



## WISCONSIN CATHOLIC CONFERENCE

TO: Representative Ron Tusler, Chair  
Members, Assembly Committee on Judiciary

FROM: David Earleywine, Associate Director

DATE: February 8, 2024

RE: Support for AB-845, Prohibiting Life Sentences without Parole for Youthful Offenders

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The Wisconsin Catholic Conference (WCC), the public policy voice of the state's Catholic bishops, thanks you for the opportunity to testify in support of AB-845, prohibiting life sentences without parole for those under 18.

Catholic teaching holds that all offenders must be held accountable, but in a way that serves to rehabilitate them and to eventually reintegrate into the community. The U.S. bishops spell out this “paradoxical Catholic teaching on crime and punishment”:

We will not tolerate the crime and violence that threatens the lives and dignity of our sisters and brothers, and we will not give up on those who have lost their way. We seek both justice and mercy. Working together, we believe our faith calls us to protect public safety, promote the common good, and restore community. We believe a Catholic ethic of responsibility, rehabilitation, and restoration can become the foundation for the necessary reform of our broken criminal justice system.<sup>1</sup>

In this same statement on criminal justice, the U.S. bishops are explicit in their opposition to treating young offenders as adults:

The actions of the most violent youth leave us shocked and frightened and therefore they should be removed from society until they are no longer dangerous. But society must never respond to children who have committed crimes as though they are somehow equal to adults – fully formed in conscience and fully aware of their actions. Placing children in adult jails is a sign of failure, not a solution. In many instances, such terrible behavior points to our own negligence in raising children with a respect for life, providing a nurturing and loving environment, or addressing serious mental or emotional illnesses.<sup>2</sup>

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<sup>1</sup> United States Conference of Catholic Bishops, [\*Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice\*](#) (2000).

<sup>2</sup> *Id.*

Furthermore, for punishment to be an instrument of correction, the offender must be given hope.<sup>3</sup> As Pope Francis noted in 2022, “It is right that those who have done wrong should pay for their mistake, but it is equally right that those who have done wrong should be able to redeem themselves for their mistake. ... Any sentence must always have a window of hope.”<sup>4</sup>

Our legal system also recognizes that holding youth to the same standards of accountability as a fully formed adult is unjust. In *Miller v. Alabama*, 567 U.S. 460 (2012), the Supreme Court held that imposing a mandatory life sentence without parole for a juvenile constitutes cruel and unusual punishment in violation of the Eighth Amendment of the United States Constitution. In that case, the Court specifically explained that juvenile offenders possessed “diminished capacity” and the inability to fully appreciate the risks and consequences of their actions.

With all this in mind, we urge the Committee to support AB-845, which will foster both rehabilitation and restoration in Wisconsin. Thank you again for the opportunity to testify today.

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<sup>3</sup> Pontifical Council for Justice and Peace, [Compendium of the Social Doctrine of the Church](#), no. 403. (“There is a twofold purpose here. On the one hand, encouraging the re-insertion of the condemned person into society; on the other, fostering a justice that reconciles, a justice capable of restoring harmony in social relationships disrupted by the criminal act committed.”) See also [Catechism of the Catholic Church](#), 2<sup>nd</sup> ed. (2000), no. 2266: (“The efforts of the state to curb the spread of behavior harmful to people’s rights and to the basic rules of civil society correspond to the requirement of safeguarding the common good. Legitimate public authority has the right and duty to inflict punishment proportionate to the gravity of the offense. Punishment has the primary aim of redressing the disorder introduced by the offense. When it is willingly accepted by the guilty party, it assumes the value of expiation. Punishment then, in addition to defending public order and protecting people’s safety, has a medicinal purpose: as far as possible, it must contribute to the correction of the guilty party.”)

<sup>4</sup> Pope Francis, [General Audience](#) (January 19, 2022).