

Catholic Diocese of Wilmington

2007 STATE LEGISLATIVE PRIORITIES: A Catholic Vision of Public Policy Issues in Delaware

We appreciate this annual opportunity to report on the contributions of the Catholic Church through the Diocese of Wilmington, and its 190,000 members who are citizens of the First State.

In the United States Bishops' document "Faithful Citizenship: A Catholic Call to Political Responsibility" Catholics are called "to see civic and political responsibilities through the eyes of faith and to bring our moral convictions to public life."

In a similar manner, as members of the Delaware Legislature, you have acted on your commitment to work for the common good through the political process and by applying your deeply held beliefs to the decisions involving the future of all citizens of Delaware.

The 2007 State Legislative Priorities listed in this Catholic Vision of Public Policy Issues in Delaware seek to address situations concerning the dignity of all people. By raising questions concerning the education needs of young people, life issues, health care for the most vulnerable of our citizens, and social justice issues for the poor, the migrants and the imprisoned, we are asking the Delaware Legislature to work for the common good of all.

We cherish the American freedom that gives us a voice as citizens to speak on these concerns, to raise questions about programs, and suggest policies. By raising the moral and human questions about the issues facing the Legislature, we hope to increase the common good and raise the quality of life for all Delaware citizens.

*Most Reverend Michael A. Saltarelli
Bishop of Wilmington*

LIFE AND HEALTH ISSUES

Abortion

An abortion involves the removal of a very young and vulnerable, unborn child from his/her mother's womb anytime between fertilization and the time of birth with the intention that he/she not survive the procedure. By design, the child will not be born alive. The reasons given for having an abortion are multiple. These reasons rarely include the physical or serious mental health of the mother, the deformity of the unborn child, rape, or incest. The most frequent reasons given for having an abortion are the reasons for which people use various forms of birth control.

Simple and universally accepted moral principles like "*Do not kill*" and "*Do no harm*" prohibit the destruction of innocent human beings. Unborn children are innocent. Because these children cannot speak for themselves, they should be able to expect that their leaders in our communities will speak for them. The U.S. Supreme Court's *Roe v. Wade* and *Doe v. Bolton* decisions notwithstanding, unborn children deserve to have their lives protected by law.

In the strongest of terms, I urge you to take steps in the direction of protecting the lives of unborn children.

I ask you to:

- Support legislation that would make it an *assault* to harm or cause harm to an unborn child directly or indirectly in an attack on the unborn child's mother. I ask that you make it

some degree of homicide if the child dies as a result of this kind of assault on the mother. (Presently, harm done to an unborn child resulting from an attack on his/her mother is an aggravating circumstance of the assault.)

- Support legislation that would put Delaware on record as preferring adoption over abortion.

Embryonic Stem Cell Research and Research Cloning

The debate over stem cell research is a dispute about two values: 1) the desire to cure or treat debilitating diseases and injuries; and, 2) the need for ethical safeguards in human research. The controversy is not an all or nothing issue. Everyone wants to cure or at least be able to treat diseases and injuries. In like manner, no one wants to act unethically. The most disputed ethical concerns involve the source of the stem cells. Stem cells can be gathered from many sources: umbilical cord blood, amniotic fluid, and adult tissues. Since no one is harmed when stem cells from these sources are used, the Catholic Church enthusiastically supports using them. But because stems cells obtained from frozen or cloned embryos can be obtained only by destroying the embryo, i.e., by destroying a very young and very vulnerable human being, the Catholic Church opposes research using stem cells from these sources.

Research cloning or somatic cell nuclear transfer (SCNT) undermines the dignity of the human person by: 1) manufacturing human persons in order

to experiment with their body parts (stem cells); 2) causing the death of human embryos by extracting their stem cells; and, 3) taking the “creation” of human persons out of the context of relationships of women and men.

For these reasons, I urge you to:

- Support legislation that would prohibit embryonic stem cell research and cloning for any reason.
- Support legislation that would encourage stem cell research using stem cells taken from adult tissues, umbilical cord blood, and amniotic fluid.

Death Penalty

A number of jurisdictions around the country have found it prudent, even imperative to ban or impose a moratorium on the death penalty because: 1) there is some evidence that the imposition of the death penalty is or may be unfairly imposed; 2) a reasonable judgment has been made that the imposition of the death penalty is unethical; 3) there is an inordinate cost attached to the process; and, 4) research shows that the death penalty does not prevent others from committing capital crimes. For these and other reasons, some states are calling for a study of the application of the death penalty. They want to know, not just presume, that the death penalty is being administered fairly. Are defendants, especially the poor, being adequately represented? Do race, ethnicity, or social status of the victim and/or the perpetrator play any role in a defendant being condemned to death?

At a minimum, I urge you to:

- Support legislation that calls for a study of the fairness of the application of the death penalty in the State of Delaware.
- Support legislation that would replace the death penalty with “life in prison without the possibility of parole.”

