



The Catholic Conference of KY (CCK) is an agency of the Catholic Bishops, established in 1983. It speaks for the Church in matters of public policy, serves as liaison to government and the legislature, and coordinates communications and activities between the church and secular agencies. There are 388,000 Catholics in the Commonwealth. The Bishops of the four dioceses of KY constitute CCK's Board of Directors.

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Catholic Conference of KY Supports Funding for Legal Services for the Poor

The Catholic Conference supports an increase in funding for legal services for the poor, the marginalized, the stranger and specifically increased funding for our Kentucky's indigent defense services. The inadequate funding of our present Kentucky public defender system is well documented. State and federal constitutional guarantees necessitate improved funding for our statewide indigent defense system. I appear today to offer an additional perspective for consideration for providing additional funds for legal services to the poor in Kentucky who are accused of or convicted of a crime.

The right to counsel for an indigent defendant to insure a just result has its roots in the Hebrew and Christian Scriptures and is recognized as important by religious leaders today. Most evident from the early Scriptures in this regard are the admonishments by the prophets to those who did not justly and fairly treat the poor "in the gate" of the city, which was the site for the judicial system of the time where justice was administered. Justice for the poor and vulnerable is one of the most pervasive themes in the Old Testament.

The early Christian community continued to plead for those on the margins. For instance, in September 401 during the Council of Carthage the African bishops petitioned the Roman emperor to provide a person, a *defensor civitatis*, to "alleviate the suffering of the poor" by defending the poor, protecting their civil rights, securing a just result amidst complicated Roman laws. In 407 Emperor Honorius ordered that a *defensor civitatis* should be elected.

In Chapter 25 of the Gospel of Matthew we are told that those who are faithful with the talents provided to them enjoy the kingdom of God. In that same Chapter we are informed that people at the last judgment will be separated with the sheep on God's right and the goats on His left. We will be judged by the degree that we cared for the ill, fed the hungry, welcomed the stranger, and visited those in prison. "Amen, I say to you, whatever you did for one of these least brothers of mine, you did for me." (Mt 25:40).

Christian leaders today continue the call for insuring justice for the poor. Pope John Paul II taught in "The Gospel of Life: On the Value and Inviolability of Human Life" (1995): "As disciples of Jesus, we are called to become neighbors to everyone (cf. Lk10:29-37), and to show special favour to those who are the poorest, most alone and most in need." In November 2000, the United States Bishops issued a statement on crime and criminal justice: *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice*, <http://www.usccb.org/sdwp/criminal.htm>. In that statement, the bishops say: "The fundamental starting point for all of Catholic social teaching is the defense of human life and dignity: every human person is created in the image and likeness of God and has an inviolable dignity, value, and worth, regardless of race, gender, class, or other human characteristics. Therefore, both the most wounded victim and the most callous criminal retain their humanity. All are created in the image of God and possess a dignity, value, and worth that must be recognized, promoted, safeguarded, and defended." The bishops also recognized "The Option for the Poor and Vulnerable: This principle of

Catholic social teaching recognizes that every public policy must be assessed by how it will affect the poorest and most vulnerable people in our society.”

More recently, the Catholic bishops of Kentucky issued “A Catholic Perspective on Crime and Criminal Justice: A Kentucky Call to Responsibility, Rehabilitation, and Restoration, (<http://www.ccky.org/Pastoral%20Resources/Ky%20RRR%20Initiative.pdf>) and called for Catholic principles and values to be instilled in Kentucky’s criminal justice system and recognized that one of those values was that “we all are responsible for all.”

Continuing this tradition of calling for just and fair treatment of the least among us, the Catholic Conference of Kentucky supports increased funding for Kentucky’s Department of Public Advocacy, not just because it is in line with constitutional rights to justice, but also because it promotes core principles of Catholic social teaching. Criminal justice policies and funding must take special care to address and serve those with little or no money. Policies and funding must ensure that justice is as accessible to those who are poor as it is to those who are more affluent. Each person who is accused or convicted is a child of God. Jesus, who Himself was a prisoner, was devoted to justice for the poor, the marginalized, the stranger.

The proper funding of legal services for the poor, the marginalized, the stranger is a moral test for our Commonwealth. On behalf of those in jails and prisons who are visited and served by defenders and on behalf of people of faith, CCK urges more funding for the provision of the right to counsel for those accused and those convicted of a crime who are unable to afford counsel.



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Executive Director

Notes:

***The Cultural World of Jesus, Sunday by Sunday, Cycle A* John J. Pilch. The Liturgical Press. 1995. pp. 22-24** “Trials in ancient Israel were decided by the leading men of the city or synagogue who administered justice ‘in the gate’ (see Amos 5:15; Deut 19:12).”

Amos 5:7, 15: “Woe to those who turn judgment to wormwood and cast justice to the ground! ...Hate evil and love good, and let justice prevail at the gate; Then it may be that the LORD, the God of hosts, will have pity on the remnant of Joseph.”

Job 5:4: “His children shall be far from safety; they shall be crushed at the gate without a rescuer.”

Isaiah 29: 20-21:“For the tyrant will be no more and the arrogant will have gone; All who are alert to do evil will be cut off, those whose mere word condemns a man, Who ensnare his defender at the gate, and leave the just man with an empty claim.”

Psalms 10:17: “You listen, LORD, to the needs of the poor; you encourage them and hear their prayers.”

"The Gospel of Life: On the Value and Inviolability of Human Life" (1995): "In our service of charity, we must be inspired and distinguished by a specific attitude: we must care for the other person for whom God has made us responsible. As disciples of Jesus, we are called to become neighbors to everyone (cf. Lk 10:29-37), and to show special favour to those who are the poorest, most alone and most in need. In helping the hungry, the thirsty, the foreigner, the naked, the sick, the imprisoned - as well as the child in the womb and the old person who is suffering or near death - we have the opportunity to serve Jesus. He himself said: 'As you did it to one of the least of these my brethren, you did it to me.' (Mt 25:40)."