chicago is large by the first two but comparatively small by the third; Fairbanks is small by either of the first two and a super-giant by the third. We will work with all three, but especially expect that ministries will be more frequent where the Catholic population is higher. Since the "large" dioceses by the third definition will be rural, we will have lower expectations of ministry for them.

d. Catholic percentage of population.

This has already been partially discussed. It remains to be said that where the Catholic population is high, in a rural area, it will probably be indistinguishable from a rural area with a low Catholic population. The element of

rural-ness will operate to keep the crime rate low. In cities, Catholic education has historically operated to funnel its graduates into respectable, conservative middle class employment and out of the criminal stream. Therefore there has been no demand among the Catholic population for correctional ministry. Today, however, Catholics in the crime-prone age bracket of 18-25 have spent all their school years in a time of somewhat disruptive transition in the Church, during and following upon the Second Vatican Council, 1962-65, and the old influences no longer have the same effect. Definite findings cannot be made until a study is done on Catholic percentages of incarcerated populations, but it is likely that these have increased (to a degree unknown and not even susceptible to estimation), that a slightly increased pressure has been felt in the cities for correctional ministry, and that there has been some response.

e. Ratio of priests.

Since the largest burden of ministry falls on the ordained priest, and since numbers of priests have been declining in relation to the rest of the population, the ratio of priests to the general population, the Catholic population, and the square miles of the diocese must be considered. It is expected that the <u>numbers</u> of priests will be high where the Catholic population is high, but the <u>ratio</u> of priests to Catholics will possibly be higher where the numbers of Catholics are low and the miles are many,

simply because one man can only stretch so many miles. (This need not apply in a diocese like Fairbanks, where much of the area is totally unpopulated.)

f. Crime rate.

Crime figures are available only for major population centers, so some rural dioceses are likely to be left out altogether. It is expected that jail ministries, halfway houses, and family counseling will be highest in population centers, but that prison chaplaincies will not correlate with high crime rate areas since most large prisons are away from densely populated areas. It should also be noted that crime rate figures, unlike dioceses, do cross state lines, which may cause some confusion.

6. That persons other than priests will have greater unofficial than official involvement.

Bishops are not yet accustomed to assigning personnel other than priests, such as Brothers and Sisters, nor are these persons accustomed to seeking employment from the Bishop. The practice is growing, however, and a check a few years from now may reveal many more non-ordained religious and even lay persons functioning as diocesan staff. For the present it is expected that most of these persons will still be operating either through works of a religious community or in semi-autonomous positions.

We proceed now to account for the answers to the questionnaire.

CHAPTER III

SUMMARY OF DATA

One hundred fifty-eight questionnaires were mailed, one to each diocese in the United States (throughout the rest of this paper, "archdiocese" may be understood to be included in the term "diocese"). One hundred fifty-three were returned, for a return rate of 97%. The five dioceses not reporting are Allentown, Beaumont, Gallup, Scranton, and Wichita.

One hundred thirty-seven questionnaires were fully completed. Austin, Cheyenne, Cleveland and Columbus sent incomplete replies. Miami and Santa Rose sent letters instead of returning the questionnaire.

Orlando, Salina, and Steubenville simply checked "No" to every question. Seven dioceses--Baker, Charlotte, Dodge City, Fargo, Grand Island, Kalamazoo and Norwich--also replied "No" to every question, but included explanatory notes. A subtraction of the five dioceses not reporting, the six incomplete returns, and the ten totally negative answers, leaves 137 dioceses which supplied most of the data on which this report is based. The incomplete responses, however, were used where they applied.

Diocesan Offices

Forty-five dioceses reported having some kind of office to deal with Correctional Services. Sixteen of these used the word "Ministry", "Apostolate" or a similar term (Jail Ministry, Prison Ministry, Pastoral Care, Prison Apostolate, Ministry to Sick and Imprisoned, Ministry for Peace and Justice) in the title of the office, suggesting a client-centered approach. Six others had titles indicating concentration on the chaplains (Institutional Chaplaincy Services, Office of Chaplains, Priests' Personnel Board). Others were incorporated into larger units, such as the Office of Catholic Charities, Social Concerns Department, or Commission on Human Rights. Two dioceses, El Paso and Hartford, said that correctional services are provided through several different offices. Fort Wayne-South Bend reported that its office has no title, and Baton Rouge did not supply the title.

Even when disclaiming an office, several dioceses reported the existence of some kind of correctional service. All 45 offices indicated chaplaincy services, but chaplaincy services were reported by a total of 131 dioceses with or without offices. Prison visiting is provided by 40 dioceses, counseling of offenders' families by 31, advocacy services by 28, halfway houses by 9, legal services by 8, and bail bonding by 4.

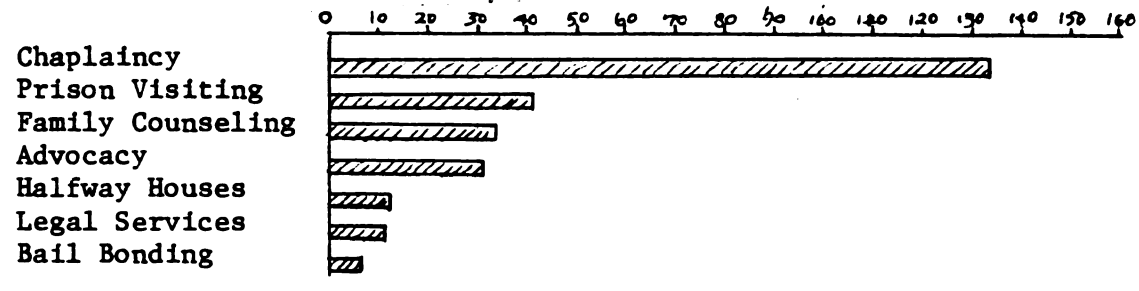

Figure 1. Number of Dioceses Offering Specific Services

Kinds of Programs

In addition, 53 dioceses, or 33%, reported at least one kind of special program, with 16 reporting more than one. Davenport concentrates on housing, with hospitality to families visiting prison, housing for ex-offenders, and group homes for juveniles. Brooklyn runs a thrift shop to raise money for prison ministry, and a flower shop for job training opportunities. Gaylord, Grand Rapids, New York, St. Paul-Minneapolis, and Washington have ex-offender programs pitched to the size and need of the diocese. Education on criminal justice problems is provided in Des Moines, Grand Rapids, Kansas City in Kansas, Lafayette in Louisiana, Oakland, Raleigh, and Toledo.

Chaplaincies

Chaplaincies are by far the strongest programs. Fulltime chaplaincies were reported by 86 dioceses, or 54%. Ninety-two dioceses (58%) reported parttime chaplaincies. The attempt to pinpoint the number of priests involved in these duties runs into a probable overlap. The figure of 174 fulltime chaplains is slightly higher than the 163 institutions reported to have fulltime chaplains. It is very unlikely that eleven institutions would have two fulltime Catholic chaplains, though a smaller number may. It is more likely that a priest who works fulltime as a chaplain may not spend all his time at the same institution. If he serves more than one, it is probable that he is being counted more than once.

In counting the number of priests in parttime ministry, the problem is compounded. Many parttime chaplains serve more than one institution, and some institutions are served on a parttime basis

by more than one priest. Some dioceses rotate the service at the local facilities, and count all those who take a turn as parttime chaplains, though only one is functioning at a given time. Thirteen dioceses gave totals without specifying the type of institution served, so that they do not count at all in the institutional totals.

With these discrepancies in mind, it is still possible to obtain a rough estimate of the chaplaincy figure. Included in the 174 fulltime chaplains, the dioceses report 31 in federal institutions, 70 in state adult facilities, 24 in state juvenile facilities, 30 in county jails, and 8 in county juvenile facilities. Read this way, the total is 163. This is about .003 of the number of priests (active and inactive) in the country.

In parttime ministry, the dioceses report 3 priests in federal institutions, 80 in state adult facilities, 33 in state juvenile facilities, 249 in county and city jail ministry, and 22 in county juvenile facilities. This brings the total to 441, or about .007 of the total number of priests. Approximately one percent of the priests in the United States are engaged in correctional ministry either fulltime or parttime.

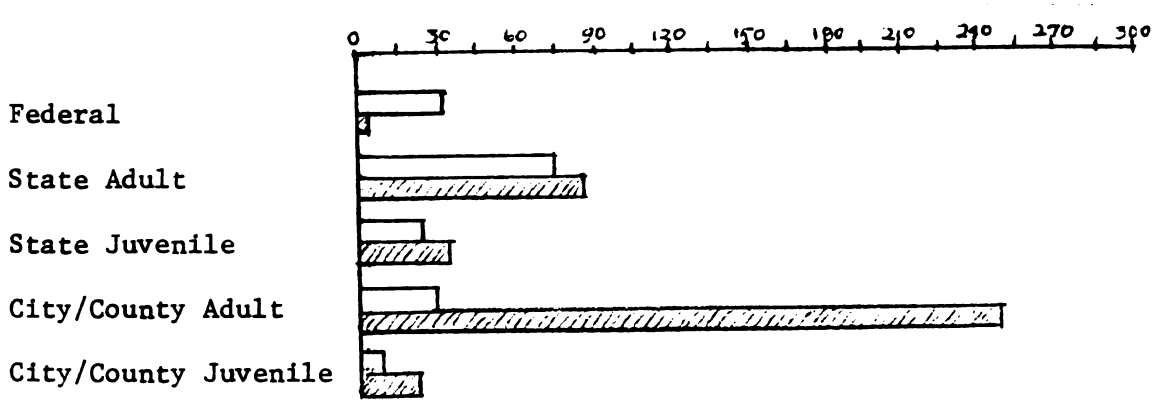

Figure 2. Numbers of Institutions Served by Chaplains

Fulltime = ▭ Parttime = ▨

These may be augmented by an unknown number of priests who take duties upon themselves. Thirteen dioceses[1] indicated that local facilities (city and county jails) are served by the parishes in which they are located if the parish priests have the time and inclination to do so. El Paso termed it a "pastoral option." Sister Evelyn Mattern, filling out the questionnaire for Raleigh, notes: "We have numerous state and local facilities to which local pastors are assigned as part of their pastorate. Some get involved, some don't." This seems a more realistic assessment than the note from Harrisburg: "The Pastor of the parish in which the county jail is located is responsible for chaplaincy services at the jail, without need of special diocesan assignment," or the assumption made in Sacramento, "Twenty county jails served from parishes of county seats." Whatever the interest of local pastors in serving county facilities, there must be in these 13 dioceses, and in others, some priests whose dedication is going uncounted in this survey.

Ten dioceses[2] listed parttime participation only, with no one assigned fulltime. Nine[3] listed optional participation only, with no one officially assigned. Of these nine, all but Crookston and Juenau contain population centers large enough to be listed in the Uniform Crime Reports.

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[1]Amarillo, El Paso, Erie, Fargo, Grand Island, Harrisburg, Kalamazoo, Miami, Norwich, Raleigh, Sacramento, Santa Rosa, Winona.

[2]Biloxi, Bismark, Camden, Fairbanks, Grand Island, Honolulu, Lincoln, Little Rock, Madison and Owensboro.

[3]Alexandria-Shreveport, Brownsville, Burlington, Crookston, Duluth, Juneau, St. Petersburg, Winona, and Yakima.

Non-Priest Personnel

Other Church personnel besides priests can share the burden of prison ministry. Dioceses were asked whether any Sisters, Brothers, permanent deacons, or seminarians were officially assigned by the Bishop of the dioceses to this work. Detroit reported 10 Sisters, Brooklyn and Seattle each 3, New York and Wheeling-Charleston each 2. Seven dioceses (Kansas City in Kansas, La Crosse, Memphis, Providence, Raleigh, Richmond and Trenton) reported one each. Oakland has a Sister on parttime assignment. Spokane reported "a couple who work informally" but put this answer on the assignment question, not on the question about optional involvement. Los Angeles reported "Catholic Big Sisters--5." Mobile has a Sister as chairman of the State Prison Visitation Program for the diocese, but noted that she was "not officially assigned."

Reno-Las Vegas called attention to the fact that the "Sisters of the Good Shepherd operate a rehabilitation program for young girls. Some are committed to their care by court assignment, others come via private placement or through Nevada Catholic Welfare Bureau. There are seven Sisters engaged in this work." (According to the Catholic Directory, the Sisters of the Good Shepherd, who have rehabilitation of female offenders as their special apostolate, have 42 institutions in 36 dioceses. It is significant that only one diocese mentioned their presence.)

At best, then, 17 dioceses, or 10.6% of the total acknowledge the presence of Sisters officially engaged in prison ministry.

Eight dioceses, 5% of the total, have Brothers assigned, with 6 in Philadelphia, 2 each in Detroit and Los Angeles, and one each

in Brooklyn, Memphis, New York, Omaha, and Wheeling-Charleston. The same number employ seminarians, with 4 each in Detroit and Providence, 3 in Los Angeles, 2 in St. Louis, and one each in Chicago, Dallas, Richmond, and Savannah. Mobile employs a seminarian in prison ministry in the summer.

The permanent deacon program throughout the United States is largely an outgrowth of Vatican II. It consists in educating and ordaining as deacons men who wish to serve the Church in a helping and subordinate capacity from within the limits of their temporal obligations. Most of them remain at whatever occupation they were previously engaged in; many are older men, and most are married. Their services enable the mission of the Church to be extended beyond the limits of what the priests can reach, and their participation in prison ministry clearly illustrates this. Their services are employed in 27 dioceses, or 17% of the total. El Paso employs 15. Thirteen dioceses use more than one but less than 15 permanent deacons in prison ministry, and the same number use one.

