

# **Catholic League Calls for F.A.C.E. Prosecution in Massachusetts Robbery and Desecration**

The Catholic League has become the first organization in the United States to call for a prosecution of church disrupters under the new federal Freedom of Access to Clinic Entrances (F.A.C.E.) Act of 1994. The League's action stems from the June 10 robbery of St. Mary's Church in Lawrence, Massachusetts, where two men desecrated the Blessed Sacrament while stealing two chalices and a communion paten off the altar during Mass. In a letter to U.S. Attorney Donald Stern, Daniel T. Flatley, President of the Massachusetts Chapter of the Catholic League, called the attack "an outrageous and unprecedented crime" and called upon Stern to invoke the FACE law against the perpetrators.

The FACE Act was crafted to drastically restrict pro-life activities outside of abortuaries by imposing draconian punishments for non-violent civil disobedience. Under FACE, obstructing an abortion facility could result in a six month prison sentence and a \$ 10,000 fine for the first offense and an 18 month sentence and a \$525,000 fine for the second offense. If the "threat of violence" can be demonstrated, penalties escalate to one year in prison for the first offense and three years in prison for the second offense.

Compounding the severity of the Act are the harsh civil remedies available to abortionists. Abortion clinic owners and personnel can obtain injunctive relief from federal courts, be awarded punitive and compensatory damages from pro-life protesters, and have pro-lifers assessed court costs and attorneys' fees.

In an unparalleled innovation, state attorneys general, will, along with the U.S. Attorney General, be allowed to sue pro-life protesters and rescuers in federal courts, which will now be authorized to levy civil penalties against individual pro-lifers.

Congressman Henry Hyde (R-Illinois) has described the penalties prescribed by FACE as “not proportionate to the crime and grossly out of proportion to the penalties for most other acts of peaceful civil disobedience.” Neither anti-war protesters, nor civil rights marchers, nor anti-nuclear environmentalists were ever confronted with comparable punishments.

FACE was sponsored by Sen. Edward M. Kennedy (D-Mass.) and Rep. Charles E. Schumer (D-N.Y.) reportedly at the behest of the National Abortion Federation, the trade association of the abortion industry. Endorsed by the National Organization for Women (N.O.W.), the measure had 31 co-sponsors in the Senate and 128 co-sponsors in the House, the vast majority liberal Democrats.

Sen. Orrin Hatch (R-Utah) amended FACE to include a provision prohibiting the disruption of church services, with punishments tracking those provided for blocking abortion mills.

Under FACE, the criminal sanctions directed at pro-lifers will also apply to those who *“by force or threat of force or by physical obstruction intentionally injures, intimidates, or interferes with or attempts to injure, intimidate or interfere with any person lawfully exercising or seeking to exercise the First Amendment right of religious freedom at a place of religious worship,”* and who *“intentionally damages or destroys the property of a place of religious worship.”*

The civil remedies authorized by FACE are obtainable by *“a person lawfully exercising or seeking to exercise the First*

*Amendment right of religious freedom at a place of religious worship or by the entity that owns or operates such place of religious worship."*

Radical, Catholic-hating homosexual groups which have a history of violence towards Catholics, may now be targeted for prosecution and civil litigation under FACE. Given the reluctance of state and local prosecutors to bring civil rights charges against homosexual hate groups, and with police departments unwilling to even charge them with disturbing the peace, FACE, despite its punitive origins and oppressive character, presents Catholics with an opportunity to counteract the violent homosexual aggression which has victimized Catholic worshippers over the past five years.

Therefore, the Catholic League will not hesitate to use FACE whenever Catholics are denied their First Amendment right to worship.

*C. Joseph Doyle*