

Chairman Caltagirone, Members of the House Judiciary Committee: Thank you for your concern which has made this hearing possible. You are to be commended for your willingness to listen. I join many others today in deep appreciation to you for what you are doing.

The Judeo-Christian tradition is one of many that has given our nation and state a good foundation. One of the most fundamental principles of that tradition is Justice. Justice is the life-giving blend of punishment and mercy, retribution and forgiveness, deprivation and restoration. Justice is not one extreme or the other. Justice is balance.

Sometimes the scales of Justice are tipped, even heavily weighted to one side or the other. It seems to many that the Criminal Justice system in our nation and state is overburdened with punishment and very light on mercy. There is great imbalance between retribution and restoration.

One example of this imbalance is a Sentence of Life Imprisonment which provides no opportunity for parole. That is punishment which excludes even the possibility of mercy, deprivation which denies restoration, and retribution which ignores forgiveness.

I am sure the Committee has considered the position of Pennsylvania as one of only four states in the Union which have such a sentence. I am sure you have considered the State law which mandates that a maximum and minimum sentence must be given whenever a prisoner is sentenced for a crime punishable by imprisonment in a state penitentiary. To these considerations I would ask you to consider the imperatives of Justice which are such an integral part of our religious and social heritage.

It is hard to imagine a more drastic example of punishment and rejection than that described in the story of Hosea. God told Hosea to call his daughter, "Not Pitied," for, God said, "I will no more have pity on the house of Israel." And Hosea was to call his son, "Not my people," for, God says, "You are not my people and I am not your God."

It is hard to imagine a more drastic example of mercy and restoration than that described in the story of Hosea, when God said, "The day is coming when I will have pity on 'Not Pitied,' and say to 'Not my people' 'You are my people.'"

There is no doubt that the Biblical story describes a people who deserve condemnation. There is no doubt that the Biblical story describes a God who comes to us not to condemn us, but to save us.

Moses, in the heat of anger, rose up and murdered a man.

Saul, with malice in his heart toward the victim, held the coats of those who murdered Stephen.

Tried and convicted under Pennsylvania State Law, Moses and Saul would have spent the rest of their lives in prison.

Consider the Old Testament without Moses. Consider the New Testament without Paul.

I don't mean to be melodramatic. I don't mean to cheapen the Scriptures or minimize the complexities of our modern social circumstances.

But I do mean to hold up the concept of Justice. Not ^{only} ~~just~~ punishment. Not ^{only} ~~just~~ mercy. But the balance of the two. Indeed, perhaps many of us would agree, if God had not tipped the scale toward mercy, none of us would have life.

Respectfully,

Joe Heckel, Chair
Criminal Justice Committee
Pittsburgh Presbytery