Altogether 41 dioceses (26% of the total) employ Sisters, Brothers, seminarians or permanent deacons to extend the services of their prison ministry. Between 26 and 33 Sisters are engaged in official ministry in 15 (9.4%), 16 (10%) or 17 (10.7%) dioceses, depending upon how the responses of Los Angeles and Spokane are interpreted. Fifteen Brothers work in official ministry in 8 dioceses (5% of the total) and 17 seminarians work in 8 dioceses (5%). And 67 permanent deacons work in 27 dioceses (17%). Only Detroit can be said for certain to make use of the services of all four groups. Los Angeles uses Brothers, deacons, seminarians, and possibly Sisters.

Memphis uses Sisters, Brothers and deacons; Providence uses Sisters, Brothers and seminarians.

Where a diocese employs only one group to assist the ministry of its priests, deacons are used at least five times as often as any other group.

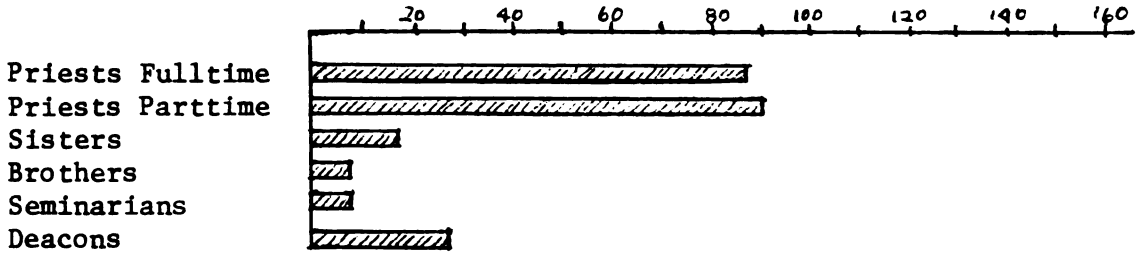

Figure 3. Number of Dioceses Employing Various Types of Personnel

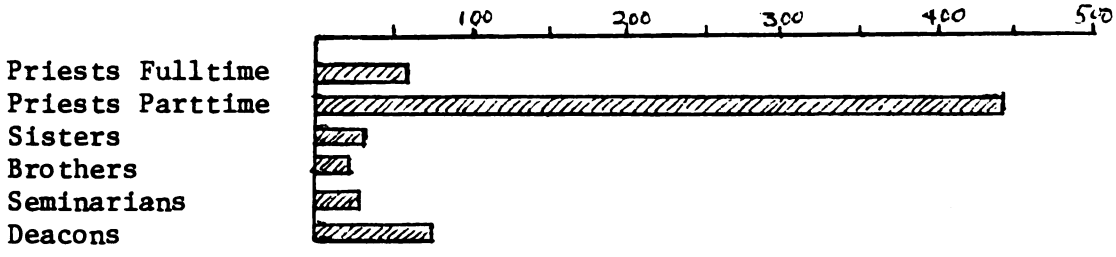

Figure 4. Number of Persons Officially Employed by Diocese in Criminal Justice Ministry

Workers Not Officially Assigned

Thirty-six dioceses supplied names and addresses of groups or individuals who were working in correctional ministry but not officially assigned. Seven of these groups were included at least informally in the diocesan structure (Office for Peace and Justice, Office of Social Concerns, Campaign for Human Development). Two ecumenical groups, the Council of Churches, and Churches United were each cited once. One diocese mentioned a specific religious order, one said the Bishop himself leads an informal coalition, and one mentioned a group of Sisters who teach college subjects in correctional

institutions. Six dioceses sent addresses of individuals without identifying their work. Seven dioceses cited their state Catholic Conference. The names of four organizations (Dismas House, Catholic Worker House, St. Vincent de Paul, and Cursillo) made clear their Catholic affiliation. One mentioned the chaplain to the city police department. The remainder of the groups cited could not be identified as Catholic, ecumenical, or secular.

The Statements

Twenty-seven dioceses reported that a diocesan statement had been published on the subject of criminal justice, and many of them sent copies. These documents have all been published in the 70's, since the Attica uprising in September 1971. Fittingly, the very first one came from the Diocese of Rochester, New York, in which Attica is located. It was co-authored by the Catholic and Episcopal Bishops, and was in print even before the inmates' demands had been accepted. It does not attempt to sidestep the responsibility of the Church:

> It took a tragedy to force us to speak. How stiffnecked and hard of heart we have become. When a tragedy like Attica is required to alert us to the inhumane conditions in our society, the Church is indeed asleep. Must it always be shock and horror which awaken us to the respect for human dignity that God in Christ calls us to affirm?
>
> We have been too busy about other matters--too busy to speak up again and again with the voice of Christ, insisting on the basic respect for all men that must be the bedrock of a human system of justice. Ideally, our institutions are to be responsive to all segments of our society, but in reality this is not the case. Too often our institutions, our laws, our commitments have been to protect the comfort of those who are already comfortable at the expense of the poor and oppressed among us.
>
> . . . The lack of money has been given as the primary reason for delaying reform. Must we always save money at the

> expense of those who are least able to have their needs heard and their humanity valued?[4]

About a year later, Bishop John R. Quinn of Oklahoma City and Tulsa (now Archbishop of San Francisco) issued a pastoral letter on penal reform.

> When a criminal has been convicted and sentenced to prison, our work as followers of Jesus is not done. Jesus demands that we love that prisoner. Even though he may still hate us and try to harm us . . .
>
> It is clearly, then, part of our calling as followers of Jesus to be concerned for men and women in our prisons. This, of course, makes it necessary for us to take an interest in and make some contribution toward prison reform.
>
> . . . It would be sheer lunacy to imagine that society has been improved if a prisoner emerges from confinement not a better and more positive person, but a more determined and hardened criminal . . . How can we call ourselves believers in the Gospel of Jesus and be indifferent to the progressive disintegration of other human beings?[5]

In the spring of 1973 the Social Ministry Commission of the Diocese of Richmond published an extensive document on penal reform which opened with the startling sentence, "In some very real ways, Christianity is a prison religion."[6] Stating that the "view of man as changeable . . . gives us hope,"[7] the Virginia Commission very quickly found the heart of the problem.

> We cannot afford to let prison reform become a means by which one group criticizes and condemns another. Therefore, we call upon a concerned public to face up to its responsibility

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[4]Robert J. Spears, Jr., and Joseph L. Hogan, A Joint Pastoral Letter from the Episcopal Bishop of Rochester and the Roman Catholic Bishop of Rochester (Rochester, N. Y., 16 Sept. 1971), p. 2.

[5]John R. Quinn, Penal Reform: A Pastoral Letter (Tulsa, Okla.: 21 October, 1972), pp. 4-5.

[6]Social Ministry Commission, Catholic Diocese of Richmond, Penal Reform in Virginia (Richmond, Va., April, 1973), p. 1.

[7]Ibid., p. 3.

> to support meaningful legislation in the field of penal reform.[8]

The document has three sections: Recommended Action by the Church, Basic Rights of Prisoners, and Recommended Penal Reforms. The significance of the order in which topics appear is explained at the beginning of Part I:

> As a Church group, we are strongly aware that the Church cannot speak with credibility about any form of social injustice unless the Church itself takes the action within its power to correct that injustice.[9]

The document suggests seven actions to be taken within the Church: preaching, informing selves on situations (for educators and ministerial workers), programs of education (for congregations), re-commitment of personnel, use of church facilities for alternatives to incarceration, employment of qualified ex-offenders, setting up funds for bail payments. It offers nine recommendations to the state department of corrections, recommendations which show a thorough research and realistic understanding of the penal situation. It bases a hope for change on the fact that

> . . . the more recent philosophical changes in penology, with their emphasis on correction and rehabilitation, are more in line with Christian concepts of forgiveness, conversion and compassion, and are more consistent with an underlying respect for the basic human dignity of each person.[10]

The definitive document was issued in November 1973. This was The Reform of Correctional Institutions in the 70's: A Formal Statement of the United States Catholic Conference. Almost all documents

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[8] Ibid.

[9] Ibid., p. 6.

[10] Ibid., p. 11.

subsequently issued have been based on this one.

The United States Catholic Conference is the assembly of all Roman Catholic Bishops meeting together and acting as a unit. They, too were shaken by what occurred at Attica, and after two years' research and preparation, they spoke. Since this document is the one on which almost all later Church pronouncements on criminal justice in this country are based, it needs to be looked at in some detail.

Admitting that "it is timely and urgent that we express ourselves on the moral problems involved in sentencing and incarcerating violators of the law,"[11] the Bishops begin by expressing their concern. They connect the problem directly to man's relationship with God.

> Crime and punishment are pre-eminently moral issues. Much of the amorality in society today arises from contemporary man's neglect or refusal to place his affairs ultimately in God's hands. In attempting to take control away from God one begins the process of losing control over himself. The immorality of crime results from disregard of the love and worship owed to God; from lack of consideration and esteem for one's neighbor; and from failures in self-knowledge and self-discipline.[12]

The Bishops interpret the Gospel of St. Matthew to suggest that "it is necessary that we not only visit individuals confined in prison, but 'visit' the correctional system itself."[13] They know whom they will find there.

> . . . despite well-publicized exceptions, prisons are largely filled with the poor, the disadvantaged minorities, and the

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[11] The Reform of Correctional Institutions in the 70's: A Formal Statement of the United States Catholic Conference (Washington, D.C.: November, 1973), p. 4.

[12] Ibid.

[13] Ibid., p. 5.

> "losers" of our society. We need to examine whether we may not have a "poor man's" system of criminal justice. Often the petty thief--the shoplifter or the pickpocket--goes to jail while the clever embezzler, the glib swindler, the powerful racketeer, the polished profiteer may only undergo the litigation of the civil courts. In the case of the open "vices" prohibited by law, the "town drunk" is sentenced by a judge while the "country club alcoholic" is treated by a physician. We insist that punishment, in order to fulfill its proper purpose, must fit the nature of the crime; it must be tempered by mercy and constantly aimed at reconciliation.[14]

They urge that alternatives to incarceration be sought, but meanwhile incarceration is a fact to be dealt with. At least society should be clear about what incarceration is expected to achieve.

> Is a correctional institution an instrument of punishment whereby a criminal "does time" in expiation for his misdeeds? Is it a place of custody where a dangerous citizen is detained in order to protect and restore order in society? Is it a means of retribution designed to deter the criminal himself and/or the populace at large from engaging in unlawful behavior? Is a correctional institution ultimately a place for rehabilitation in which a criminal is re-educated or reconciled to a lawful way of life? We feel it is, or ought to be, a composite of all of these, but that pre-eminently it is a place for rehabilitation.[15]

Pointing out that if institutions do not at least try to rehabilitate they will do far more harm than good, the Bishops take a position against indeterminate sentencing, by which "a criminal's confinement time can be unjustly and inhumanly extended beyond any reasonable criterion of retribution for his offense."[16] They warn against attempts to impose rehabilitation, which is valuable only if freely offered and freely accepted. They do not place all the

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[14] Ibid., pp. 4-5.

[15] Ibid., p. 7.

[16] Ibid.

responsibility on the institution.

> Although we speak in the defense of rights of prisoners, we are not unaware of their responsibilities and obligations. They should obey reasonable regulations, serve the just sentences imposed, respect the staff and other residents of the institution, and cooperate in the process of rehabilitation.[17]

Arguing that institutions have failed to rehabilitate, the Bishops find two main reasons for this. The first is the distance at which most prisons are located from urban centers, making human contacts difficult to maintain. The second is the subordination of rehabilitative staff to custodial staff, both on organization charts and in the matter of budget. But these two main reasons are not the only ones.

> Add to all of this in some cases such positive injustices as minimal opportunities for academic or vocational training, unsatisfying work experience with pay that is frequently demeaning, sexual assaults, inadequate diet, meager bathing and recreational facilities, insufficient psychological and medical care, fear, loneliness and shame, plus the all-too-common outrage of associating youthful first offenders with hardened criminals, and the result can be the very reverse of an institution of rehabilitation.[18]

The principle of deterrence is simply rejected.

> Abuses cannot be justified on the basis of their effectiveness as deterrents to crime. The disturbing statistics of recidivism demonstrate that our correctional institutions have little deterrent effect. It is necessary in any case to raise serious moral objections to tormenting one man unjustly in order to instruct or caution another.[19]

The Bishops therefore make a series of recommendations. These are given below in brief form. Every recommendation except numbers 8, 18 and 20 have amplifying paragraphs in the original document.

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[17] Ibid., p. 8.

[18] Ibid., pp. 9-10.

[19] Ibid., p. 10.

