Ameinment of the

United States Conference of Catholic Bishops

Cailing for An End to the Use of The Death Penalty

Death of Penalty

and

Life of Culture

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Msgr. William P. Fay
General Secretary, USCCB

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A Culture of Life

and the Penalty of Death

United States Conference of Catholic Bishops

Washington, D.C.
I.

A New Moment

Twenty-five years ago, our Conference of bishops first called for an end to the death penalty. We renew this call to seize a new moment and new momentum. This is a time to teach clearly, encourage reflection, and call for common action in the Catholic community to bring about an end to the use of the death penalty in our land.

In these reflections, we join together to share clearly and apply faithfully Catholic teaching on the death penalty. We reaffirm our common judgment that the use of the death penalty is unnecessary and unjustified in our time and circumstances.

Our nation should forgo the use of the death penalty because

- The sanction of death, when it is not necessary to protect society, violates respect for human life and dignity.
- State-sanctioned killing in our names diminishes all of us.
- Its application is deeply flawed and can be irreversibly wrong, is prone to errors, and is biased by factors such as race, the quality of legal representation, and where the crime was committed.
- We have other ways to punish criminals and protect society.

For a quarter-century, Catholics have worked with others in state legislatures, in the courts, and in Congress to restrain or end the use of the death penalty. New allies and arguments offer new opportunities to make a difference. Under the leadership of our beloved Pope John Paul II, Catholic teaching on the death penalty has been articulated and applied with greater clarity and strength. Many people, especially Catholics, appear to be reconsidering their past support for the death penalty. The Supreme Court and some states, with our active support, have limited the use of capital punishment. Today, there is a serious re-examination of the death penalty—its fairness and effectiveness, its
social and moral dimensions. We renew our common conviction that it is time for our nation to abandon the illusion that we can protect life by taking life. Ending the use of the death penalty would be one important step away from a culture of death toward building a culture of life.

II.

Our Reflections As Teachers, Pastors, and Leaders

We offer these reflections as Catholic teachers, pastors, and leaders. As teachers, we have the obligation to share our Catholic faith and moral tradition, including teaching on the death penalty. While complex, the teaching of the Universal Church is clear. It has developed over time and has been taught most powerfully in the words and witness of Pope John Paul II. Catholic teaching on the death penalty is clearly articulated in the encyclical The Gospel of Life, the Catechism of the Catholic Church, and the Compendium of the Social Doctrine of the Church.1 In Catholic teaching the state has the recourse to impose the death penalty upon criminals convicted of heinous crimes if this ultimate sanction is the only available means to protect society from a grave threat to human life. However, this right should not be exercised when other ways are available to punish criminals and to protect society that are more respectful of human life. In these pastoral reflections, we do not offer new teaching or doctrine but rather hope to help Catholics better understand and apply this teaching in our own time and situation.

As pastors, we share the justified anger and revulsion at terrible and deadly crimes. In calling for an end to the use of the death penalty, we do not seek

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to diminish in any way the evil and harm caused by people who commit horrible murders. We also share the hurt and horror, the loss and heartache that are the result of unspeakable acts of violence. We have presided at the funerals of police officers killed in the line of duty and have consoled parents who have lost children. We have heard the anger and despair of victims' families who feel ignored by the criminal justice system, society as a whole, and, at times, even the Church. Our family of faith must care for sisters and brothers who have been wounded by violence and support them in their loss and search for justice. They deserve our compassion, solidarity, and support—spiritual, pastoral, and personal. However, standing with families of victims does not compel us to support the use of the death penalty. Often, these

**WRONGLY CONVICTED**

“In 1984, I was wrongfully convicted and sentenced to death for the rape and murder of nine-year-old Dawn Hamilton in Baltimore, Maryland. I spent eight years, eleven months, and nineteen days behind bars before DNA testing proved my innocence.

“In that time, my life had been taken from me and destroyed. The Catholic Church provided me with essential support in my time of need, and I converted to Catholicism in 1989, while I was serving time behind bars.

“Every bit of my story exemplifies the problems in the death penalty system. The same systemic flaws that led to my wrongful conviction, such as mistaken identification, inadequate representation, prosecutorial misconduct, and basic human error, plague the cases of innocent people in prison and on death row.”

