

Judge Sees Task Force 'Positive Influence'

By BARBARA MOYNEHAN
(Second of two articles.)

For two years the Task Force on Courts has done more than watch city criminal court proceedings; they have influenced changes in those proceedings.

"It's much less a circus now than it was, but it still depends on the judge. He sets the parameter of conduct," says one veteran in court observing, Mrs. Carolyn Micklem.

Judge Wilmer J. Patlow, co-administrator of judges, call the Task Force a "positive influence" and credits them with "making the court and public defenders aware of instances where defendants have been detained unduly."

Judge Patlow feels "the Church Women have been very

conscientious. Someone is in court everyday, even Saturday." He also feels they have been there for "a proper purpose."

"They have been very conscientious of defendants' rights, while meanwhile," the judge explains, "defendants' rights aren't popular among the general public."

"The Church Women have participated for more than a year and a half. Ironically, their position is the opposite of the general public, which feels that bail is too low, that defendants aren't kept in jail long enough and that sentences are too soft. The public doesn't know the purpose of bail."

To the director of the Rochester Bail Fund, insuring equitable bail deserves immediate attention.

"The poor stay in jail while the average citizen can get out though the crime may be the same," explains Mrs. Micklem. "This criminal justice system is an expensive system. You must pay high dues to make out well in it."

Public Defender Nicholas Varlan feels the Task Force has been successful in two of its goals. "I think they have influenced proceedings by managing to interest people in the criminal justice system."

Varlan, who spent 22 years in the district attorney's office before being appointed public defender two years ago, said the two-year-old Task Force is the first sign of citizen concern for the judicial system. "It is very fine that this group of women has seen fit to interest themselves in the criminal justice system."

But about their criticism of his 12 assistants as not aggressive enough in behalf of their clients, he speaks less favorably.

"I don't think that is so, in fact I know it isn't. They may have gotten that impression, but often when you sit in court you don't know what's going on."

Varlan's staff of public defenders have a case load of about 500 cases, a number that is steadily increasing. He attributes the increase to the fact that "more people are unable to hire their own lawyers and more people are indigent," but is confident

his staff can handle the growing number of cases competently.

The Task Force claims influence in bringing about the following: defendants now are informed of arraignment before they step out of the lock-up into the courtroom for the first time; appointment cards are now given out to defendants and complainants for the day that case is to come to court again, there is now a Spanish speaking

interpreter in court on Saturday as well as weekdays, and there is rising public interest in the judicial system.

The Task Force was set up by Church Women United. Chairman Lois Davis doesn't think their job is anywhere near done. "There is a real long road ahead," she says. "Every once in a while something happens that gives hope, but I don't think we will be out of a job for some time."

FR. LOUIS HOHMAN

The Open Window



Q. Many Catholic women today are on the "Pill." I thought birth control was a serious sin! Priests never mention birth control from the pulpit anymore. Why?

A. The function of the teaching Church (which incidentally includes every member of the Church to some degree) is to lead people along the road of life toward Christ and salvation. People receive the directions and then make their choice as to whether or not to follow them. Some may not want to follow the directions because they are too difficult or they simply prefer to go their own way. Others think that in their particular case or even in general, the directions are not accurate and choose to go their own road. But the choice of following or not following is theirs and they must live with their decision. This fact alone explains why some Catholic women are taking the Pill.

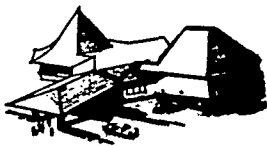
The encyclical of Pope Paul VI — Humanae Vitae — did not forbid birth control — reasonable regulation of births, but condemned contraception which is artificial prevention of conception. Whether or not that teaching is infallible is a moot question. There are many who feel it is not only not infallible but that it is positively wrong. This could be a presumptuous attitude but not necessarily. In any case we are not in a position to judge the moral guilt of any other human being.

Some reason thus: "Pope Paul declared that contraception is a serious sin but not necessarily infallible. But I believe that I have powerful objective reasons for using it. Therefore my conscience takes precedence in this matter." You may quarrel with this reasoning, but the point is, they don't and are sincere.

I suppose priests don't mention birth control in sermons any more because for so many years we were flooded with talks on sex and its morality. One could easily get the impression that the only sins on the Catholic book were the ones against sex, whereas hurt and injustice to fellow man are far more serious and far more forgotten. People regularly confess to bad thoughts and actions but rarely to dishonesty. Maybe we as preachers are simply trying to correct the imbalance. Besides, by this time just about everyone has made his or her decision relative to the problem of birth control.

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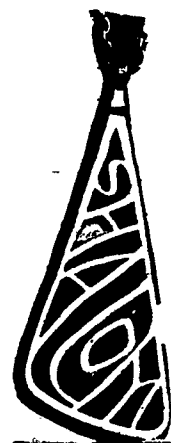
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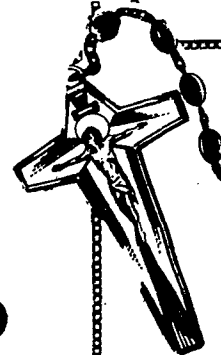
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