



Department of Justice, Peace and Human Development
Office of Domestic Social Development

Criminal Justice Reform
Pope Francis' Visit to the United States
September 2015

“No cell is so isolated as to exclude the Lord, none. He is there, he weeps with them, works with them, waits with them. His paternal and maternal love reaches everywhere.” --Pope Francis, October, 23 2013

BACKGROUND

Pope Francis has addressed the topic of criminal justice on many occasions. He has visited prisons and washed the feet of adult and juvenile prisoners. On his trip to the United States, he will come as a messenger of God's love for a broken world and as a beacon of hope, mercy and justice. He will also visit with inmates and staff of the Curran-Fromhold Correctional facility outside of Philadelphia.

Pope Francis will unfortunately find that the United States leads the world in incarceration with close to 2.2 million people in our nation's prisons and jails. Although national incarceration rates have dropped the last few years, the overall incarceration rate has increased 500% in the last thirty years.

He will also find that poor people and minorities are disproportionately impacted by incarceration, which has become a for-profit business as the number of private prisons grows. The U.S. criminal justice system is also replete with economic and racial disparities. An August 2013 study reports that one in every three African-American males will go to prison at some point in his lifetime.

Restorative justice efforts, in response, work to heal and support both formerly incarcerated persons and victims of crime. When people leave prison they face significant barriers such as homelessness, unemployment, poverty, substance abuse and emotional and psychological stress. Without assistance recidivism is more likely placing the person in an almost endless cycle impacting them, their families and the community. Victims of crime and communities impacted by violence also need healing and support. Without this they are often left with feelings of neglect, abandonment and anger where reconciliation and healing become difficult, if not impossible.

USCCB POSITION

Pope Francis has stated, “God is in everyone's life. Even if the life of a person has been a disaster, even if it is destroyed by vices, drugs or anything else—God is in this person's life.”

In this light, the U.S. Bishops call for reform of the criminal justice system to promote the common good, help restore a sense of community, promote rehabilitation and resist the violence that too often engulfs much of our culture. In their 2000 pastoral statement, *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice*, the Bishops stated, “Just as God never abandons us, so too we must be in covenant with one another. We are all sinners, and our response to sin and failure should not be abandonment and despair, but rather justice, contrition, reparation, and return or reintegration of all into the community.”

It is simply too costly financially and in terms of lives negatively affected to continue to incarcerate people at this level. Congress has the opportunity to pass meaningful criminal justice and sentencing reform legislation. As they craft this legislation they should consider the following priorities:

Sentencing Reform:

- Restore sentencing proportionality. Too often people are serving excessively long sentences even for non-violent offenses. Expand current judicial sentencing options related specifically to non-violent drug offenses;
- Permit reductions to mandatory minimum sentences for non-violent drug offenses and permit crack cocaine offenders to seek retroactively lighter sentences under the *2010 Fair Sentencing Act*;
- Expand earned time credits for good behavior. Prisoners who have committed non-violent offenses should be able to reduce the length of their sentences by successfully participating in recidivism reduction and reentry programs.

Counter Recidivism

- Promote and support recidivism reduction and reentry programs including: occupational and vocational training, mental health and substance abuse treatment, assistance to find housing and employment, mentoring and life skills coaching, and domestic violence deterrence classes;
- Remove barriers that prevent access to the Supplemental Nutrition Assistance Program (SNAP) and Federal Student Aid for formerly-incarcerated individuals so they are able to meet their basic needs and further their education;
- Promote partnerships with faith-based and community and non-profit organizations to provide recidivism reduction programs and services.

ACTION:

The time for criminal justice reform is now. Congress can demonstrate solidarity with Pope Francis as he visits our nation by taking up and passing effective criminal justice reform legislation. Recently introduced legislative proposals enjoy bipartisan support and include:

- **The Smarter Sentencing Act (S. 502, H.R. 920):** Proposes modest but important reforms to mandatory minimum sentences by expanding current judicial sentencing options related to non-violent drug offenses. This bill would permit reductions in mandatory minimum sentences for certain drug crimes and allows crack cocaine offenders to seek lighter sentences under the 2010 Fair Sentencing Act;
- **CORRECTIONS Act (S. 467):** Allows prisoners the opportunity to earn time credits on their sentences if they successfully participate in recidivism reduction and reentry programs;
- **Second Chance Reauthorization Act of 2013 (S. 1513, H.R. 3406):** Authorizes funding for state and federal programs to help people leaving prison and reintegrate back into their communities so that they do not reoffend. Programs focusing on education, literacy, job-placement, substance abuse treatment and other goals, help people be productive members of society.

RESOURCES:

- Pope Francis, “Address to the Delegates of the International Association of Penal Law,” October 23, 2014. https://w2.vatican.va/content/francesco/en/speeches/2014/october/documents/papa-francesco_20141023_associazione-internazionale-diritto-penale.html
- *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice* at USCCB Website: <http://www.usccb.org/issues-and-action/human-life-and-dignity/criminal-justice-restorative-justice/crime-and-criminal-justice.cfm>
- USCCB Web Page on Criminal and Restorative Justice Issues: <http://www.usccb.org/issues-and-action/human-life-and-dignity/criminal-justice-restorative-justice/index.cfm>

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