1. Correctional institutions whose residents come mainly from urban centers should usually be located near these centers.
2. Staffs should be recruited on the basis of ability, training, and experience without reference to partisan politics . . . Salaries should be competitive with those paid persons engaged in education and training activities in the private sector.
3. . . . [C]areful consideration to the varying needs of men and women is important.
4. Discrimination because of race, religion, or national or ethnic background is never tolerable.
5. Free exercise of religion should be guaranteed in every institution.
6. All residents should be given the regulations of the institution in writing.
7. Residents should never be authorized to punish one another.
8. All residents should be afforded protection against all assaults, sexual or otherwise, even if this requires a transfer.
9. At least elementary and secondary education and vocational training that is truly useful in free society should be provided.
10. The work to which a resident is assigned should be--and appear to be--worthwhile and compatible with the dignity of a human being.
11. National standards should be adopted . . . regarding residents' diets . . . lighting and ventilation . . . toilet and bathing facilities . . . temperature . . . cleanliness of clothing . . . medical and psychiatric care.
12. A resident should be free to refuse treatments . . . whose appropriateness can be called into question.
13. National standards should be adopted . . . regarding the residents' right to send and receive mail . . . access to printed literature . . . and opportunities to listen to the radio and watch television.
14. Authorities should encourage visiting by residents' relatives, friends and acquaintances . . . Furloughs should be more liberal . . . Work release programs should be extended as far as feasible.
15. A national committee . . . should be assigned the task of eatablishing a national code of civil rights for the incarcerated . . . standardized grievance and due-process procedures.
16. National standards should be adopted . . . regarding the inspection of correctional institutions.
17. No resident should be detained simply because employment is not available.
18. A resident should be informed of the date beyond which further detention demands another intervention of the court.
19. . . . Consideration should be given to shifting the "burden of proof" by making a parole automatic . . . unless there

is sound reason against it.

20. Congress should investigate the feasibility of extending the Social Security Act (OASDI) coverage to residents of correctional institutions.
21. After release ex-offenders . . . should have their civil rights completely restored.
22. The use and dissemination of arrest records should be strictly controlled.[20]

The last part of the statement apportions responsibility, especially within the Church. The cogent point is made that "Significant achievement in the reform of our correctional system will benefit society more than it will benefit the reformed criminal."[21] Action steps are suggested for the USCC itself, for state Catholic Conferences, for dioceses, parishes, religious orders, college and university groups, groups offering special services, and finally individuals. The paragraph on dioceses reads:

> Dioceses will, we trust, continue or undertake a major role in fostering the concern of the clergy, religious and laity for the human rights of offenders. Diocesan newspapers and other programs or communication can highlight the moral considerations involved in correctional reform and urge action. As bishops we will make every effort to provide qualified chaplains to serve the offenders.[22]

Statements of the United States Catholic Conference are generally well and respectfully received, both among Catholics and among the news media. This one may have had more initial impact than most, since it committed both the bishops and their flocks to both positions and actions. How much that impact has endured is one of the things this paper attempts to assess.

The documents in the file for this paper, sent in by the

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[20] Ibid., pp. 12-17.

[21] Ibid., p. 18.

[22] Ibid., p. 19.

dioceses themselves, are almost surely just a sample of what was being written in the years after the USCC made its statement, but it seems safe to assume that they can be considered representative at least to some degree. They show that the statement was endorsed by Bishop Edward D. Head of Buffalo, a member of the committee which prepared it.[23] Other Bishops began putting down their own thoughts. Bishop Thomas J. Mardaga, who writes a regular column for his diocesan paper in Wilmington, devoted two columns, one in April 1974, and one in December, to capital punishment.[24] Bishop Edward A. McCarthy of Phoenix wrote a letter to the editor of the Arizona Republic on the problem of where a proposed new correctional institution should be located, paraphrasing the first of the recommendations.[25] Later he wrote an open letter to the candidates for governor, urging greater concern for the rehabilitation of prisoners.[26]

Bishop Walter F. Sullivan of Richmond, a member of the Virginia Study Committee on Capital Punishment, took the occasion of proclaiming a Respect for Life observance to remind his people:

> The Gospel of Jesus Christ summons us to rise above selfish interests and seek the good of the total community, including those who are in prison . . . The Gospel mandate of forgiveness and compassion can never be interpreted as "coddling." We must hate the sin but never the sinner. Acceptance of the ministry of healing and reconciliation does not make the Christian "soft" on crime but strong in the defense of the basic worth and dignity of every person.[27]

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[23] Catholic of Western New York, 18 April 1974.

[24] Dialog, 19 April 1974 and 13 December 1974.

[25] 20 April, p. A-7.

[26] July 1974. Diocese sent a one-paragraph excerpt.

[27] Catholic Virginian, 18 October 1974.

The two major documents representing 1974 both came from the Archdiocese of Washington. On Good Friday the Archdiocese published a 44-page report from their Task Force on Justice and Corrections. This group had begun its work before the publication of the USCC statement, and published some of the recommendations in the statement at the very end of the report. The report is totally specific to the local situation, which it analyzes in ten chapters, followed by a chapter of 62 definite recommendations in five sections: for the Archbishop and Archdiocesan Pastoral Council, for the proposed Office on Justice and Corrections, for parish councils, for priests, permanent deacons and religious, and for the individual Catholic.[28] Archbishop William W. Baum responded in October with a pastoral letter urging groups and individuals to heed the recommendations of the Task Force as part of their Respect Life observance.[29]

The Ohio Catholic Conference formed separate task forces in each of the six dioceses of Ohio in the spring of 1975. Led by the bishops they urged the closing of the Ohio State Reformatory at Mansfield, charging that the "prisoners in this institution live in a manner which is profoundly inhumane and degrading."[30] A pastoral letter of Bishop Floyd L. Begin of Oakland contained the same divisions of recommendations as the Washington letter.[31] It may be noted

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[28] Report of the Task Force on Justice and Corrections (Washington, D.C.: 1974).

[29] William W. Baum, Pastoral Letter on Criminal Justice (Washington, D.C.: October 1974).

[30] Criminal Justice Task Force, Catholic Conference of Ohio, The Closing of the Ohio State Reformatory (20 July 1976), p. 1.

[31] Floyd L. Begin, Pastoral Letter on Criminal Justice and Correction (Oakland, Cal.: September 1975).

that the "Proposed Office of Criminal Justice" is now a reality in each of these two dioceses.

The New York Catholic Conference issued a statement on Criminal Justice in December 1975 as part of its preparation for its bicentennial observance, stating the necessity of re-examining the principles on which the nation was founded, and citing "existing penal practices as reflective of widely held attitudes in society that often times run counter to Christian principles."[32] The Bishops of New York take a realistic view:

> We fully realize that this subject matter is not without controversy; that the mere statement of Gospel principles does not resolve differences even among people of good will; and that often the application of principles to particular situations causes suffering and hardship. It is with this realization that a search for a just settlement of the myriad issues raised by the Attica and other uprisings is sought. We see the special question of amnesty for those engaged in such riots as a very difficult matter which must be addressed and which we know will require as just an appraisal of the facts as we are capable of with a firm commitment of the Gospel teachings.[33]

In March 1976 the Iowa State Legislature debated solutions to the overcrowding problem in their state prisons. Bishop Maurice J. Dingman of Des Moines took the occasion to issue a pastoral letter on corrections, quoting liberally from the USCC statement, as well as from the Scriptures and the statement of the National Advisory Commission on Criminal Justice Standards and Goals. He asked for "decisions that will establish an enlightened corrections policy,"[34]

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[32] New York State Catholic Conference, Statement on Criminal Justice, Bicentennial Hearing (Albany, N.Y.: 6 December 1975), p. 2.

[33] Ibid., pp. 6-7.

[34] Catholic Mirror (Des Moines, Iowa), 25 March 1976.

a moratorium on the building of large facilities, and the formation of a diocesan task force.

In July 1976, at the height of the Bicentennial celebration, the Ohio Task Force, established the year before, published its remarks on The Closing of the Ohio State Reformatory. They strongly recommended reducing the incarcerated population in all state facilities, and so their paper bore the subtitle, Alternatives to Incaration. They list seven alternatives already available within the court system, nine available within the corrections system, and suggest that services available within a local community

> . . . are not directed toward the public offender without the committed leadership of persons with a strong sense of social justice and non-exclusionary brotherly-love. The Churches should characteristically serve in this capacity.[35]

The document is filled with sensible, practical suggestions and recommendations for every level.

When the legality of the death penalty was restored by the Supreme Court, the Roman Catholic Archbishop and the Episcopal Bishop of Atlanta issued a joint letter examining the death penalty on both practical and theological grounds. They found the evidence for practicality in the claims for deterrence, "inconclusive, and therefore unsupportive of a definite stand one way or the other."[36] Theological evidence was clearer. They found the death penalty violative of the principle of the sacredness of life and definitely vengeful. As to its use as deterrent:

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[35] p. 10.

[36] Thomas A. Donnellan and Bennett J. Sims, To the Christian People of Georgia (Atlanta: 18 October 1976), p. 3.

> . . . [T]he violent taking one human life to serve notice on other lives seems decidedly cruel . . . [T]he victims are invariably from among the poor, the oppressed, or the disadvantaged. Moreover, it cannot be anything but counter-productive as public education. If, as we commonly hold, the most persuasive instructor is the power of example, then it surely must be clear that killing teaches only the permissability of taking human life, not the value of preserving it.[37]

Either the movement had gained some momentum by 1977, or dioceses had 1977 documents more readily at hand. (There are more 1977 documents in the file than there are for any other year.) Bishop Sullivan of Richmond wrote another letter on capital punishment, publishing an unidentified statement which he "joined with other religious leaders in endorsing."[38] It makes the point that

> In a country where violence walks the city streets and races through television, the movies and the print media, the state needs to stand as a beacon of non-violence. In allowing official murder, the state reaps its own harvest. It also reinforces the all-pervasive maxim that, when all else fails, use violence to solve your problems.[39]

Bishop Mardaga of Wilmington devoted all of his newspaper columns for the month of March to the same subject, disagreeing with Bishop Sullivan on the right of the state to inflict the death penalty. Bishop Sullivan had quoted the statement of religious leaders as saying:

> It is just as much outside the jurisdication of the state as it is of a criminal to take the life of a human being. It becomes the state taking the place of God, who <u>alone</u> has the right to take a life. Although the state has done so legally, it cannot do so morally or ethically.[40]

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[37] <u>Ibid</u>.

[38] <u>Catholic Virginian</u>, 14 January 1977.

[39] <u>Ibid</u>.

[40] <u>Ibid</u>.

Bishop Mardaga wrote:

> . . . [T]he State has the power as well as the obligation to safeguard the common weal, to punish crime, and to maintain a sufficient deterrent to criminal activity.
>
> The question then is not one of right but of proportionality.[41]

But Bishop Mardaga argued throughout his articles that Christian virtues operate to the gradual change of the hearts of people, replacing a vengeful and brutal law with tenets of forgiveness and compassion. He also warned of the fatal error of executing the wrong person. Ironically, while the articles were appearing, the Maryland Senate (part of the Diocese of Wilmington lies in Maryland) voted to reinstate the death penalty.

A number of states in 1977 were re-writing their captial punishment legislation, and many Bishops took the opportunity to express their own views and to instruct their people. Archbishop Ignatius J. Strecker of Kansas City in Kansas published a small booklet in February. In three separate letters, it briefly and cogently took up the problem of capital punishment, corrections, and society's share of the responsibility for crime. The third of these contains a viewpoint widely held but seldom articulated:

> Two centuries have blurred the intent of the Founding Fathers so that today separation of church and state means, at best, a toleration of religion in any form. As a result, we do have a state religion; it is irreligion or non-religion.
>
> Witness, for example, our public school system with its insoluble problems, wherein God, by law, has no place, and his moral law is unmentionable. Not to educate to spiritual values is to prepare a person merely to do battle in a lawless society. Crime is but a natural, bountiful harvest![42]

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[41] Dialog, 4 March 1977.

[42] Ignatius J. Strecker, "Society Shares Responsibility for Crime," in Criminal Justice: A Moral-Religious Issue (Kansas City, Kan.: February 1977).

The Urban Ministry Commission of the Diocese of Worcester visited the local jail several times during the fall of 1976, and published its report and recommendations in March 1977. The 15-page report shows a good balance of idealism and practicality. In July Bishop Bernard J. Flanagan of Worcester followed this up with commentary in the information bulletin of the diocese. This was mainly an abridged form of the USCC statement.

The Easter message of Bishop F. Joseph Gossman of Raleigh made two seldom-noted points about the death penalty:

> Justice and charity tell us that the victims of violent crime have the right to our attention and compassion. But sober reflection leads us to realize that the use of the death penalty does not cancel out the harm done to the victims and surviving family and friends. It serves, in fact, to divert attention from the victims and from our own responsibility as a Christian community to reach out to them in compassion. . . . We oppose abortion because we value the unborn lives that society does not find convenient. We oppose euthanasia because we value the lives that society no longer finds useful. We oppose the death penalty because we continue to value lives that society sees as beyond redemption. We choose to place our value on life itself and not on the value of a particular life to society.[43]

The Social Action Committee of the Priests' Senate of the Archdiocese of San Francisco had an active year in 1977 under the chairmanship of the Reverend Floyd A. Lotito. They made a list of all the correctional facilities in the archdiocese (19 in all, for men, women and children) and the state of chaplaincy services in each; then passed a resolution calling for increased commitment of diocesan time and personnel, which has been implemented, They took a position on the death penalty and wrote to the Governor, Senators, and Assemblymen. At the end of the year their account of

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[43]Pastoral Letter, 17 April 1977.

activities listed eight projects concerned with corrections or criminal justice.