—Kirk Bloodsworth, speaking at the USCCB Press Conference launching the Catholic Campaign to End the Use of the Death Penalty (March 21, 2005)
families are further violated by the legal processes and public attention that come with capital punishment. For many left behind, a death sentence offers the illusion of closure and vindication. No act, even an execution, can bring back a loved one or heal terrible wounds. The pain and loss of one death cannot be wiped away by another death.

Those who work in the criminal justice system also deserve our concern, prayers, and attention. Governors, wardens, corrections officers, judges, prosecutors, defense attorneys, and especially those involved directly in executions face difficult choices of life and death, crime and punishment, justice and mercy, rehabilitation and redemption. In addition, some may find themselves required to participate in a process they find morally objectionable.

A number of us have also visited people on death row. We have listened to their families who tell of their own fear, grief, and shame. Some who have been on death row have been released after years of facing execution because new evidence has exonerated them. The human loss and cycle of violence in capital cases touches their families too. In this reflection, we encourage care and compassion for all those directly involved in these matters of life and death.

As leaders of a community of faith and as participants in our democracy, we are committed to contribute to a growing civil dialogue and reassessment of the use of this ultimate punishment. The death penalty arouses deep passions and strong convictions. People of goodwill disagree. In these reflections, we offer neither judgment nor condemnation but instead encourage engagement and dialogue, which we hope may lead to re-examination and conversion. Our goal is not just to proclaim a position, but to persuade Catholics and others to join us in working to end the use of the death penalty. We seek to help build a culture of life in which our nation will no longer try to teach that killing is wrong by killing those who kill. This cycle of violence diminishes all of us.
In the past three decades, nearly one thousand people have been put to death in the United States. During this time, thirty people on average have been executed each year, with a peak of ninety-eight executions in 1999. Just five states carry out the majority of executions in the United States. Twelve states do not have capital punishment at all. Among democratic and developed countries, the United States stands almost alone in its regular use of the death penalty. The death penalty in our land is deeply flawed. It has been reported that since the 1970s, more than 120
people who were on death row have been exonerated. The death penalty appears to be often applied unfairly and influenced by where a crime is committed, the race of the victim and offender, the quality and costs of legal defense, and other social factors.

The question of the death penalty’s deterrence value remains unproven. States with more executions do not generally have lower murder or crime rates. There is no clear evidence that the death penalty prevents or deters crime.

Growing doubts about the fairness, effectiveness, and impact of capital punishment are contributing to increasing unease about its use. In recent years, the number of executions has declined as questions about innocence and fairness have increased. In addition, recent Supreme Court decisions have ended executions of the mentally retarded and those who were juveniles at the time they committed their crimes. The Supreme Court has also insisted that only juries, and not judges, can impose a sentence of death.

Public attitudes are changing. There is evidence that many people are re-examining and reconsidering their past support for the death penalty, especially Catholics. We hope our efforts will contribute to this growing opposition to the use of the death penalty in our own community and beyond.

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2 Death Penalty Information Center, 2005.


4 For USCCB Supreme Court amicus curiae briefs, see www.usccb. org/ogc/nopersimmons.pdf and www.usccb.org/ogc/amicuscuriae3.shtml.

5 While the Church’s teaching and our Conference’s policies are not determined by public opinion, the results of a study conducted in November 2004 and March 2005 for the United States Conference of Catholic Bishops are encouraging. Support for the death penalty among Catholics has dropped dramatically, from over 70% to less than 50% in the past decade. “Respect for life” is cited as a primary reason why Catholics oppose the use of the death penalty. According to the survey, those who attend Mass weekly are less likely to support the death penalty. In addition, younger Catholics are less supportive of the death penalty than older Catholics.
THE DEATH PENALTY IN DECLINE

Executions Down
In a five-year period from 1999 (98 executions) to 2004 (59 executions), the number of people put to death has dropped 40%.

Death Rows Shrink
In 2000, 3,601 people were on death row in the United States. By 2005, that number had dropped to approximately 3,452 state and federal death row inmates.

Fewer Death Sentences
Until the late 1990s, 300 defendants on average were sentenced to death each year. In 2003, only 144 were sent to death row, a 50% drop.