Health Insurance for the Working Poor

Health care is a right, not a privilege (*United Nations’ Universal Declaration of Human Rights*). Access to health care belongs to the poor as well as to the wealthy and to those whose employers provide it.

Although there are programs for the poor (Medicaid) and for children (CHIPS), not all those who are eligible for these programs know about them. Information about these programs should be made more widely available to ensure that all those who are eligible know they are eligible. By far, however, the most neglected group is the working poor, i.e., those who do not work for a company that provides health insurance and who earn too much to qualify for Medicaid but not enough to pay for health insurance for themselves and their families. There are tens of thousands of working poor in the State of Delaware. Without access to affordable health care, the health of the working poor is compromised. When this happens, they become less able to maintain steady work and consequently provide for their families. They become increasingly dependent on society.

Consequently, I urge you to:

- Support legislation that would provide affordable access to health care for the working poor and their families.
- Support a budget line item that would authorize health care for undocumented, pregnant immigrants.

SOCIAL JUSTICE

Affordable Housing

The housing needs of the poor are not being met. The affordability gap is most extreme and most critical for the poorest of Delawareans (very low income @ <50% of median income and extremely low income @ <30% of median income).

Therefore, I ask you to:

- Elevate affordable housing to a priority position within State policy and budget and reduce the impediments to poor people who seek decent rental housing.
- Preserve at-risk, low income rental housing stock and the federal subsidies attached to these units by funding the necessary repairs and improvements.
- Urge the passing of bills which would provide greater protection to manufactured home owners in danger of onerous rent increases and displacement because they are living on leased land.

Predatory Lending

The poor are prime targets for predatory lenders. For example, a HUD study revealed that sub prime mortgage loans are three times more likely in low income neighborhoods and five times more likely in minority neighborhoods. Pay-day loans, car loans, tax refund anticipation loans, the packing of fees into mortgage loans, high pre-payment penalties, and loan-flipping are just some of the practices that predatory lenders use. The latest schemes are exotic mortgage loans, such as “Interest Only” and “Pick Your Own Payment” adjustable mortgage loans.

The result of such practices can be, and often times is, devastating. Individuals can end up with large amounts that they cannot repay. They may lose their car, they may lose their job since they cannot get to work, and they may lose their home. Lives are destroyed by these predatory practices.

I urge that you promote:

- The development of anti-predatory standards that will apply to all lenders doing business in Delaware and strict enforcement of such standards by the State Banking Commissioner, the State Insurance Commissioner, and the State Attorney General.

Criminal Justice Reform / Prison Reform

A Catholic vision of crime and criminal justice can offer some alternatives to our current system. It recognizes that root causes and personal choices can both be factors in crime by understanding the

need for responsibility on the part of the offender and an opportunity for their rehabilitation. A Catholic approach leads us to encourage models of restorative justice that seek to address crime in terms of the harm done to victims and communities, not simply as a violation of law.

I ask that you take the following action:

- Modify drug mandatory sentencing laws that unduly limit a judge's discretion to individualize sentences so that the sentence in each case equitably reflects the gravity of the offense and the degree of culpability of the offender and includes an assessment of long-term public safety concerns. Mandatory minimum drug sentencing not only strips judges of their discretion, and by risking inaccurate, arbitrary sentences and the excessive incarceration of non-violent offenders, they contribute to Delaware's soaring incarcerated population and corrections expenditures.
- Create a special commission to undertake a comprehensive review of the State's pretrial, detention, sentencing, and correctional systems.
- Adopt a comprehensive reentry plan to reduce return rates to prison, including the development of plans, procedures, and services to facilitate released inmates' reintegration into the community (life skills, job interviewing skills, easier access to higher education).

- Support the structure and funding for community-based corrections programs such as sentencing alternatives to prison and reentry mechanisms to assist offenders in their transition from prison to the community.
- Provide those necessities that enable inmates to live with dignity: food, clothing, shelter, personal safety, timely medical care, education, and meaningful work.
- Fund and implement programs within pre-trial detention, prison, and community-based settings to provide substance abuse and mental health treatment.
- Abolish capital punishment.

Environmental Stewardship

Catholic teaching recognizes that the atmosphere that supports life on earth is a God-given gift, one we must respect and protect. It unites us as one human family. If we harm the atmosphere, we dishonor our Creator and the gift of creation. The values of our faith call us to humility, sacrifice, and a respect for life and the natural gifts God has provided.

So that we can protect and preserve God's creation, I urge you to:

- Increase funding for educating our citizens on the wise and prudent use and conservation of our precious resources, and to increase funding for practical programs that can help conserve energy.

- Increase enforcement of those violating environmental regulations and to enhance those regulations that contain loop-holes.

Treatment of Immigrants

It is clear that the current U.S. Immigration system is broken. At the national level, the Catholic Church advocates for broad immigration reform that deals with all aspects of this complex issue, not solely compliance and enforcement. Our Catholic and our American tradition honors migrants and newcomers, as we identify them as our sisters and brothers, and see in them the face of God.