The Louisiana Interchurch Conference formed a Correction Reform Task Force, with a Catholic priest as chairman, which produced a statement on correction reform in Louisiana in the fall of 1977. The Task Force made eleven specific proposals. Most of these would have to be implemented by the legislature or the correctional system, but one reminded the business community of its duty to help reduce crime by affording ex-offenders gainful employment, and one urged clergy to increase the amount of spiritual ministration provided for the prisoners.

The year 1977 was closing as these documents came in. Pages of quotation make the words of the Church sound impressive. But these quotations represent two Catholic state conferences, one interchurch conference, and 14 dioceses, or 9% of the total. If the other 91% have had anything to say, they have not thought it worthwhile to submit it. The Church has not yet arrived at a national consensus on criminal justice, but it has in the statement of the United States Catholic Conference the underpinnings for an American Catholic position, and the incentive toward an American Catholic program.

The Programs

In the years since Attica, programs of various natures for those caught in the criminal justice system have been instigated by persons within the church. The "Flowers With Care" program in Brooklyn has already been mentioned. Ex-offenders, usually persons experiencing their first negative contact with the law, are taught

floral arrangement and retailing under the supervision of a priest and a local florist. The program started early in 1975 and by the end of August 1976 had 16 successful graduates.[41] It has turned out to be good business for the florist because the priest is able to persuade churches to give it their patronage. The Catholic Charities of the Archdiocese of New York also offers wider employment services to ex-offenders, along with other social services designed to assist their reintegration into society. The Prison Apostolate of Catholic Charities encourages participation by the parishes of the archdiocese and offers thirteen suggestions for parish projects, ranging from daily prayer to investigating and caring for the needs of prisoners' families.

Partly spurred by national publicity regarding the conditions in its local jail, the Diocese of Toledo has become increasingly aware of the criminal justice problems in its midst. They have begun a "Just Us Friends" program of correspondence with persons inside the state prison, with careful guidelines so that the "outsider" corresponding with the prisoner will feel as comfortable as possible. They have observed a designated Sunday for the Imprisoned throughout the diocese, with special liturgy. They bombarded the Governor with objections when the superintendent of the Ohio State Reformatory, in an economy move, decided to close his institution to visitors on Christmas Day 1976, and found documentary refutation of some of the figures cited by the superintendent. They formed a Counsel for Human Dignity to bring about the closing of the Mansfield Reformatory, gaining wide support from other churches (including Muslims) and organizations. They are involved in providing a weekly religious

program in a camp for delinquent boys. They joined with other groups to form JAIL (Jail Action Improvement League) in 1970, long before the federal court intervened to correct conditions in the Lucas County Jail. They participate in chaplaincy services at the jail.

Los Angeles has a strong juvenile program through their Office of Religious Education for Youth in Detention. This office returned a separate questionnaire indicating four priests assigned fulltime and twelve parttime to youth in detention ministry. They also indicated four Sisters, one Brother, and 12 deacons in the same ministry on official assignment, as well as 23 priests, 9 Sisters, and 21 seminarians participating on an optional basis. They provide tutoring, liturgies, religious instruction, programs for holidays, visitors, sports activities, and entertainment. Most programs are in conjunction with the county probation department, but are directed toward young persons in juvenile halls or juvenile camps. The office also sponsors eight-week courses carrying 24 hours of credit in religious education.

Finding the questionnaire inadequate, David Paredes of the Office of Church and Society, Diocese of El Paso, returned several pages of handwritten lists of services provided to the imprisoned and their families. These include, besides chaplaincies, a retreat program and a pre-release and post-release counseling service at a federal institution, low-cost bus trips to state institutions for inmates' families, an assistance program for parolees, a lobbying effort at the state legislature, a public information program on prison reform, a counseling service for families, and the monitoring of abuses of the Texas Department of Corrections regarding visits,

with a view to bringing suit.

The Team for Justice in Detroit has grown from one woman in 1968 to 15 staff and volunteers at present. They provide direct services such as legal counseling, advocacy, job and health referrals, housing, education, and drug and alcohol rehabilitation. They also provide counseling or training for groups or individuals interested in serving offenders. Their education services include a newsletter, articles and reprints suitable for group study and discussion, an intensive summer seminar in criminal justice, a speakers' bureau, resources such as slides, tapes, and filmstrips, and a modest library. One of their members designed and found funding for Project Start, a particularly constructive probation program. The Team has prepared a Defendant's Handbook for use in criminal court, and, in conjunction with other groups, has secured a van for visits to the state prison by prisoners' families.

The Office of Jail Ministry of the Diocese of Syracuse puts out a quarterly bulletin called Thursday's Obligation. The office will complete its second year in the summer of 1978, with a record of compassion and achievement. The bulletin speaks of bus trips for families, a self-help handbook for jail inmates, knitting groups for women prisoners, an advocates' training program, and a bread-baking project to support the office. It contains a "Jailhouse Theology" section written by the jail chaplain in each issue, and other articles on the legal and social implications of incarceration.

The Diocese of Memphis maintains a ministry to prisoners and their families under its Department of Pastoral Ministry. It is aware of the presence of nine correctional facilities within its

boundaries, and has studied them to determine the frequency with which each should be visited (from daily to two days a week). They have determined to some degree what services staff and volunteers should perform, but leave the program flexible enough to utilize whatever talents are offered.

The Missouri Catholic Conference found it necessary to forsake the position taken by the Church in many other locations, calling for an end to prison construction. Since the state of Missouri had determined to build a new facility, the MCC went about the task of persuading St. Louis residents that the facility should be in the city or county of St. Louis. This was in line with the recommendations of the USCC that facilities which draw their populations from urban centers ought to be located in or near those centers. The pamphlet distributed by the MCC pointed out that 43% of the offenders in the Missouri system are from St. Louis.

The Archdiocese of Cincinnati contributed funds to help bring a chaplain into the Clark County Jail. The Diocese of Gary held an "Education to Justice" one-day workshop. The Diocese of Lafayette in Louisiana holds an annual Correction Reform Sunday.

There are programs arising around the land. Many of them appear to be good. So far they are not numerous, but they can serve as examples. The Church in the United States is moving out of its adolescence, into wider areas of responsibility indicated by the words and deeds recorded above. If the imprisoned still await our attention throughout most of the jails and prisons in this country, perhaps there is more hope that they will soon receive it.

CHAPTER IV

ANALYSIS OF THE DATA

Precautions

As we begin to look at these data and to determine what, if anything, they mean, a few precautions must be kept in mind:

1. We have no way of knowing how complete any of the responses are. The questionnaires were addressed to the chancellors of the dioceses. Much would depend on the person the chancellor chose to make the reply, or, if he made it himself, on what his personal interests are, what problems were on his desk at the time, how pressured he was for time, etc. The position of chancellor carries with it certain unavoidable aspects of the ivory tower, and it may be that in many dioceses things are happening at a grass roots level of which the chancellor is simply unaware or of which he does not see the significance.

2. The entire question is in a state of flux, so that by the time the state of the matter can be written down, it may have changed. The creation of two new dioceses while this paper was in preparation has been mentioned above. Dioceses that were beginning to investigate the problem when the questionnaire was returned may have reached action implementation by now. (Baltimore, Cleveland, Crookston, Fairbanks, Harrisburg and Lansing reported studies in

progress.)

3. It has become evident in the course of this study that many more studies lie beyond it. Pressures of time and the size of the task precluded following up all the addresses supplied by various dioceses, but this clearly remains to be done in a separate study. It has also become evident that questionnaires should be addressed to each state Catholic Conference; again, a separate study. The author has several lists of grass-roots activities originally intended for use in this work, but now to be handled separately. Nationwide Catholic organizations with social service orientations (St. Vincent de Paul Society, for instance) must be approached. Religious orders of both men and women must be queried, probably through the Conference of Major Superiors of Men and the Leadership Conference of Women Religious. And when it is all done, it must be done again, to keep up with the changing picture.

4. In order to analyze the data, it is necessary to introduce three new sets of figures, each of which has its own uncertainties. First, there are the population figures from the 1970 census, used by the Catholic Directory to establish total populations and Catholic populations in each diocese. Since we are nearly at the end of a decade and will soon have a new census, these figures are necessarily somewhat out of date.

Second, crime rate figures for each diocese have two sources of inaccuracy. First is reporting by local police departments, which in turn depends partially on reporting of crime by victims and other citizens. Thus an area where citizens have a high rate of confidence in their police may report more crimes than an area

where the citizens feel that the police are ineffective and reporting is futile, though the second area may actually have many more crimes. Or an area where local police are trying for a federal grant may allow its reporting to go higher in order to convince federal authorities that help is really needed. Conversely, a sheriff or mayor running for re-election may adjust the reporting downward to convince the voters that he has done a good job. So the figures themselves are suspect.

Furthermore, crime rates apply only to population centers (Standard Metropolitan Statistical Areas) of 100,000 or more. Some of these population centers include more than one diocese. The Brooklyn and Rockville Centre dioceses are lost in the New York figures; Duluth and Superior are separate dioceses but only one population area; so are the two Kansas Cities. The SMSA may well cross state lines, which dioceses, with the five exceptions noted on p. 17, do not do. There is only one diocese (Juneau) with a total population of less than 100,000, but 18 dioceses[1] have their population spread out in such a way that they do not appear in any SMSA listed in the Uniform Crime Reports for 1976. With Brooklyn and Rockville Centre, this makes 20 not appearing. The decision in the last case was to use the New York City figures for Brooklyn (with proper precautions) and to let Rockville Centre count with the unlisted dioceses. Further explanations appear below in their appropriate places.

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[1]Anchorage, Arlington, Baker, Belleville, Cheyenne, Crookston, Dodge City, Fairbanks, Gaylord, Grand Island, Greensburg, Helena, Juneau, Marquette, New Ulm, Ogdensburg, Rapid City, Salina.

The third set of figures introduced here is the number of active diocesan priests in the diocese, the number active outside the diocese, and "other," which includes the retired, the disabled, those on leave of absence, etc. But for religious priests--members of religious orders rather than of the diocesan structure, capable of being transferred in and out of dioceses at the behest of their superiors--it supplies only a total figure. There is no way of knowing whether the figure includes inactive priests or not, and how many. Dioceses which contain large monasteries will have many retired religious priests; dioceses into which religious priests come merely to work on a temporary basis (which may turn into a lifetime of work) will have few if any.

A means of approximating the number of active religious priests in a diocese had to be found. The method is arbitrary and involves assumptions, but probably results in a fair approximation. First, it is clear that there will be larger numbers of religious priests in dioceses where there are monasteries, colleges, seminaries, or other organizational centers of a religious order. If more than fifty religious priests appeared in a diocese the existence of some such center was accepted.

Retirement figures for male religious were not available, but for women religious they were. Five religious communities of women provided retirement numbers, which in each case came close to 25% of the total membership. Actuarial tables indicate that American men do not live quite as long as American women, so it was further assumed that about 20% of the membership of male communities would be retired. Therefore, the entire number of religious priests was

counted as "active" for any diocese with a number below 50; and 80% were counted as "active" for any diocese with 50 or more. These were added to the active diocesan priests to reach the figure used for number of active priests in a diocese.

Having demonstrated the shakiness of every set of figures used in this study, we now proceed to report them for whatever dependability they have.

Types of Figures Used

The Catholic percentages of diocesan populations range from 1.5% in Charlotte to 81% in Brownsville, with the median at 20%, a figure shared by Crookston, Monterey, Oakland, and Rapid City. The 1970 Census figures show that on a nationwide basis Catholics constitute 23.8% of the population.

In considering the number of persons in the general population for each Catholic priest, the median falls at Corpus Christi's 4250, with the extremes at St. Cloud's 1356 and Charlotte's 34,337. The number of Catholics per priest ranges from Fairbanks' 354 to Brownsville's 2967, with the median at 815 in Camden. (The mean is remarkably close, at 830). The explanation for the high ratio of priests to Catholics in Fairbanks is provided when we consider the number of square miles in the diocese for each priest. If the population were evenly divided over the face of the diocese (which fortunately it is not) every priest in Fairbanks would have to ride a circuit of 10,508 square miles, whereas a priest in Newark has to cover only half a square mile; the median is Kalamazoo, with 65 square miles for every priest.

Allowing for all the above mentioned problems with crime rate, it appears that the highest crime rate, 9140 crimes per 100,000 persons, falls in the diocese of Tucson. The method of finding the crime rate for a diocese was to take the crime rate for every SMSA in the diocese and find a mean. Tucson was one of 51 dioceses for which this was not necessary, since each of the 51 contained only one SMSA. In 43 of the cases, including Tucson, this was the see city.

There are two ways of finding a median for the crime rate. One is to disregard all the dioceses for which no crime rate at all is given, and find the median diocese among the rest, which would be Savannah, with 5638.2. The other is to consider all the non-rated as coming ahead of first place, so that Altoona-Johnstown, with its 1975.1, rates twentieth, not first, and the median falls at Providence, with 5192.3. I have chosen to prefer the second method.

Correlation with Original Expectations

We are now ready to go back to the expectations with which the study began, to see what can be learned about each of them, and to see what further information, not among the original expectations, has been gained. A listing and commentary on the expectations seems appropriate.

