Brush with evil: The work of a public defender

by Jeanne Bishop in the January 23, 2013 issue

How can you defend those people?" That's a question public defenders hear a lot. It was one I have pondered during my hardest assignment as a lawyer in the abuse and neglect division of juvenile court in Cook County, Illinois, one of the biggest and busiest court systems in the world.

Juvenile court is a vale of tears. My clients are people who have hurt or neglected their children. The cases can be horrifying: The dad who put out cigarettes on his children's skin. The mom who drank 40 ounces of malt liquor every day while she was pregnant, bearing children with the flat faces and brain damage of fetal alcohol syndrome. The man who, in an effort to get his girlfriend's son to learn his ABCs,

whipped him so brutally with electrical cords that the boy was flayed.

Juvenile court is a long way from where I started my career, which was at a place that represented my original idea of success: a big corporate law firm. My work for banks and corporations wasn't deeply meaningful, but it paid well.

In those days, when I met lawyers who worked in civil rights law or constitutional law, I was flooded with envy. These lawyers seemed heroic to me, and happy; they were passionate about their work in a way I was not. But fear kept me at the big firm. I had student loans and rent to pay.

Then the unthinkable happened: my sister, her husband and their unborn baby were shot to death by an intruder in their home. A teenager who lived nearby stole a gun, broke into the house, executed Richard with a single bullet to the back of his head, turned the gun on Nancy and fired into her pregnant stomach. He left them to die, no doubt thinking he had silenced them forever. He hadn't. Before she died, Nancy wrote a message in her own blood beside her husband's body: the shape of a heart and the letter *U*. Love you.

Nancy's message stunned me. It was a love letter to her husband and to the baby she would never hold in her arms; it was her benediction on the world she loved. It was also a wake-up call: life is short. We have no time to waste on things or to be motivated by money or fear. Only what we do from love matters or will last.

I left corporate law and became a public defender. That job took me to juvenile court, where I represent people who have committed crimes as harrowing as the one that took my sister's life.

One of my clients faced termination of his parental rights on a charge of depravity, and that term is apt. He had raped an 11-year-old girl. She told her mother; the mother went to the police, who arrested the man and charged him with sexual assault. From jail he ordered his family to stab the child and her mother to death—which his relatives did, dumping the bodies in an industrial area. The state sought the death penalty.

Whenever I met with him, sheriffs stood just outside the glass door to make sure I was safe. Looking into his eyes unnerved me: they seemed to be staring at me from deep within a cave.

In the end, he took my advice to do what may be the only honorable thing he'd done in his life: he voluntarily gave up his rights to his children. That result was good for him in that it offered a mitigation in his death penalty case. It was good for the children, freeing them for adoption into a happier, safer home. But for me the case was a brush with evil, and it took a toll.

I sought out a fellow public defender who seemed to have a certain serenity that I lacked. Mary Russley is a lawyer and a Catholic nun. She looks as if she's been sent over from central casting: short-cropped gray hair, wire-rimmed glasses, kindly face, long skirts, sensible shoes. She had worked in juvenile court for 12 years, first representing parents and then defending children accused of serious crimes.

"Mary," I implored, "how have you been able to do this work for so long?" She joked that long vacations helped get her through. Then she spoke about her clients, some of the most despised people on earth.

"My job is to be present with people at the worst moment in their lives, when they are being publicly confronted with their sin," she said.

Mary took me into her office and showed me something: a tiny Christmas tree, lit up with white lights, perched on a windowsill. The nun pointed out the window toward the juvenile detention center across the way, where many of her clients were locked up. "I keep it on all the time, here in the window, so the kids can look over and know I am thinking about them."

I imagined one of those children looking out on a dark night, from an abyss of loneliness and longing, and seeing that light, and knowing even before he looked that it would be there, a small, glowing beacon of light that says, you are not alone.

How can we defend these people? Mary's humble tree answered that question for me: love. The kind of love that is God's love. Love that loves not because someone is lovable, but because God is love. Love that recognizes this biblical truth: each of those prisoners, the despised, is Jesus ("I was in prison and you visited me," Matt. 25:36).

Mark Osler argues in his book *Jesus on Death Row* that the fact that the only Son of God was a criminal defendant matters:

> If God is the author of the story of Jesus on earth, and that story contains lessons for contemporary men and women, then it must mean something that so much of the heart of that story is about criminal law. If we treat our prisoners in the same way that Jesus was treated, then the Christians among us must ask if that comports with our faith, and struggle with the answer.

I can defend these people because not even the wrong they have done can alter this truth: what we do for the prisoner, we do for Christ.

I once heard James Forbes, former minister at New York's Riverside Church, give this benediction: "God's love is the hope of the world." So it is. It is the hope of the prisoner, the hope of the victim—and the hope I carry with me when I walk into a courtroom, go to the podium, draw a deep breath and begin to speak.