U.S. Supreme Court Limits on the Death Penalty
Citing evolving public standards of decency, the Court ruled that mentally retarded persons (Atkins v. Virginia, 536 U.S. 304 [2002]) and offenders under the age of 18 when their crimes were committed (Roper v. Simmons, 125 S.Ct. 1183 [2005]) were no longer eligible for the death penalty. The ruling on juveniles freed 72 inmates from death row in 2005. Ring v. Arizona (536 U.S. 584 [2002]) ended the practice of having a judge, rather than a jury, impose a death sentence in a capital case.

Life Without Parole
Thirty-seven of 38 states with the death penalty now offer life without parole as an alternative sentencing option.

Exonerations
Since the 1970s, more than 120 death row inmates have been exonerated of their capital crimes.

—U.S. Department of Justice, Bureau of Justice Statistics, Capital Punishment 2003 (November 2004) and Death Penalty Information Center
IV. Catholic Teaching and the Death Penalty

Our faith and Catholic teaching offer a moral framework for choices about the use of the death penalty. A principled Catholic response to crime and punishment is rooted in our convictions about good and evil, sin and redemption, justice and mercy. It is also shaped by our commitment to the life and dignity of every human person, and the common good.

CATHOLIC ATTITUDES ON THE USE OF THE DEATH PENALTY

Declining Support
Catholic support for the use of the death penalty has dropped significantly—from over 70% of Catholics in the late 1990s to now less than half (48%).

Less Intense Support
The percentage of Catholics who were “strongly supportive of the use of the death penalty” has dropped to 20%.

Mass Attendance
Those who attend Mass at least once a week are more likely to oppose the use of the death penalty than those who attend less frequently.

Younger Catholics
Catholics from 18 to 29 years old are less likely to support the use of the death penalty than are those 30 and older.

Defense of Human Life
Seventy-nine percent of all Catholics believe that opposition to the death penalty is “consistent with the defense of human life.”

—Zogby International Poll (March 21, 2005), http://www.usccb.org/sdwp/national/deathpenalty/Zogby-slides.ppt
The opening chapters of the Book of Genesis teach that every life is a precious gift from God (see Gn 2:7, 21-23). This gift must be respected and protected. We are created in God’s image and redeemed by Jesus Christ, who himself was crucified. Those harmed by violence deserve both justice and compassion. Those who inflict such harm must be held accountable.

Within the Catholic tradition, punishment has several purposes: redressing the disorder caused by the offense, i.e., just retribution; defending public order; deterring future wrongdoing; and promoting reform, repentance, and conversion of those who commit evil acts.6

Each of us is called to respect the life and dignity of every human being. Even when people deny the dignity of others, we must still recognize that their dignity is a gift from God and is not something that is earned or lost through their behavior. Respect for life applies to all, even the perpetrators of terrible acts. Punishment should be consistent with the demands of justice and with respect for human life and dignity.

Some argue that biblical statements about “life for life, eye for eye, tooth for tooth” (see Ex 21:23-25, Lv 24:17, Dt 19:21) require that the death penalty be used for certain crimes. A correct interpretation of these passages indicates, however, that the principal intent of such laws was to limit the retribution that could be exacted for an offense, not to require a minimum punishment. Furthermore, it is important to read individual passages in the context of Sacred Scripture as a whole. While the Old Testament includes some passages about taking the life of one who kills, the Old Testament and the teaching of Christ in the New Testament call us to protect life, practice mercy, and reject vengeance. When Cain killed Abel, God did not end Cain’s life. Instead, he sent Cain into exile, not only sparing his life but protecting it by putting “a mark on Cain, lest anyone should kill him at sight” (Gn 4:15). Jesus refused to stone the woman accused of adultery (Jn 8:1-11), reminding us to be cautious in judging others and to have hope in the possibility of reform and redemption.

6 See Catechism, no. 2266.
In its traditional teaching as summarized in the *Catechism of the Catholic Church*, the Church affirms the right and duty of legitimate public authority “to inflict punishment proportionate to the gravity of the offense” (no. 2266). Recourse to the death penalty is not absolutely excluded (see no. 2267): the death penalty is not intrinsically evil, as is the intentional taking of innocent life through abortion or euthanasia (see nos. 2271, 2277). Nevertheless, the Church teaches that in contemporary society where the state has other non-lethal means to protect its citizens, the state should not use the death penalty (see no. 2267).