Therefore, I ask you to:

- Ensure that housing codes are enforced and tenant rights are honored by landlords; protect the rights of workers in the workplace so that employees get paid for the hours worked, and that working conditions are safe.
- Enact a comprehensive state law that will not only address the enforcement aspects of the crime of human trafficking, but also will provide human services to victims to help them regain their dignity and become self-sufficient.

Fair and Affordable Utilities

A critical problem for the poor is the extraordinary costs of utilities. Countless poor families are being asked to pay inordinate amounts well beyond their means, and as a result are accumulating large amounts of debt.

To help reduce the impact of this increasing financial burden to poor families in Delaware, I urge you to:

- Pass fair and affordable utilities legislation. This legislation would impact families at or below 150% of the federal poverty level (over 15,000 households in Delaware). Such legislation should establish a sliding scale of assistance to low income families that would ensure that no low income family would pay no more than 8% of its income for gas and electric service. This legislation should also establish a relief fund to provide assistance to those families that have fallen behind on their utility bills.

Child Care / Dependent Care Tax Credits

Child care is expensive and high quality child care is often beyond the reach of many lower income families. Low income working families may be forced by the high cost of child care to rely on unsafe or inadequate child care arrangements to the detriment of their children.

The Child and Dependent Care Credit provides a tax credit based on a percentage of expenses for child care services. Delaware currently has a Child Care tax credit that is non-refundable.

I urge you to:

- Change the Child Care tax credit to be refundable. This will put the money into the pockets of eligible families no matter how much tax is owed.

EDUCATION

The latest Report Card on Catholic School Education, which was sent to you in January 2007, continues to share the good news of Catholic education in the State of Delaware. By conservative estimates, Catholic Schools save the State of Delaware over \$126,000,000 annually, because the children we serve are not enrolled in public school.

Additionally, all eligible Catholic Schools are accredited by the Middle States Association of Colleges and Schools. They follow curriculum standards which are based on national and state expectations. Teachers are professionally trained and accredited, and students achieve well on national standardized tests. Over 10% of Delaware students attend Catholic Schools, and many of our graduates are leaders in government, business, education, and public service.

With these facts in mind, it only makes sense that Delaware legislators and government officials would want to work cooperatively with Catholic Schools to ensure continued success and service in the work of educating Delaware citizens. We are grateful, for example, for the efforts to re-license Catholic School teachers by the Delaware Department of Education. We appreciate that Catholic Schools are being included in planning and educational efforts such as Pandemic Flu preparation and Health Education. It is our hope that there are other areas where Catholic Schools might be included, perhaps in areas such as professional development of teachers, or participation in the availability of science kits for instruction of students.

We look forward to continuing conversations about ways in which, together, we might work to ensure the best possible education of Delaware children in their path to becoming responsible, service-oriented citizens of the future.

Health Care

We continue to be grateful for the assistance that our schools receive in providing a school nurse. The presence of a nurse in school is essential. Children in our schools have need for daily supervision of their health, including care of such serious problems as asthma, allergies, diabetes, and other chronic health conditions. There is a need for a trained person who can daily be responsible for and administer medication as well as evaluate any situations requiring first aid or medical treatment.

The health care allocation received from the State is not sufficient to assure a full-time nurse in every Catholic school. The funding has not changed in over five years. Salaries for nurses must increase as a matter of justice, making the existing shortcoming even more critical. If the funding from the State does not rise to reflect these issues, we will face a further decrease of nursing services in our schools. Some schools may need to reduce the number of days that a nurse is present in the school.

The Delaware Alliance of Catholic School Parents is particularly concerned about this issue, as they see it as essential to the day to day safety of their children. They are carefully monitoring this situation and are prepared to press for additional funds, if necessary.

Once again, I ask the General Assembly and the Governor to:

- Fund this program in a manner that is equitable with the funding for nurses in public schools so that we can support a full-time nurse for every Catholic school in Delaware for the 2007-08 school year. This is an investment in the health of future citizens of the State of Delaware and in the best interest of all.

Transportation

The safe transportation of students to the school of their choice must always be a concern to those who regulate state funding priorities. Our national constitution protects the right of parents to send children to the school of their choice. This choice should not be jeopardized by insufficient funding of

safe and environmentally sound transportation.

There has been very little change in the funding of transportation for students in private schools over the past few years. The State is saving millions of dollars by not providing bus transportation or education to these students. Even with the dramatic rise of gasoline prices, the allocation for transportation has remained at less than \$200 per family.

I ask that you:

- Increase the funding for transportation to the degree warranted by fairness and with particular attention to the increases of fuel and maintenance costs that have a direct bearing on the cost of transportation.

Thank you for your attention to these concerns of the faithful in the Catholic Diocese of Wilmington for all the people of Delaware.

St. Francis de Sales, the Patron Saint of our Diocese, once said, "We can never love our neighbor too much." I pray that your work, as you represent the people of the First State, reflects that love and devotion for the good of our neighbors, especially those in need.

We are grateful for your dedication to public service, and we pray that God will guide your deliberations and bless the work of the 144th Delaware General Assembly.