1. That chaplaincies will be provided in most major prisons. This apparently is happening. The questionnaire did not require the names of institutions served, and the Catholic Directory is somewhat inconsistent in listing correctional institutions and their chaplains (printing as it does whatever the individual dioceses send it on

that point). But cross-checking reveals that federal institutions are served fulltime by 32 priests in 27 dioceses, and parttime by five priests in four dioceses at least (see discussion of interpretation of fulltime and parttime, pp. 29-30) and that these institutions include Atlanta, Marion, Danbury, Leavenworth, and several others of major importance. The coverage of 28 state penitentiaries can also be documented, and most of the rest are probable. The expectation included documenting Catholic chaplaincies in states where Catholics make up 15% or more of the state population. Thirty states (counting the District of Columbia as a state) meet this figure, and, of these, Catholic chaplaincies in the major state prisons are certain in 27 cases. The other three are probable but cannot be documented because of incomplete responses. There is also evidence that chaplains are supplied in at least nine of the 21 states with a Catholic population of less than 15%.

2. That there will be few organized efforts beyond that. (See definition of terms, p.15.) According to the questionnaires, there are 134 persons other than priests serving in criminal justice on assignment from the Bishop in 42 dioceses. This is less than one person per diocese even before the ten dioceses with the largest number of personnel are subtracted. When these ten (Brooklyn, Chicago, Dallas, Detroit, El Paso, Los Angeles, Memphis, Philadelphia, Providence, and Washington) are removed from the count, the average number of persons per diocese is 0.37.

3. That much will be left to individual initiative. This expectation was divided into four parts, which can be dealt with separately.

The first is that priests will have an option to serve or not serve as chaplains to institutions which fall within their parishes, such as county jails. Twenty-four respondents stated in so many words that institutions were the responsibility of the local pastor, or that there was an option. It can be inferred in several other cases where the response was given as "none assigned" (obviously no priest would be forbidden to minister to the imprisoned in his parish if he had the time and the inclination to do so); or where very large numbers were given as parttime apostolate, indicating that it is rather expected of all those who have correctional institutions near them, or that a rotating system exists. No means of checking as to how often this ministry was actually performed was indicated.

The second is that diocesan organizations such as Social Justice Offices will be free to take up or leave alone the problems of correctional ministry. The present instrument was inadequate to evaluate the degree of self-determination permitted any diocesan office. It did extract the information that at least 45 dioceses have at present an office under which correctional problems could be handled. To learn whether the offices in these 45 or any other dioceses are free to choose their projects, and to what extent, would take an investigation into local conditions in each of the 158 (160?) dioceses.

The third part is that there will be at least as many persons engaging voluntarily in this work as by assignment. (The word "voluntarily" is not meant to carry any overtones of non-professionalism; it covers persons assigned by religious communities to

correctional ministry; those employed by police, sheriff's, and correctional departments; professionals such as the attorneys on the Team for Justice in Detroit; and those engaged in social service or rehabilitation work which they have created or developed themselves. It simply excludes those assigned by Bishops and includes all others.) The total number of priests assigned cannot be stated for certain because of the overlap problem, but it seems to be slightly over 600--probably between 604 and 615. (This is about 1% of the 58,000 priests in the country.) There are 134 other persons assigned, bringing the total assigned to about 740. Of those engaging non-officially, the dioceses list 195 priests, 153 Sisters, 10 Brothers, 86 permanent deacons, and 10 lay persons, for a total of 493. It would seem that the assigned personnel considerably outnumber the voluntary workers, but two facts must be kept in mind. First, over 70% of the assigned priests are parttime, and there is no way of knowing in how many cases that "part" comes to one hour a week or less; at any rate, some, probably much, of that "assigned" figure will have to be discounted. Of course, there is no way, either, of knowing how many of the involved-but-not-assigned workers pursue criminal justice ministry fulltime and how many parttime. Second, the not-assigned figure may be low by reason of the chancery office's not knowing about a self-directed worker, or not remembering to put that ministry on the answers to the questionnaire. So this expectation must stand as inconclusive.

The fourth part is that other indications of individual choice or initiative will probably arise. The few that did arise, such as the Brooklyn flower shop, were discussed in Chapter III. They were

not numerous.

4. That Bishops will give little leadership in this field. This was also divided into three parts.

First, that there will be few dioceses where the Bishops have issued statements or letters on criminal justice topics. It has been seen that the Bishops as a group issued a powerful and convincing statement. Individually, certain ones such as Bishop Mardaga of Wilmington have followed up the statement with their own writings. Twenty-seven dioceses, or 18% of the 153 which responded, said that a diocesan statement had been published. Eighteen percent seems rightfully to fall under the meaning of few, when 82% have yet to address the topic.

Second, that state Catholic Conferences will usually not deal with such topics. The Catholic Conferences of Iowa, Michigan, Missouri, Montana, New York, Ohio, and Pennsylvania were referred to, but the wording of the question merely suggested such a response: "We would greatly appreciate receiving copies of . . . published material from your state Catholic Conference . . ." No obligation on the part of the diocese to send such material was implied, so there may well be material which has not yet been uncovered.

Third, that a minority of dioceses will have offices through which such matters are handled. Forty-five dioceses reported having such an office. This is 28% of the total, a decided minority.

5. That there will be variations in response on account of the following considerations:

North-South Locations. There were two assumptions here: First, that the northern dioceses would be more heavily Catholic, and second

that they would therefore (having more--at least potential--members among the offender population) be more responsive to the problem. The first assumption is borne out by the figures. The 25 most heavily Catholic dioceses include the seven dioceses which cover the entire states of Massachusetts, Connecticut, and Rhode Island, plus six of the eight dioceses of New York, two each in Wisconsin and Pennsylvania, and one each in New Jersey, Illinois, and Minnesota. But they also include three border dioceses in Texas and two dioceses of Louisiana. The 27 dioceses with the lowest Catholic population (the 25th position from the bottom is a three-way tie) include the entire states of North and South Carolina, Oklahoma, Alabama, Mississippi, Arkansas, Tennessee and Utah, with two each in Kentucky and Florida and one each in Georgia, Idaho, Indiana, Louisiana, Missouri, New Mexico, Oregon, Virginia, and West Virginia. If Oregon and Idaho are considered "west" rather than "north" only Indiana and West Virginia represent the north in the least-Catholic list, but five southern dioceses appear in the most-Catholic list because of the Spanish and Creole influences.

To answer the second assumption in this expectation ushers in the most complicated part of this analysis. In order to decide which dioceses are more "responsive" it becomes necessary to define responsiveness. Clearly, this quality consists in "answering" whatever needs one is confronted with--the needs of Davenport are not the needs of New York. Furthermore, decision about the "responsiveness" must be based only on the evidence supplied by the dioceses themselves. It is possible to make a list of some dioceses which are apparently doing well--which can serve, perhaps, as models for

others. There is no claim that the list is complete. Perhaps the diocese which is doing the finest work of all received the questionnaire at a time of crisis in another department, checked it off quickly and sent it back with no enclosures, feeling beyond the need to defend its programs or policies. While there is no attempt to rank or present awards, it can be said that the following dioceses, no doubt among others, are doing some praiseworthy work. The list is alphabetical.

Brooklyn--in its innovative programs for ex-offenders.

Davenport--in its housing ministry to juveniles, ex-offenders, and prisoners' visiting families. The fact that their jail counseling service, begun in 1972, was "co-opted by the system" after two years probably means it was a good service.

Des Moines--in working within the system as members of state and county commissions, lobbying in the state legislature, bringing a retreat movement to the state prison and sustaining it, in seeking to extend the well-known Des Moines project to the rest of the state. They have no one, however, actually assigned to ministry inside the jails and prisons, and their response reflected a certain defensiveness on this point.

Detroit--in the heroic work of the Team for Justice (see p. 53).

El Paso--in the programs listed on p. 52.

Grand Rapids--in the work of the Jail Ministry Office both inside jails and for ex-offenders, for whom a special center has been established.

New York--in the work of the Prison Apostolate Office, finding

employment, meals, carfare, and financial assistance for ex-offenders, as well as chaplaincy services (27 priests fulltime or part-time), advocacy, counseling, visiting, and a halfway house, and providing the opportunity for 15 Sisters to work in the criminal justice apostolate.

Oakland--in setting up an office of Criminal Justice, providing advocacy and visiting for those incarcerated and transportation, counseling, and legal services for others, and in their programs presented to schools and parishes.

Rochester--in their effort to live up to their Bishop's commitment at the time of the Attica uprising, by providing most standard services plus an ecumenical involvement in training visitors for the Interfaith Jail Ministry.

Saginaw--in a jail program which funds one Sister in fulltime jail ministry, brings priests in for regular Sunday services in rotation, sponsors a jail library project, and keeps various departments of the diocese aware of and working on criminal justice problems.

Syracuse--in its extensive jail program recorded in its bulletin (see p. 53), as well as a bail bonding program, prison visiting, providing a halfway house, and placing a Sister with Juvenile Detention as a family court chaplain.

Toledo--in the programs outlined on p. 51-52.

Washington--in the lucid outline of what must be done (see p. 44) and their current efforts to do it through the Criminal Justice and Corrections Component in their Office of Social Development. These include most standard services, plus a program for third party custody, job location, and emergency financial assistance.

Worcester--for funding a "local correctional change group" in addition to other services.

These are good efforts. They are not necessarily the best (since that is unknowable), nor are they all the good ones there are. But they establish the most representative cross-section that a thorough study of the present materials can provide. A geographical analysis shows that they cover the country from Massachusetts to California and from Michigan to Texas, but that only Texas is truly south.

This extensive analysis only makes possible the statement that probably the Church is responding better through its northern dioceses to the problems of criminal justice. Not much can be said for certain about correlation with percentage of Catholic population. Only three of the above dioceses are in the 25 highest (Worcester, New York, and Syracuse); none are in the 27 lowest.

City-Rural Locations. Of these same 14 dioceses mentioned above, all are large enough to appear as SMSA's in the Uniform Crime Report. It may therefore be a fact that rural areas do not need criminal justice programs because they do not at present have a serious problem. This will be further discussed below.

Size of Diocese. There are four ways of defining "size":

1. By total population
2. By total number of Catholics
3. By square miles per priest
4. By Catholic percentage of population

The four definitions produce the following lists. The lists are in descending order.

Total Population	Total Catholics	Square Miles Per Priest	Catholic Percent
Los Angeles	Chicago	Newark	Brownsville
Chicago	Los Angeles	Brooklyn	Providence
Boston	Boston	Chicago	Fall River
New York	New York	Boston	Lafayette, La.
Brooklyn	Detroit	Philadelphia	Worcester
Detroit	Newark	Bridgeport	Buffalo
Philadelphia	Philadelphia	Washington	Ogdensburg
Richmond	Brooklyn	R'ville Centre	Hartford
Cleveland	R'ville Centre	Providence	Newark
Newark	Cleveland	Paterson	New Orleans

It will be seen that three of these methods of reckoning size produce very similar lists--Chicago, Los Angeles, and the population centers of the northeast. The fourth way, by Catholic percentage, gives a different list. Newark is the only name that appears on all four.

From the first and second lists (total population and total number of Catholics), Brooklyn, Detroit and New York have outstanding programs. Cleveland participates in the work of the Ohio Catholic Conference and has a survey of correctional services in progress.

The cities on the third list, very similar to the first two, have a highly favorable square mile ratio. Each priest in Newark needs to cover only half a square mile. The appearance of Newark in all the other lists, however, indicates that if priests are thick upon the ground in Newark, Catholics demanding their services are even thicker. All the cities in this list are large metropolitan cities. Bridgeport is the only one that falls below a million population, and Chicago is the only one not on the Atlantic seaboard.

The fourth list, Catholic percentage of population, varies

considerably. It includes three southern dioceses and several of only moderate size in total population. Newark still appears--the only very large diocese which also has a high Catholic percentage. But Newark is hampered by a limited number of priests; the ratio is 1350 Catholics for every active priest. (Recall that the median is 815.) So aside from assigning eight priests to parttime ministry in county jails, and accepting the services of (but not assigning) seven deacons, Newark can apparently do no more until their personnel pinch is eased.

Very little seems to be proved here or even indicated. Three big cities--Brooklyn, Detroit, and New York--have outstanding programs, along with three medium-big ones, Washington, Toledo and Oakland. All the others are good sized but not gigantic. It would appear that it is possible to construct a good criminal justice ministry in any area large enough to have serious crime problems, and that size is not one of the determining factors.

A note here about New York's crime rate. As mentioned above, the three dioceses of Brooklyn, New York, and Rockville Centre are all included in SMSA New York. The SMSA as a whole has a crime rate of 6415.4 per 100,000 population, enough to give it a ranking of 124 (out of 132). There is no way to apportion this rate among the three dioceses with the available figures. The SMSA Poughkeepsie, however, is included in the New York Archdiocese, and when the low crime rate of Poughkeepsie is averaged with New York, the crime rate comes down to 4787.5, for a much-improved ranking of 65, even though most of the crime in the two SMSA's is undoubtedly New York's.

Catholic Percentage of Population. This is discussed above,

and little correlation is found. See below under crime rate.

Ratio of Priests. Here it was thought that a significant factor might enter in. Most of the ministry of the Church is still left to priests, though groups of Sisters, lay women, and laymen are doing their best to modify this. Where priests are scarce, the ministry of the Church is necessarily impaired.

