

## Commission Testimony

(Presented by Rev. C. Reuter at the May 14, 2015, meeting in Springfield)

Good afternoon, Chairman Heaton, Vice-Chairman Barclay, ladies and gentlemen of the Illinois Commission on Criminal Justice and Sentencing Reform. I am Father Christian Reuter, Prison Ministry Coordinator of the Catholic Diocese of Belleville and a representative of the Catholic Conference of Illinois; and I thank you for this opportunity to offer input for the important task to which our Governor has appointed you. I and my colleagues who are present request that our oral and written remarks be made part of the Commission's record.

It should not be necessary to point out why our church and other faith communities are very interested in matters of criminal justice. Not only do we attend to the spiritual needs of prisoners through our chaplaincies, but we also are committed to the pastoral care of all families and communities impacted by incarceration. The evidence is compelling, I suggest, that departments of "correction" achieve their goals better when the faith dimension is integral and indispensable in their vision and programming. In short, we both need each other to succeed.

I am somewhat ashamed to confess that much of what civil society knows about temporal punishment it learned from the church. Centuries before circuit judges began meting out years of sentences for crimes committed, we were in the business of legislating and enforcing penances both here and hereafter for sins committed. It is no accident that the word "penitentiary" is familiar to us both. In the Catholic Church we struggle to reconcile justice and mercy in our theology and in our pastoral practices. That, I suggest, is also your Commission's challenge.

Here in Illinois we have a long history of good cooperation between the State and religious bodies in the Department of Corrections. Back in the 1930's, over 75 years ago, Governor Horner appointed a commission similar to yours to study prison problems and to make recommendations for reform. That commission was chaired by Joseph Schlarman, the Catholic Bishop of Peoria, and I am submitting his report *Why Prisons?* for inclusion in your record. We've been down this road before, and a look at history can be instructive. Many of the issues are still the same, but we all know the exponential growth in imprisonment we face today.

I was encouraged, therefore, when Governor Rauner issued his Executive Order back in February; but I was also a bit disappointed with his list of reasons for doing so. Each of them (beginning "Whereas") is either financial or logistic in character, and there is little mention of the human/ethical/moral dimensions of incarceration. Further, when the Governor appointed the Commission's members, I applauded its professional and bi-partisan makeup but also noted the absence of any prison chaplains or faith-based representatives. I am further disappointed that we were not among the "stakeholders" explicitly mentioned.

I do not envy your task of sifting through mountains of data, research, and proposals, and then making realistic recommendations to reduce our prison population "by 25% by 2025" in the short time allotted for your work. I will not add to your grief with specifics of my own, but I do

want to give a simple reminder. As you crunch the numbers and prognosticate the future, please never forget the human beings who will be affected by changes in sentencing and imprisonment. Do not sacrifice any of them to achieve short-term goals. Do not address just the symptoms, but use the wisdom of Solomon to fix the causes of our broken system.

For this reason I urge you to begin your Commission's report to the Governor with a clear statement—a "Preamble" if you will—that itemizes the essential values and principles that should undergird all of Illinois' policies and laws pertaining to criminal justice. Such an introduction, I submit, would remind us all to take the moral high ground and refuse to be pulled down into the endless cycle of vengeance and violence. Allow me to make a few suggestions:

- (1) The State has the right and the duty to protect its citizens from violence and crime. Its police powers, including the operation of its prisons, cannot be contracted to private vendors or outsourced to other polities.
- (2) Illinois affirms the basic human rights and dignity of all persons, including those who are incarcerated and including both citizens and the undocumented. Among these rights is that of practicing one's religious faith without undue hindrance.
- (3) While punishment for crime is a legitimate function of the State's criminal justice system, Illinois' sentencing and incarceration policies will seek to favor rehabilitation over retribution and will adequately prepare prisoners for re-entry into society whenever possible.
- (4) Illinois recognizes that crime affects everyone—perpetrators, victims, and community—and is committed to prevention and cures that endure. It rejects simplistic, short-term solutions such as rigid mandatory sentencing.

The Catholic Bishops of the United States gave a more complete set of guidelines for criminal justice reform in their year 2000 statement *Responsibility, Rehabilitation, and Restoration*. While that statement is still quite valid, I refer you to a recent article by Bishop Denis J. Madden in the February 23, 2015, issue of *America Magazine*, *Prison Addiction: Why Mass Incarceration Policies Must Change*. (I am submitting copies of both documents today for all of you and for the Commission's record.) Together they make a very compelling argument for the urgency of the task you have undertaken.

Finally, I urge you to give special attention to "Restorative Justice", which is our best hope of finding solutions to the vexing problems we face. Although we still have not come to unanimity, it is starting to bring us all together at the same table. That is already progress.

Respectfully submitted,

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