In his encyclical *The Gospel of Life*, Pope John Paul II asserted that punishment “ought not go to the extreme of executing the offender except in cases of absolute necessity: in other words, when it would not be possible otherwise to defend society. Today however, as a result of steady improvements in the organization of the penal system, such cases are very rare, if not practically non-existent.”

The *Catechism* also makes clear that if other ways exist to protect society, the death penalty should not be permitted: “If, however, non-lethal means are sufficient to defend and protect people’s safety from the aggressor, authority will limit itself to such means, as these are more in keeping with the concrete conditions of the common good and more in conformity with the dignity of the human person.”

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7 *The Gospel of Life*, no. 56.

8 *Catechism*, no. 2267.
The Compendium of the Social Doctrine of the Church summarizes these principles and states that “modern society in fact has the means of effectively suppressing crime by rendering criminals harmless”…

The growing number of countries adopting provisions to abolish the death penalty or suspend its application is also proof of the fact that cases in which it is absolutely necessary to execute the offender ‘are very rare, if not practically non-existent.’”

Some ask whether those who commit the most heinous crimes or who are found guilty of repeated violence constitute the “rare” occasions when the death penalty is appropriate. According to The Gospel of Life, the existence of a “rare” occasion when the death penalty may be used is not determined by the gravity of the crime but by whether “it would not be possible otherwise to defend society.” No matter how heinous the crime, if society can protect itself without ending a human life, it should do so.

Others question whether our criminal justice system can indeed protect society. They point to examples of the release of offenders who subsequently commit horrible acts of violence. But in the face of a growing culture of death, every effort should be made to promote a culture of life. Therefore, we believe that the primary response to these situations should not be the use of the death penalty but should instead be the promotion of needed reform of the criminal justice system so that society is more effectively protected.

One alternative to the death penalty is life without the possibility of parole for those who continue to pose a deadly threat to society. Our Conference has addressed these challenges in its criminal justice statement entitled Responsibility, Rehabilitation, and Restoration.

Throughout his papacy, Pope John Paul II pleaded for clemency in specific death penalty cases in our

9 Compendium of the Social Doctrine of the Church, no. 405, quoting The Gospel of Life, nos. 27, 56.
10 The Gospel of Life, no. 56.
country. By forgiving the man who tried to assassinate him, he witnessed Christ’s love for all, even those who have done great evil, and provided an important model of compassion for our society. In St. Louis in 1999, he made a direct appeal for an end to the use of the death penalty:

The new evangelization calls for followers of Christ who are unconditionally pro-life: who will proclaim, celebrate and serve the Gospel of life in every situation. A sign of hope is the increasing recognition that the dignity of human life must never be taken away, even in the case of someone who has done great evil. . . . I renew the appeal I made . . . for a consensus to end the death penalty, which is both cruel and unnecessary.¹²

Catholic teaching on the common good commits each of us to pursue the good of everyone and of society as a whole.¹³ When the state, in our names and with our taxes, ends a human life despite having non-lethal alternatives, it suggests that society can overcome violence with violence. The use of the death penalty ought to be abandoned not only for what it does to those who are executed, but for what it does to all of society.

The pursuit of the common good is linked directly to the defense of human life. At a time when the sanctity of life is threatened in many ways, taking life is not really a solution but may instead effectively undermine respect for life. In many ways the death penalty is about us: the actions taken in our name, the values which guide our lives, and the dignity that we accord to human life. Public policies that treat some lives as unworthy of protection, or that are perceived


V.

The Catholic Community and the Death Penalty

For twenty-five years, many of us bishops have preached and taught, witnessed and advocated against the use of the death penalty. Working through state Catholic conferences, the Catholic community has helped to prevent the reinstatement of the death penalty in some states; in other cases, we have worked to restrain or end its use. Individual Catholics—clergy, religious, and lay men and women—provide important leadership in these essential efforts. Other religious groups and organizations, legislators and policy makers, advocates, and ordinary citizens are also working to oppose the use of capital punishment. Especially significant is the witness of a growing number of victims’ families who reject the death penalty and have joined in efforts to end its use. They have concluded that ending the life of another human being will not heal their wounds or make up for their loss.

