

CATHOLIC LEAGUE FOR RELIGIOUS AND CIVIL RIGHTS 2019 YEAR IN REVIEW

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Bill Donohue

When the year began, I was anxiously awaiting an opportunity to defend the Catholic Church in one of those storied debates sponsored by the Oxford Union. The debate was scheduled for February. But in early January, about a month after being invited, I was disinvited.

We learned that some sources in the U.S. notified those in the U.K. about me, giving them information they deemed problematic. Why invite someone who may win when the pretext of the debate was to put the Catholic Church on the defensive? So while the Oxford Union proved to be cowardly, we took their decision as a backhanded compliment. It was a smart move on their part. It was also intellectually dishonest.

On the education front at home, students from Covington Catholic High School in Kentucky were slammed by the media for abusing an Indian activist in our nation's capital at a March for Life event. A video of the event surfaced showing the activist approaching the students, looking for a confrontation. We called out those who unfairly attacked the students, and there were quite a few who did, including Catholics. The students behaved well, unlike the activist, the media, and pundits.

When those in the arts, education, the entertainment industry, and the media go after Catholics, they usually assault our sensibilities. Bad as that is, nothing is worse than having

the heavy hand of government chime in: the power of the state is unparalleled.

In this regard, there was bad news and good news in 2019. The bad news is the extent of such assaults at both the state and federal levels. The good news is the Catholic League was on the winning side in case after case.

Senators Kamala Harris and Mazie Hirono showed their anti-Catholic colors by attacking a Catholic nominee for a job on the federal bench. Brian Buescher was nominated to serve on the U.S. District Court of Nebraska, but his alleged crime was his membership in the Knights of Columbus.

The senators reckoned that there was no place in government for practicing Catholics. To wit: The Knights accept the Church's teachings on marriage, the family, and sexuality, and that is a non-starter for those wedded to the gay and pro-abortion agendas.

We were among the first to come to bat for Buescher, and our effort paid off. After much haggling, he was seated on the court in August.

There was a Trump nominee for a seat on the U.S. District Court for Western Michigan that we took issue with. Michael Bogren said there was no difference between Catholic farm owners refusing to rent their property for the purpose of a gay wedding and the Klan's right to discriminate against blacks.

We contacted every member of the Senate Judiciary Committee expressing our concerns about his remarks, calling on the chairman of the Committee, Sen. Lindsey Graham, to reject his nomination. Bogren got the message—the tide was turning against him—and he withdrew his nomination on June 11.

When Ralph Northam, the governor of Virginia, appointed an out-and-out anti-Catholic bigot, Gail Gordon Donegan, to a

state council on women's issues, we went into high gear: we launched a massive protest, enlisting everyone on our email list. Three days later she resigned.

Rep. Brian Sims is another anti-Catholic bigot. The Pennsylvania legislator badgered an elderly Catholic woman for eight uninterrupted minutes because she was praying outside a Planned Parenthood abortion clinic. His behavior, which was unprovoked, followed an occasion where he aggressively attempted to intimidate teenage girls, hoping to stop them from protesting against abortion.

We contacted the Chairman of the Committee on Ethics, seeking censure. When that effort failed (the operative code dealt with conflict of interest issues), we redoubled our efforts. This time we supported a resolution to censure Sims broached by Rep. Jerry Knowles. After the summer recess, Sims, feeling the pressure, did something he previously refused to do: he apologized to the woman whom he victimized.

Our most satisfying victory of the year was the massive email campaign we orchestrated opposing an effort by a California lawmaker to break the seal of Confession.

This scurrilous attempt to allow the government to encroach on the religious rights of Catholic priests and their penitents was met with a frontal assault. California State Senator Jerry Hill introduced a bill that would require the clergy to report suspected child abuse or neglect to the authorities, without regard to circumstances.

Los Angeles Archbishop José Gomez led the fight and we stood side-by-side with him. Hill was forced to amend his bill, but while it was an improvement, it was still objectionable. On June 12, I wrote to Hill about his bill.

"Regarding SB 360, you have been quoted as saying that 'the clergy-penitent privilege has been abused on a large scale, resulting in underreported and systemic abuse of thousands of

children across multiple denominations and faiths.’ Could you please provide my office with documentation to support that claim? I will not be coy: I don’t believe you can. But go ahead and prove me wrong.”

He never replied. What was he going to say?

We continued to fight Hill, and succeeded in eliciting over 7,000 emails, letters that were sent to those on both sides of the issue. On July 8, on the eve of a scheduled hearing on his initiative, he withdrew his bill.

Dana Nessel, Michigan’s Attorney General, has it out for Catholics. In February, she held a press conference on a state investigation into allegations of clergy sexual abuse. She hit below the belt when she told residents to “ask to see their badge and not their rosary” when contacted by investigators. She never sought to badger any other segment of the population.

We unloaded on Nessel on several occasions, and the good news is that both lawmakers and judges finally caught on to her act.

Michigan State Rep. Beau LaFave called her out for saying that a retired Catholic judge should not have been hired by Michigan State University to address sexual abuse. She complained about his ties to the Catholic Church, as if that should be a disqualifier.

A federal district court judge in Michigan who upheld the religious freedom of a Catholic foster care and adoption agency specifically cited Nessel’s “religious targeting” of Catholics. He was unstinting in his rebuke of her anti-Catholic bigotry.