It is not possible to take a "raw" number of priests in a diocese and say whether that number constitutes scarcity or abundance. Scarcity and abundance are relative to a demand. The number of priests in a diocese may be related to three things: the total number of persons in the diocese, the number of Catholics, and the number of square miles. The total number of persons is of secondary importance, since a priest will simply be unable to reach anyone beyond the Catholic flock if he is too pressed for time even to satisfy the demands of his parishioners or students. Also, square miles become less of a problem with today's transportation and the fact that many areas of the geographically enormous dioceses are unpopulated (Fairbanks, for instance; Baker, the eastern half of Oregon, which is larger than the entire state of Michigan; Santa Fe, most of New Mexico--about the combined size of Michigan, Maryland, and New Hampshire; Salt Lake City, the entire state of Utah; Reno-Las Vegas, the entire state of Nevada, nearly twice the size of Michigan).

The crucial problem, therefore, is ratio of priests to Catholic population. And in many dioceses where all other factors are favorable, this may be the one which impedes progress in correctional services. Each diocese can be ranked on the following five

factors:

1. Catholic percentage of the diocesan population, with the highest (Brownsville, 81%) ranked first.

2. Ratio of priests to general population, with the lowest (St. Cloud, one priest for every 1356 persons) ranked first.

3. Ratio of priests to square miles, with the lowest (Newark, a priest for every 0.51 miles) ranked first.

4. Crime rate, with the lowest (Altoona-Johnstown, with 1975.1 crimes for every 100,000 persons) ranked first.

5. Ratio of priests to Catholic population, with the lowest (Fairbanks, a priest for every 354 Catholics) ranked first.

Establishing these ranks, we find that only one diocese, Burlington, ranks in the upper third in all five categories. This diocese does not have a correctional services program.

Forty-one dioceses rank in the upper or middle third in all categories. Of these forty-one, six (Davenport, Rochester, Syracuse, Toledo, Washington, and Worcester) have outstanding programs.

Twenty-nine dioceses have favorable ratios (upper or middle third) in every category except ratio of priests to Catholic population. Of these twenty-nine, four (Detroit, Grand Rapids, New York and Saginaw) have good programs.

The remaining dioceses with outstanding programs (Brooklyn, Des Moines, El Paso and Oakland) have at least two unfavorable ratios, and yet have been able to put together excellent programs.

It seems impossible to conclude anything from these figures. Whether or not the ratio of priests is favorable, and whether or not that ratio is balanced against other factors, something else seems

to determine whether a diocese begins and carries through an active program of correctional services. The supposition was that ratio of priests would be a significant factor. Apparently it is not.

It should be noted that some of the programs can be carried on largely by persons other than priests. Detroit's Team for Justice does not depend on priest participants, and Detroit assigns 15 priests to parttime jail or prison ministry, but none fulltime. Toledo's letter-writing program can be engaged in by anyone. The florist in the flowershop in Brooklyn is at least as important as the priest. If the successes of these places mean anything relative to number of priests, it is that programs (other than those involving liturgy or sacraments) can be operated with minimal priest participation and some fair hope of benefit to inmates and ex-offenders.

Density of population may work either way. Where there are many Catholics, there may be enough Catholic offenders to bring about an interest in criminal justice ministry. On the other hand, prisons tend to be found where populations are less dense. There may be prisons, and priests with time to attend to them, in areas where the Catholics are fewer because total populations are fewer. The possibilities can be investigated with a table (table 1).

Six of the fourteen outstanding programs appear in the 25 dioceses with the greatest Catholic density, while only one appears in the least density list, so apparently density is more of a spur to good programs than otherwise. But it is by no means a common factor. It is time to ask what the common factor is, if indeed there is one. The ranking numbers for the fourteen dioceses with

Table 1. Rank of Cities in Number of Priests to Catholic Population

	Greatest Density		Least Density
1.	Newark	128.	Natchez-Jackson
2.	Brooklyn*	129.	Nashville
3.	Chicago	130.	Oklahoma City
4.	Boston	131.	Tulsa
5.	Philadelphia	132.	Little Rock
6.	Bridgeport	133.	Savannah
7.	Washington*	134.	Santa Fe
8.	Rockville Centre	135.	Raleigh
9.	Providence	136.	Pueblo
10.	Paterson	137.	Dodge City
11.	New York*	138.	Helena
12.	San Francisco	139.	El Paso*
13.	Fall River	140.	Rapid City
14.	Hartford	141.	Amarillo
15.	Worcester*	142.	Grand Island
16.	Cleveland	143.	San Angelo
17.	Detroit*	144.	Great Falls
18.	Milwaukee	145.	Boise
19.	Oakland*	146.	Salt Lake City
20.	Pittsburgh	147.	Reno-Las Vegas
21.	Camden	148.	Baker
22.	St. Louis	149.	Cheyenne
23.	Baltimore	150.	Juneau
24.	Los Angeles	151.	Anchorage
25.	Springfield, Mass.	152.	Fairbanks

*Dioceses with outstanding programs

outstanding programs are given below. For instance, Brooklyn ranks forty-third out of 152 dioceses in Catholic percentage of population; it ranks seventy-seventh in ratio of priests to general population, and so on.

In Catholic percentage of population, ten are above the median (76), four are below. In ratio of priests to general population, six are above, eight are below. In ratio of priests to Catholic population, three are above, eleven below. In ratio of priests to square miles, twelve are above, two below. Seven have a higher than average crime rate, seven a lower than average. Judging from this evidence, a good program may surface in any diocese with over half a million population (Des Moines is the smallest on the list, with a general population of 624,185), with Catholics at least 13% of that population (Des Moines again), where the priests are busy because their numbers are few, but live close together because of population density. The diocese should preferably be driven to action by a high crime rate, and should approve the services of personnel who work in personal apostolates or on assignment from a religious community. (The average number of persons working in these dioceses other than on assignment from a Bishop is 13.) Leadership from a Bishop or state Catholic Conference helps but is not indispensable; six of these cited letters from their Bishops, and three from a Catholic Conference.

Crime Rate. It was expected that rural dioceses would fail to show up in crime rate figures, and this did happen in 19 cases. It was also expected that the highest crime rates would be in the major population centers, and that these would be characterized by jail ministries, halfway houses and family counseling. Table 3

Table 2. Ranks for Dioceses with Outstanding Programs

	Catholic Percentage of Population	Ratio of Priests to General Population	Ratio of Priests to Catholic Population	Ratio of Priests to Square Miles	Crime Rate	Total Population
Brooklyn	43	77	118	2	124	5
Davenport	95	58	27	74	77	103
Des Moines	106	99	62	88	101	110
Detroit	27	96	149	17	121	6
El Paso	32	97	146	139	112	107
Grand Rapids	89	100	89	59	52	80
New York	20	49	125	11	65	4
Oakland	73	102	126	17	128	42
Rochester	49	51	83	36	36	50
Saginaw	49	91	131	66	85	100
Syracuse	22	23	90	31	15	64
Toledo	61	80	101	39	47	49
Washington	78	16	10	7	72	10
Worcester	5	2	82	15	42	108

shows the ten dioceses with the highest crime rates and the ten lowest.

Obviously, our expectations are not fulfilled here. These are not the great population centers--the largest city on the high crime list ranks 24th. The list is confined to five states: Arizona, Nevada, New Mexico, California and Florida--the so-called "Sun Belt." (If the New York SMSA is counted without reference to its division into three dioceses, it ranks between Miami and Orlando. Also, the difference between Oakland and San Francisco--one SMSA--is accounted for by San Francisco's being averaged with San Jose, in its diocese.) There may be a connection with the fact that in northern cities crime rates tend to rise in the summer and drop in the winter. Winterless areas may retain a summer crime rate year round. The warm climate also attracts a large number of transients and drifters, and a retired, elderly population who have brought their life's savings with them.

It seems notable that with the exception of Oakland, none of the high crime dioceses has any jail ministry program at all. The older, conservative population would not see a value in such a thing. One wonders whether these people are aware that they have retired into the most criminal part of the country. The Reno-Las Vegas diocese is an exception. People bring money into that area with the full expectation of losing it.

In the dioceses with the lowest crime rate we find an amazingly similar picture. They are all from the same section of the country, but this time it is the northeast quadrant (which does include Minnesota). With the exception of Pittsburgh, they are small

Table 3. Types of Ministries in Dioceses with Highest and Lowest Crime Rates

DIOCESE	Crimes per 100 Persons	Rank in Total Population	Advocacy	Bail Bonding	Family Counseling	Legal Services	Halfway Houses	Jail Chaplaincies
			Highest					
Tucson	9.14	95						
Phoenix	8.94	53						
Reno-Las Vegas	8.75	115						
Santa Fe	8.56	98						
Oakland	8.49	42	*		*	*		
Fresno	8.39	57						
Stockton	8.15	112						
Miami	8.11	33						
New York	7.85	1						
Brooklyn								
Rockv. Centre								
Orlando	7.84	43						
San Francisco	7.69	24						
			Lowest					
Altoona-Johnstown	1.98	109						
St. Cloud	2.62	135						
Steubenville	2.90	116						
Bulington	3.14	126						
Green Bay	3.15	97					*	
Erie	3.24	82						
La Crosse	3.33	106					*	
Manchester	3.49	93						
Pittsburgh	3.52	18						
Owensboro	3.60	104						

cities. And again, there are almost no programs provided, though Green Bay and La Crosse have halfway houses. According to Green Bay's response, "The diocese and religious orders have been instrumental in establishing halfway houses. The clergy has been very active in initiating them, but arranges that they will be taken over by lay administrators who minister to the residents."

It was also expected that jail ministries would be highest in population centers. Table 4 gives the crime rates and ministries for the twenty largest dioceses in total population. Nothing new is revealed. The most extensive programs, as has already been noted several times, are in New York, Detroit, and Washington. Cleveland and St. Paul-Minneapolis also have some services, and Los Angeles and Philadelphia add family counseling to their chaplaincies. The rest have only chaplaincies, if that.

6. That persons other than priests will have greater unofficial than official involvement. This was touched upon under point 3 and has been borne out. Persons other than priests assigned to criminal justice work by Bishops number 134, and those either assigned by religious communities or working in positions they have found or created for themselves come to at least 493. It is not possible in every instance to determine whether these are fulltime or parttime workers.

Table 4. Crime Rates and Ministries of Twenty Largest Dioceses by Total Population

	Crime Rate	Rank in Crime Rate	Advocacy	Bail Bonding	Family Counsel	Legal Services	Halfway Houses	Jail Chaplaincies
Los Angeles	6.92	115			*			*
Chicago	5.76	75						*
Boston	6.04	86						*
New York	5.63	65	*		*		*	*
Brooklyn	7.85	124						*
Detroit	7.67	121	*	*	*	*	*	*
Philadelphia	4.23	22			*			*
Richmond	4.63	36	*					*
Cleveland	4.83	35	*	*		*		
Washington	5.69	72	*	*	*	*		*
Little Rock	4.43	23						
Indianapolis	5.43	54						
St. Paul-Minneapolis	5.67	69	*		*			*
Milwaukee	6.05	87						*
Birmingham	4.03	19						*
Portland, Ore.	6.80	114						
Denver	5.53	58						*
Pittsburgh	3.52	9						
Baltimore	6.30	92						*
Trenton	5.62	64						*

CHAPTER V

REASONS AND INFLUENCES

It becomes apparent that the American Catholic Church has for years neglected the incarcerated population, and is only now beginning to stir from this position. True, there have been individual Catholic chaplains, some of whom have no doubt performed heroic service, almost as long as there have been organized prisons in this country. But the official Church has taken scant notice of the mandate, "I was a prisoner and you came to Me." "Coming to" Christ the prisoner has never been in a class with feeding the hungry, clothing the naked, or healing the sick.

It becomes necessary to ask why this should have been so.

Leaving the more profound reasons to the study of more competent Church sociologists, we may note six overlapping factors which, if they are not reasons for the omission of correctional ministry among the good works of the Church, may at least be cited as influences. Almost all of these arise from the immigrant character of the Catholic Church in the United States until recent decades. They are:

1. The Jansenistic conservatism of the European Church of the eighteenth and nineteenth centuries.

2. The strongly authoritarian cast of the Church, and the way in which the immigrants, especially the Irish, carried over this

tendency to authoritarianism into their social and secular affairs.

3. The close ties of blood and cooperation between the Irish-dominated Catholic hierarchy and the Irish-dominated police forces of the major cities.

4. The desire for upward mobility on the part of the second- and later-generation Americans, which led them to disassociate themselves from all that smacked of the slums, especially crime and criminals.

5. The pressures of daily experience in the expanding Catholic milieu.

6. The frequently-repeated dictum almost up to the time of Vatican II that the "Church should keep out of politics"--meaning out of all forms of social legislation that did not bear directly on the Church's survival as a factor on the American scene.

We shall look briefly at each of these.

Jansenistic Conservatism

Jansenism was a philosophy which arose in Europe in the seventeenth and eighteenth centuries. Though the Flemish theologian Cornelius Otto Jansen has had his name attached to it, streams of French, Italian, Dutch, and Flemish thinking contributed to it. It emphasizes the darker side of man's nature and the difficulties of deliverance from the effects of original sin.

> The Jansenists were excessively moralistic and held that humanity had to be kept in check by penitential rigor. To a pessimistic view of human nature they joined a critical spirit insisting upon reform . . . They looked upon Jesus as a severe and inscrutable redeemer, and the Church as a society filled

with intrigue and passion . . .[1]

Although officially condemned as heresy by the Church, Jansenism had a great influence in Western Europe. The Catholic immigrants to the United States were mostly unlettered persons who would have never known about the theological controversy, but whose lives had been unavoidably touched by its ripples. Jansenism was a perfect partner for the Puritanism which the Protestant immigrants were bringing in. In its folk form it is, indeed, the Catholic counterpart of Puritanism, even to the doctrine of predestination.