In some ways, Catholic efforts on the death penalty are shaped by a paradox. On the one hand, the machinery of death marches forward—executions take place so often that they do not merit much news coverage, people continue to be sentenced to death, and California now has more than six hundred people on death row. On the other hand, doubts and reserva-
tions are growing, many innocent people have been released from death row, and some signs suggest that prosecutors and jurors are less likely to seek the death penalty. In our efforts, we should focus on these grim realities while we build on the growing momentum to bring them to an end.

All of these efforts have contributed to what the *Compendium of the Social Doctrine of the Church* describes as “the growing aversion of public opinion towards the death penalty and the various provisions aimed at abolishing it or suspending its application [that] constitute visible manifestations of a heightened moral awareness.”

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**VOICES FROM A VICTIM’S FAMILY**

“No one in our family ever wanted to see the killer of our brother and his wife put to death. We felt instinctively that vengeance wouldn’t alleviate our grief. We wanted this murderer in prison so he could never hurt another person. But wishing he would suffer and die would only have diminished us and shriveled our own souls. Hatred doesn’t heal. Every time the state kills a person, human society moves in the direction of its lowest, most base urges. We don’t have to make that choice. Our lawmakers have the capacity to help us abolish the death penalty and along with it, the fantasy that it will make the pain go away.”

— Mary Bosco Van Valkenburg for her mother, Antoinette Bosco, sister Margaret Minier, and brothers Frank and Paul Bosco

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14 *Compendium of the Social Doctrine of the Church*, no. 405.
VI.
A Call to the Catholic Community

Building on past efforts and this “heightened moral awareness,” we invite every Catholic to join in the Catholic Campaign to End the Use of the Death Penalty. This campaign is not a partisan cause but a moral commitment. We ask Catholics to join this campaign by taking the following steps:

- **Pray** for victims of crime and their loved ones, for those awaiting execution and their families, for our leaders, for those who work in the criminal justice system, and for one another—that we might help bring an end to the culture of violence and build a culture of life in our nation and throughout the world.

- **Reach out** to the families of those whose lives have been taken away through violence, and assure them of the Church’s support, compassion, and care, ministering to their spiritual, physical, and emotional needs. Support efforts to provide hope and help for the families of murder victims.

- **Advocate** for public policies that better protect society from perpetrators of violence and do not resort to the death penalty.

- **Learn** more about Catholic teaching on the death penalty, and seriously reflect on and re-examine our own attitudes and positions on the death penalty.

- **Educate** people in parishes, schools, religious education programs, universities, and seminaries about Catholic teaching on the death penalty and the criminal justice system. As bishops, we pledge to share Catholic teaching with courage and clarity, reaching out to those who teach our children, write textbooks, form priests and deacons, and preach in pulpits. The campaign will be a work of formation and persuasion, not simply proclamation.

- **Act** by continuing to advocate in state legislatures, in the Congress, in the courts, and in the public square. Urge public officials to support measures that restrict the death penalty or provide alternatives; and in a particular way, ask those who make decisions about the death penalty to take their
own opportunities to bring an end to its use. Work to reform the criminal justice system to make it more just, more effective, and more “restorative” to victims, offenders, and communities. Change the debate and decisions on the use of the death penalty by building a constituency for life, not death, and by calling on lawmakers to lead, not follow—to defend life, not take it away.

We will also work to help reform the criminal justice system to offer swift, sure, fair, and effective justice that respects the rights of victims and their families and those accused of crime. We support policies that ensure accountability and safety for society without the illusion of vengeance or the search for simple answers. Our prisons must be transformed from warehouses of human failure and seedbeds of violence to places of responsibility, rehabilitation, and restoration.15

15 See Responsibility, Rehabilitation, and Restoration, 39.

CATHOLIC CAMPAIGN TO END THE USE OF THE DEATH PENALTY

To help Catholics participate in the Catholic Campaign to End the Use of the Death Penalty, the United States Conference of Catholic Bishops has a website with resources for use by individuals, in parishes, and in dioceses. The website includes:

- Liturgical, preaching, and prayer resources
- Educational materials
- Papal and episcopal statements
- Background information
- Information on how you can act