Everyone who believes in eternal life prefers to see himself among the "saved." Catholic doctrine teaches that all who remain in a state of friendship toward God, whatever their falls from weakness, will be received into His loving presence at the end, but that there are no infallible outward signs of this state. From their Puritan neighbors, in America or in the old country, Catholics picked up and welcomed the notion that such signs were available. The favor of God was shown by material prosperity and the respect of one's neighbors. Persons convicted of crimes lost both, if they had ever had either. They were therefore considered outside the favor of God, and God's friends need not bother with them.

This is not to say that this position was consciously reasoned to. If a Catholic school child, pre-Vatican II, were asked, "Does God love the prisoners in the jail?" he would promptly reply, "Yes." The teacher might then add approvingly, "Yes--God <u>even</u> loves those criminals." And there the subject would end.

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[1]<u>Catholic Encyclopedia</u>, 1967, ed., s.v. "Jansenistic Piety," by B. Mattucci.

Unconscious forces could keep teacher and student from going beyond their admiration at God's all-embracing love to any application to themselves in the role of imitators.

Karl Menninger takes this a step further.

> We need criminals to identify ourselves with, to secretly envy, and to stoutly punish. Criminals represent our alter egos--our "bad" selves--rejected and projected. They do for us the forbidden, illegal things we wish to do and, like scapegoats of old, they bear the burdens of our displaced guilt and punishment--"the iniquities of us all."
>
> Them we can punish! At them we can all cry "stone her" or "crucify him." We can throw mud at the fellow in the stocks; he has been caught; he has been identified; he has been labelled, and he has been proven guilty of the dreadful thing. Now he is eligible for punishment and will be getting only what he deserves.
>
> . . . The internal economics of our own morality . . . can be managed in part by the scapegoat device. To do so requires this little maneuver of displacement, but displacement and projection are easier to manage than confession or sublimation.
>
> Hence, crowds of people will always join in the cry for punishment. Often their only interest in the particular victim is the fact that he is a labelled villain, and the extermination of villains is a "righteous act" . . . "He, not I, is the purveyor of evil, the agent of violence. Crucify him! Burn him! Hang him! Punish him!"
>
> . . . [T]he wretched handling of the offender, from beginning to end, is part of a daily morality play . . .[2]

Authoritarianism

Having no language barrier to cope with, the Irish were always a step ahead of the other immigrants. Italians, Poles, Germans, French and Spanish had to accept the American Church as the Irish constructed it. And the Irish Church was heavily authoritarian.

Centuries before, the Irish had been caught in the struggle between Henry VIII and the Papacy. When the English people followed

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[2]Karl Menninger, The Crime of Punishment (New York: The Viking Press, 1968), pp. 153-154.

Henry out of the Catholic Church, the Irish priests and prelates had a decision to make, a choice between two authorities. They chose the Pope, and thereafter stressed to their flocks the absoluteness of the Papal authority. There was never any question in Irish minds. God spoke through the Church, the Church spoke through the priest. "Who hears you, hears Me," was applied not only to the broad reaches of doctrine, but to the minute details of daily life.

Again, the tendency met a natural link-up, not in their Protestant neighbors this time, but in the German Catholics in the next parish. The Germans brought their national spirit of military obedience to Church matters. The Bishop might find the Irish and German parishes quarreling over a dozen issues, but he knew that when he spoke both groups would unhesitatingly obey. By the time the later-arriving Poles and Italians joined the diocese, the pattern was established.

It is also significant that all Catholic countries have a had a high regard for the religious life, of which unquestioning obedience has always been a major factor. Children in Catholic schools were taught obedience and respect for authority along with reading and arithmetic. Members of the Church were referred to as "the faithful." This may have originally meant "the believing," but has long since come to mean "the obedient," those who carry out what is required of them. Even the dead were the "faithful departed."

The Catholic immigrants applied this to their dealings with government and other secular societies, for they believed that a properly-constituted secular authority was, no less than the Church, an arm of God. Criminals, therefore, who broke the just laws of the

nation, were defying God. Those who resisted the edicts of a just authority (and the "justness" of the authority was assumed rather than examined) could expect dire consequences. Authority must be upheld at all costs.

Police and Priest

> The Irish acquired a deep respect for and envy of the power, authority and status that the policeman's uniform represented in their unending and unhappy encounters with the law in Ireland. There, the policeman's uniform was the symbol of both the helplessness of the Irish peasant and the nearly omnipotent powers of the landlord, the aristocracy, and the Anglo-Saxon government . . .
>
> The Irish who joined the police force in the United States sought all the satisfactions denied them in Ireland--the status conferred by the uniform, steady employment, and the power that otherwise lay in the realm of fantasy.[3]

Joining the police force was, in fact, only part of a larger power play. Having discovered that politicians had considerable control of the police, the Irish moved quickly, almost simultaneously, into politics. With the discovery that elected politicians were often at the mercy of Civil Service bureaucrats, some of them made Civil Service positions their targets. Today, when it appears to many that big business sets at least as much policy as government, they are increasingly to be found in influential positions in boardrooms. On the whole, this appears to be an instinctive rather than a deliberate thing: the rejection by the fourth and fifth generation of the poverty and powerlessness of their ancestors.

The first step concerns us here because it occurred in the first or second generation when the Irish were taking two steps into positions of authority--the police force and the Church. In the

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[3]Edward M. Levine, The Irish and Irish Politicians (Notre Dame, Indiana: The University of Notre Dame Press, 1966), pp. 120-121.

century between 1850 and 1950, practically every American of Irish birth or descent had at least one brother, cousin, uncle or nephew who was a priest and at least one who was a policeman. This made the criminal doubly derelict--he represented an affront to the teachings of the priest and a threat to the safety of the policeman. The Church's natural (or divine) tendency toward "the good order of society" was reinforced by a union with the forces of "law and order." Briefly and locally, separation of Church and state was suspended and the legal offenders were also the moral outcasts. The strong Irish tendency toward righteousness swerved in the direction of self-righteousness, a tilt from which the American Irish have still not fully recovered. The attitude toward the criminal was, "He brought it on himself." An un-Christian judgmentalism entered the thinking of many Catholics, and the eligibility of a person for assistance was measured by desert rather than need. And those who would have been horrified at private interpretation of the Bible made private judgments as to who was deserving.

Upward Mobility

Most Catholic immigrants came to America of necessity rather than choice. They came to get away from crop failures, starvation, religious persecution. Instead of the land of opportunity which they had envisioned, they found slums, disease, poverty, more hunger, and economic enslavement. The Church provided a rallying point, a shelter, a reminder of home, and a spur. It provided schools where the faith would be taught, not attacked. The schools taught other subjects, too. Equipped with basic education, the children began to

do better than their parents. Becoming parents, priests, and teachers themselves, they improved the schools. The next generation did better still. America turned out to be the land of opportunity after all, even if they had to create the opportunity.

> The going was rough, but in keeping with the pattern of all immigrant groups in America, Italian immigrants and their children gradually made room for themselves in the opportunity structures of their society. Accomplishment became easier as the oldtimers, influenced by the attractive power of American society and by the rapid Americanization of their children if they were here, decided not to return to the old society. Once they had made this decision they began to look at the future not in terms of debts to be paid off and little sums of money to be stashed away toward the purchase of a plot of land [in Italy], but in terms of American criteria of success and achievement for themselves and their offspring.[4]

> Social rules and conventions in America are set by women, and the standards women enforced in late Victorian America as to what was "nice" behavior and who was a proper partner at a dance could be cruel and rigorous. And to these standards the Irish mothers and maiden aunts often added exacting requirements of their own because resentment and competitiveness compelled them not only to want to be accepted and well thought of but also superior and invulnerable. This defensive quality and this covert aggressiveness might be particularly strongly felt if, as often happened, the family's money had been made in some faintly dubious manner in politics, liquor selling, or contracting.[5]

Drunkenness and the squalid little crimes of desperation had been early features of the immigrant groups. As they made their way upward through the strata of society it was necessary to forget, erase, bury this past. Anyone who retained the bad old ways was likely not to be acknowledged as a member of the society or family. Men who found the new respectability too confining left the eastern

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[4]Joseph Lopreato, Italian Americans (New York: Random House, 1970), p. 144.

[5]William V. Shannon, The American Irish (New York: The Macmillan Company, 1963), p. 143.

cities and headed west, often never communicating with their families again. The romantic notion of the Western badman who won't write to his mother in order to spare her shame has some basis in fact. In effect, the family black sheep simply didn't exist. And if he didn't exist, no one had any obligations toward him. He could spend a sordid existence in and out of jails, or he could be imprisoned in his twenties for the rest of his life, or he could be lynched or executed or murdered in mid-career. His brothers would take the attitude that he was getting what he asked for, and his mother and sisters were protected from hearing any more about him.

Other Pressures

The Church grew fast in America, and its sprint of growth in the middle of the nineteenth century left little time for considering anything that did not lie immediately to hand.

> By 1880 there were more than 6,000,000 Catholics in the United States, where forty years earlier there had been only one-tenth that many. For two generations Catholics under the leadership of a predominantly Irish hierarchy had expended their energies on the urgent task of organizing new parishes, building churches and schools, and training priests.[6]

While the local priests toiled to keep up with their burgeoning parishes, the hierarchy wondered which side to take in recurring labor disputes. This was finally decided for them by the issuance of Pope Leo XIII's encyclical, Rerum Novarum, in 1891, but not until the Archbishop of New York and the Bishop of Rochester had expended endless effort in trying to protect the conservative position of the rights of private property (meaning employers), while the Archbishop

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[6] Ibid., p. 114.

of Baltimore and the Bishop of St. Paul-Minneapolis were equally active for the rights of labor. The library of the Catholic University of America today contains several shelves of histories of the American Catholic Church, and about half of the books have an index reference for "social justice." In every case the reference leads to a discussion of unionism, a just wage, and the rights of the factory laborer, mill hand, or dock worker. These were the sons of the Church about whom the Church needed to be daily and hourly concerned. There was simply no time left for the criminal population.

An aggravating factor then as now lay in the decisions of state governments to build their prisons as far as possible from population centers. With duties crowding upon them through eighteen-hour days, city priests were unable to get out to prisons, even if they gave them a thought and a prayer. Limited transportation systems made it difficult even for families to visit a prison, as it still is in most cases. A priest either had to take on prison ministry as his fulltime life's work, or rule it out of his duty schedule. Bishops were unwilling to assign a man to an apostolate where only a small percentage of his clients would be Catholic anyhow, and most of them non-practicing; especially when every diocese had parishes that had grown far too large, that needed to be split into new entities with pastors and curates of their own. Furthermore, the priest who took on prison ministry as a life's work distanced himself psychologically as well as geographically from his fellow priests. Such diocesan meetings as he could attend would discuss matters outside his concerns. At social gatherings of clergy he could hold their attention with a few dramatic anecdotes, and then the conversation

would turn to mutual parish problems and he would be out of it. It took a strong character. The pattern endures.

The problem was modified in the case of jails located inside the city. But even here pressures of time and duties were such that it usually took a personal call from a parishioner or his family to bring the priest to the jail. Even today, as this survey shows, jail ministry is mostly a parttime thing. The problem of pressure still exists, but may yield to the new solution of using non-priest personnel for all but sacramental ministry.

"Keep Out of Politics"

The last of the influences under discussion, the idea that "the Church should keep out of politics," sounds at first absurdly paradoxical. The American Church, as repeatedly pointed out, was dominated for decades by the Irish, and the Irishman is a highly political animal. But this slogan turns on the definition of "politics." Here it has nothing to do with which party to vote for or which candidate to support. Its best translation would be, "Once the government, that arm of God, has settled upon a policy or institution, it ill behooves the Church, that other arm of God, to criticize or try to change it."

The slogan is, of course, so leaky and impractical that volumes could be written on the times when it has been more honored in the breach than the observance. Nevertheless, as a slogan it had some power until Vatican II. It was the universal answer of some groups of Catholics, including many priests, to pleas for prison and sentencing reform, civil rights for minorities, open housing,

equal employment opportunities, integrated education. It was used as a blanket excuse for taking no position when the position called for by conscience would be threatening. It was felt that these were government problems, and the Church should stay away from them, and preach only "religious things." The trouble is that no matter where the preaching begins it eventually must lead back to liberty and justice for all as a tenet of conscience established by God long before it was a phrase in the pledge of allegiance to the American flag.

The slogan is no longer heard. It has done its damage and passed on. Those who want to avoid the issues of social justice today at least find other refuges for doing so. But for several generations it was an influence in the forming of Catholic attitudes toward government decisions, and colored Catholic reaction to criminal law, the handling of prisoners, prison, parole, probation, and the reform thereof.

These influences are probably not the whole story. They overlap and intrude upon each other. They betray failures in both understanding and practice of the Christian message. They are still being felt in the Church today, but to a lesser extent. The figures gathered in this survey do not indicate a great surge toward correctional ministry, but surely they are better than any figures which could have been collected ten or twenty years ago. At least they suggest that the influences are finally losing strength, and gradually being replaced by a new and better kind of thinking.

CHAPTER VI

SUMMARY AND CONCLUSION

Summary

Having given the philosophical and historical background for the position of the Roman Catholic Church on crime and punishment, this paper proceeded to examine the involvement of the twentieth century American Catholic Church in criminal justice, and more specifically in corrections.

Of the 158 questionnaires mailed out (the total number of Roman Catholic dioceses of the Roman Rite at the beginning of the study) 153 were returned, and most of the figures in the study are based on 153. Forty-five of these reported having an Office of Criminal Justice or its equivalent or substitute. Services supplied by the dioceses, with or without offices are shown in Table 5.

Table 5. Services Supplied by 153 Dioceses

Service	No. of Dioceses
Chaplains, fulltime	86
Chaplains, parttime	92
Advocacy	28
Bail bonding	4
Family counseling	31
Prison visiting	40
Legal services	8
Halfway houses	9
Other	16

Locations of chaplains, fulltime and parttime, by types of institutions, are shown in Table 6. The parttime figures particularly are somewhat uncertain, for reasons given on page 29, but these figures represent a minimum number. The 163 is equal to 0.003 of all the priests in the United States (about 58,800), and the 441 is equal to about 0.007, so altogether almost one percent of American priests are engaged in jail or prison chaplaincies.

Table 6. Chaplains

Type of Institution	Fulltime	Parttime
Federal Institution	31	3
State Adult Facilities	70	80
State Juvenile Facilities	24	33
County and City Jails	30	249
County Juvenile Facilities	8	22
Not specified		54
Total	163	441

Table 7 shows the total number of dioceses employing priests, Sisters, Brothers, seminarians or permanent deacons. The number of dioceses is not totalled because of overlap.

Table 7. Assigned Personnel in Correctional Ministry

	No. Dioceses	% Dioceses	No. Persons
Priests fulltime	86	54	163
Priests parttime	92	58	441
Sisters	17	11	26-33
Brothers	8	5	15
Seminarians	8	5	17
Deacons	27	17	67

Thirty-six dioceses (34%) supplied names of groups or individuals working in correctional ministry but not officially assigned.

Twenty-seven dioceses (18%) reported that a diocesan statement had been issued. Most of these were based on the formal statement of the United States Catholic Conference, The Reform of Correctional Institutions in the 70's. This document was reviewed and quoted, as were several local statements.

In the last section of Chapter III, various local programs were set forth as examples of what dioceses can do.

To analyze the data, three sets of figures were introduced: population figures from the 1970 census as used to obtain diocesan populations (general and Catholic) by the Catholic Directory; crime rate figures for the Standard Metropolitan Statistical Areas translated into dioceses; and number of active priests per diocese, obtained by a method described on pp. 58-59. Ranges and medians of populations and crime rates are given in Table 8.

Chaplains are being provided in most (probably all) large federal prisons, with 32 priests in 27 dioceses serving fulltime in the federal system. At least 28 state penitentiaries are also served by chaplains, and probably many others. Where Catholics number 15% or more of the population, the presence of a Catholic chaplain in the state prison can be documented in 27 of 30 cases. Where the Catholic population of a state is below 15%, the presence of the chaplain can be documented in 9 of 21 cases.

There are 134 persons other than priests serving in criminal justice on assignment from the Bishops of 42 dioceses. Most of these are clustered in ten dioceses. About 493 persons, including

Table 8. Ranges and Medians of Populations and Crime Rates

	Highest	Median	Lowest
Total pop. of dioceses	Los Angeles 9,424,906	St. Augustine 951,000	Juneau 43,000
Cath. pop. of diocese	Chicago 2,446,300	Baton Rouge 163,410	Juneau 4,800
Cath. % of diocesan pop.	Brownsville 81	Crookston, Monterey, Oakland, Rapid City 20	Charlotte 1.5
No. persons per priest (gen. pop.)	Charlotte 34,337	Corpus Christi 4,250	St. Cloud 1,356
No. Cath. per priest	Brownsville 2,967	Camden 815	Fairbanks 354
Sq. mi. per priest	Fairbanks 10,508	Kalamazoo 65	Newark 1.5
Crime rate per 100 persons	Tucson 9.14	Providence 5.19	Altoona-Johnstown 1.98

priests, are serving on some other basis. Table 9 indicates the divisions. The conclusion, however, that assigned personnel outnumber the nonassigned must be approached cautiously for reasons given on p. 58.

In at least 24 dioceses and probably more, priests have the option of serving or not as chaplains in correctional institutions within their parish boundaries. Nine dioceses have optional participation only, and ten have parttime chaplaincies only. Thirteen give the option in county facilities, but assign for state or federal institutions.

Table 9. Assigned and Non-Assigned Personnel

Personnel	No. Assigned	No. Not Assigned
Priests	604	195
Sisters	26-33	153
Brothers	15	10
Seminarians	17	39
Permanent Deacons	67	86
Lay Persons		10
Total	729-736	493

Whether diocesan Social Justice offices may take up criminal justice activities as they see the need, or whether they must wait for the move to be initiated at another level, did not conclusively appear.

There was some indication that State Catholic Conferences are beginning to deal with the problem. At least seven are known to have studied it and issued a statement, but this area needs further investigation.

The programs of 14 dioceses were chosen as outstanding in some way and checked against various factors for a common characteristic. It was found that northern dioceses, where Catholic populations are higher, and where most population centers lie, seem to be responding, on the whole, better than southern ones. Rural areas do not appear to feel much need for programs.

Size of diocese, whether defined as total population, Catholic population, or square miles, does not seem to have much effect on the creation of good programs, provided the diocese has a total population of at least half a million.

In considering the availability of priests to work in criminal

justice, the ratio of priests to Catholic population seems to be the most significant factor. Large dioceses are particularly susceptible to an unfavorable ratio, but, as some large dioceses have proved, it is a problem which can be overcome. A favorable ratio is no more likely to produce good criminal justice ministry. Density of Catholic population seems to be a positive rather than a negative factor. A high crime rate also appears to be a positive factor, though only one of the fourteen outstanding programs appeared in the ten dioceses with the highest crime rate.

This paper then entered the area of speculation on the causes of the historical neglect of the incarcerated population. Six possible influences were suggested, all related to the Catholic immigrant experience in the United States. They were explained in Chapter V.

Conclusion

As far as can be learned, this type of study has not been attempted before. This one scratches a surface and reveals many more studies lying beyond it.

One area not assessed, for example, is the extent of the prison chaplain's ministry not to inmates, but to staff. While staff members are free to pursue their religious preferences outside the institution, there is a sense in which they are also part of the chaplain's congregation. There is also a need to examine the communication of such things as the Bishops' 1973 statement to the man in the pew, and particularly to correctional administrators. At present high level pronouncements seem to reach only those who are already poised to listen for them. A survey of religious orders would no doubt reveal work in criminal justice that has not been touched on

within the limitations of this paper, as would a thorough study of such lay organizations as the St. Vincent de Paul Society.

Future studies could best be conducted under the auspices of the United States Catholic Conference, but an investigator would not have to be based in Washington to pursue them.

The Bishops have provided the basis for the Church's engagement in criminal justice in their 1973 statement. The study reveals that there is still an absymal gap between the Gospel mandate to "come to" Christ the Prisoner and the practice of the Church in twentieth century America. But there are hopeful signs. The fact that persons other than priests are being assigned to this ministry by Bishops, and the fact that others are anticipating the assignment and finding their own way into the ministry, is cause for optimism.

Training of the personnel varies. A check of the fourteen dioceses with good programs reveals degrees in theology, sociology, counseling, and various liberal arts disciplines, but none in criminal justice. Catholic colleges, however, are showing an increasing interest in adding criminal justice to their curricula. A survey of the 1976 catalogs of 52 Catholic colleges showed that while 12 of them offered no criminal justice classes, the other forty offered a total of 139 classes. Five colleges of the 52 offer enough classes to constitute a major in criminal justice. The survey did not include universities. As the number of its faithful engaged in criminal justice ministry increases, the Church has an increasing responsibility to look to their training.

The right of Christ the Prisoner to our compassionate attention and to decent living conditions inside the prison should engage

our attention. The Church need not necessarily espouse extreme positions such as the total abolition of prisons. Neither can it, or any of its members, decide that those who are in prison have merely "got what they deserve." What anyone deserves is for God to judge. We cannot afford the position that we would work for the innocently imprisoned, the mistakenly imprisoned, if they could be identified. We cannot offer our compassion to the political prisoner and deny it to the criminal prisoner. When Christ said, "I was a Prisoner," he did not qualify the noun in any way.

The Church's current concern with the Right to Life is the perfect context for concern about corrections. Right to life means a right, not merely to a bit of space on the planet and a bit of air to breathe, but to a certain quality of existence which makes it human rather than sub-human. Most of America's prisoners, especially those in jails, fall below that standard. It is possible to impart some of that standard, even within the limitations of lock-up, but the dimensions of the task must be understood and the effort must be made.

The emphasis in ministry is changing. This is particularly visible among Sisters, many of whom are moving and have moved out of the teaching-nursing frame into a variety of other services. At the same time, certain kinds of services are widely unpopular because they are depressing and difficult by nature. These, such as prison ministry or the ministry to the adult retarded, among others, may be the Church's fields of the future.

The Church has also a preaching mission to fulfill. It needs to remind all of us of the inequities in a society where corporations

can commit daily economic crimes with impunity, while an individual gets two years in prison for shoplifting a pair of sunglasses. It needs to advert daily to the consequences of group and individual greed, and tirelessly inveigh against them. It needs to reiterate its beliefs, and restate their importance. The anthropologist, Colin M. Turnbull says:

> In large-scale societies we are accustomed to diversity of belief, and we even applaud ourselves for our tolerance, not recognizing that a society not bound together by a single powerful belief is not a society at all, but a political association of individuals held together only by the presence of law and force, the very existence of which is a violence . . . In the absence of belief, law takes over and morality has little role to play, except at a purely individual level . . .[1]

We are approaching this point in our own civilization. If we fear the descent into amoral law followed by violence on a total-society scale, those with the beliefs need to speak and act.

The American Catholic Church of the late 1970's is increasing its commitment to Christ the Prisoner. It still has a distance to go. So far only one percent of its priests enter a correctional institution regularly, even on a parttime basis. Ninety-one percent of the dioceses have apparently not spoken on this subject. Sixty-seven percent of them have no means of meeting local criminal justice problems in an organized way. But there are probably more Church personnel engaged in this ministry now than ever before in the country's history (and more need for their services). The Bishops have issued a group statement which the Church could well spend the next twenty years implementing.

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[1] The Mountain People (New York: Simon and Schuster, 1972), pp. 209-210.

The situation is critical. The signs are both good and bad. Sometime within two to five years, the study should be repeated. Then the Church will know what direction it is going in criminal justice.

APPENDICES

APPENDIX A

LETTER OF ENDORSEMENT

UNITED STATES CATHOLIC CONFERENCE
1312 MASSACHUSETTS AVENUE N.W., WASHINGTON, D.C. 20005

CHAPLAIN SERVICES

August 8, 1977

TO WHOM IT MAY CONCERN:

As you are no doubt aware, one of the important areas which the Church has always been involved in services to prisons in various local and state institutions. Many times this was done by one area without another area being aware that such was taking place.

In order that we might better serve those priests, religious and lay persons presently serving our correctional institutions, I would heartily endorse the attached questionnaire which is being sent to you by Sister Georgia Costin.

As one deeply interested in this work, I feel that there is much more that we can do to assist those less fortunate than ourselves.

Sincerely,

Reverend Paul J. Henry, O.S.F.S.
Coordinator

PJH:vr
Attachment

APPENDIX B

QUESTIONNAIRE

QUESTIONNAIRE

(Arch) Diocese of_____

1. Does your diocese maintain an office of Correctional Services or anything comparable?

   Yes_____ No_____

   If yes, title of office_____

   Services provided by the office: (Check as appropriate).

   _____Chaplaincy services
   _____Advocacy
   _____Bail bonding
   _____Family counseling
   _____Prison visiting
   _____Legal services
   _____Halfway house

   Other: (Please Explain)_____
   _____
   _____
   _____
   _____
   _____
   _____

2. How many priests in your diocese are assigned to jail or prison ministry?

	No. full-time	No. Part-time
Federal institutions	_____	_____
State prisons, camps	_____	_____
State juvenile facilities	_____	_____
County jails	_____	_____
County juvenile facilities	_____	_____

3. Are any Sisters in your diocese officially assigned (by Bishop) to jail or prison ministry?

   Yes_____ No_____ If yes, how many_____

4. Are any Brothers, lay deacons, or seminarians officially assigned to jail or prison ministry?

   Yes_____ No_____

   If yes, how many: Brothers_____Lay Deacons_____Seminarians_____

5. Are any priests, Sisters, Brothers, lay deacons, or seminarians involved in jail or prison ministry without official assignment but with diocesan approval? (Religious community assignment, personal free-time apostolate, etc.)

   Yes_____ No_____

   If so, how many: Priests_____Sisters_____Brothers_____

   lay deacons_____Seminarians_____

   If you know of aspects of criminal justice ministry which are on-going but not officially assigned in your diocese, please indicate below, with, if possible, addresses where further information can be obtained.

   _____

   _____

   _____

   _____

6. Has your diocese ever issued a pastoral letter on criminal justice or prisons, or included these subjects as major topics in a letter?

   Yes_____ No_____ If yes, date of letter_____

   Note: we would greatly appreciate receiving copies of your pastoral letter or any other published material from your diocese, state Catholic Conference, etc., on the subject of criminal justice ministry.

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