For these and other resources, go to www.ccedp.org.
The Catholic Campaign to End the Use of the Death Penalty is part of the Church's broad commitment to defend human life from conception to natural death whenever and wherever it is threatened.16 God is the Lord of life. Protecting human life is a sacred duty. While we do not equate the situation of persons convicted of terrible crimes with the moral claims of innocent unborn children or the vulnerable elderly and the disabled, we are convinced that working together to end the use of the death penalty is an integral and important part of resisting a culture of death and building a true culture of life. Defending all human life should unite us as "people of life and for life."17

We hope and pray that this campaign will help bring an end to the use of the death penalty. This end may come through an act of Congress or a definitive court decision; more likely the death penalty will be abandoned and wither away through the everyday choices of prosecutors and legislators, judges and jurors, and ordinary citizens who make a commitment to respect human life in every situation. We look forward to the day when our society chooses not to answer violence with violence.

VII.
Conclusion

For the Catholic community, this issue—like all life issues—is more than public policy. It involves our faith and the central principle that human life is sacred. Church teaching on the life and dignity of every human person should guide all our decisions about life, including the use of the death penalty. We are called to reflect on what the Lord’s command, “You shall not kill” (Ex 20:13) means for us today.

The Catholic Campaign to End the Use of the Death Penalty is about more than how to respond to

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16 For example, see the 2005-2006 Respect Life Program of the USCCB Secretariat for Pro Life Activities: www.usccb.org/prolife.

17 The Gospel of Life, no. 6.
violent crime; it is about justice and about what kind of society we want to be. It is time to turn away from a deeply flawed system of state-sponsored executions to a way of protecting society and holding accountable the truly guilty in a way that reflects our society’s best values.

A FATHER’S PLEA

“On the morning of April 19, 1995, my daughter, Julie Marie, went to St. Charles Borromeo for mass at seven o’clock. At eight o’clock, she went to work at the Alfred P. Murrah Federal Building in Oklahoma City, where a 5,000-pound fertilizer bomb was detonated, killing Julie.

“My conviction is simple: More violence is not what Julie would have wanted. More violence will not bring Julie back. More violence only makes our society more violent.

“The Catholic Campaign To End the Use of the Death Penalty is another way for the Church to say no to more violence and no to our culture of death.”

—Bud Welch, father of Julie Marie Welch, who was killed in the 1995 Oklahoma City bombing, speaking at the USCCB Press Conference launching the Catholic Campaign to End the Use of the Death Penalty (March 21, 2005)

This initiative is not about ideology, but life and death. In his encyclical The Gospel of Life, Pope John Paul II told us that we have an “inescapable responsibility of choosing to be unconditionally pro-life.”18 This Catholic campaign brings us together for common action to end the use of the death penalty, to reject a culture of death, and to build a culture of life. It poses an old and fundamental choice:

“I have set before you life and death, the blessing and the curse. Choose life, then, that you and your descendants may live.” (Dt 30:19)

18 The Gospel of Life, no. 28.
Our witness to respect for life shines most brightly when we demand respect for each and every human life, including the lives of those who fail to show that respect for others. The antidote to violence is love, not more violence.

—Living the Gospel of Life: A Challenge to American Catholics

A Culture of Life and the Penalty of Death stands as a call for the nation to abandon the use of the death penalty and move one step closer to building a culture of life.

Also Available

Responsibility, Rehabilitation, and Restoration
A Catholic Perspective on Crime and Criminal Justice

Responding to the threats to everyday life that are caused by crime and fear of crime, the bishops tackle the issue of crime and corrections, justice and mercy, responsibility and treatment. Recognizing that the dignity of the human person applies to both victim and offender, the bishops use scriptural foundations, sacramental and historical heritage, Catholic social teaching, and policy foundations and directions to promote further dialogue and action.

English: No. 5-394, 64 pp.
Spanish: No. 5-846, 72 pp.

To purchase these resources or to obtain a catalog of other USCCB titles, call toll-free 800-235-8722. In the Washington metropolitan area or from outside the United States, call 202-722-8716. Visit the bishops’ Internet site at www.usccbpublishing.org. Para pedidos en español, llame al 800-235-8722 y presione 4 para hablar con un representante del servicio al cliente en español.