In Pennsylvania, for the second consecutive year, the Catholic League filed an *amicus curiae* brief in the courts defending the rights of priests. We appealed to the Pennsylvania Supreme

Court in support of the Diocese of Altoona-Johnstown decision to fight a Superior Court's use of a grand jury report as the starting point in triggering the statutes of limitation. It was unprecedented: it sought to change the practice of allowing the clock to start at the time of the injury. At the end of the year, a decision was still pending.

U.S. Attorney General Bill Barr gave a rousing speech on religious liberty at Notre Dame Law School in the fall. What he said was historically accurate and sociologically astute. Yet he set off a firestorm of criticism. We vigorously defended him.

Some sought to shut down his free speech. Faithful America, a radical entity that was initially bankrolled by atheist billionaire George Soros, launched a petition drive asking the Justice Department's Inspector General and Office of Professional Responsibility to investigate him for allegedly violating his duty to guarantee religious liberty. We struck back with a petition drive in support of him.

Perhaps nothing caused more excitement in Catholic circles in 2019 than the 6,000-word essay by Pope Emeritus Benedict XVI on the origins of clergy sexual abuse. He was attacked by left-wing Catholic intellectuals and others for daring to cite the role of the sexual revolution, the role played by homosexual priests, and the role of dissent in the Church, as causative agents of the scandal. What he said was undeniably true and we were only too happy to defend him. He is a brilliant and courageous man.

Media bias is nothing new but when *USA Today* ran a lengthy story in early October singling out the Catholic Church for fighting unjust legislation, and the Associated Press (AP) followed within 24 hours with a flawed survey of former priests accused of sexual misconduct, it made us wonder what was going on.

The Catholic Church has been the victim of religious profiling for many years. State laws suspending the statutes of limitation for crimes involving the sexual abuse of minors have long given a pass to the public schools, as well as other entities. We took *USA Today* to task for trying to intimidate Catholics for pushing back. Our email subscribers gave the reporters a piece of their mind; the paper's response was as flatulent as it was defensive.

We also delivered a message to AP for questioning why the Catholic Church doesn't track every accused priest who either left ministry or was tossed. There is no law requiring any institution to play GPS cop on former employees who left under accusations of a criminal act. The reporters really showed their true colors when they went so far as to complain that the Church doesn't demand that accused priests who are no longer in ministry register as sex offenders. *No accused person is registered as a sex offender unless he has been convicted.*

When the *USA Today* and the AP stories broke, just one day apart in early October, we thought that would be the end of such non-stories. In fact, it was just the beginning.

The idea that the Church should not defend itself the way every other organization does was mimicked by the *Star-Gazette* in upstate New York; it appeared the month after the *USA Today* piece ran. We also learned that even before the *USA Today* story ran, CBS and NBC, as well as internet sites, were screaming about all the money the Church was paying for lobbyists. A law firm, SeegerWeiss, was tabulating the data. Yet all of these organizations do not hesitate to acquire the best defense attorneys money can buy when they are in the hot seat.

In November, the Wisconsin affiliate of National Public Radio did a hit job on the Church by dragging up old cases of abuse. Is there any institution in the nation that could not be

subjected to the same scrutiny? In December, CNN weighed in with the most inane story of them all.

“Pedophile Priests Operated at this California School for Decades.” The CNN story was about one school in California; it examined cases dating back to the 1950s. Its title was factually wrong: every alleged victim was a male high school teenager, meaning that it was homosexual priests (as usual) who were the offenders. The story never mentioned any new cases.

For years the media have been lecturing the Church about keeping molesting priests in ministry for too long. What happens when the abusers get the boot? The media complain that the Church is required to police them. How about other employers? Are they expected to “supervise” ex-employees who have been fired for sexual misconduct? No. The “rule” only applies to the Catholic Church.

After AP ran its story in October, similar stories appeared the next month in the *Denver Post*, *USA Today*, and WCP0-TV Cincinnati (the ABC affiliate). When we researched if there were any stories like this done on non-Catholic organizations, we found none.

AP ran an unfair story in November and a fair one in December. The former was an investigation into the way diocesan review boards handle cases of alleged abuse; the latter was an update on all the states that were conducting an investigation into past cases of abuse.

What was the problem about the story on the review boards? It was the suggestion that defense attorneys hired by the Church were somehow unfair when they grilled the accusers. That is what they are supposed to do. Should the Church go easy on those who are making serious charges about an offense that took place decades ago, and where in all likelihood some, if not all, of the parties to the case are dead?

Just before and after Thanksgiving, NBC ran a series of stories about Church employees and their views on a range of Church issues. As with the fair AP story, I was interviewed for this big report. I was treated fairly in both instances, and the overall coverage was also fairly done.

There are so many wholly indefensible comments made about priests on TV, especially by late-night talk-show hosts, it is hard to keep up with them all. In 2019, it was not Bill Maher who took first prize, it was Trevor Noah of "The Daily Show."

Noah got so vulgar and vicious on his Comedy Central show that in the spring we hand-delivered a searing letter to 22 top executives at Viacom (the owner of Comedy Central) asking them to rein him in. "There are other options we can take," I said, "and I will not hold back. But I thought I should at least apprise you of this matter now in the hope that we won't have to pursue other options."

Noah got the message and pivoted: He laid off the Church.

As expected, organized atheists attacked Christians at Christmastime, but what was different in 2019 was the brazenness of these groups—they attempted to cash in on Christmas.

Americans United for Separation of Church and State sent out a survey as part of its bid to gain new membership; it portrayed those who support religious liberty as proponents of discrimination. According to these militant secularists, anyone who accepts the biblical teachings on marriage and the family is a bigot out to sunder the rights of homosexuals.

Freedom From Religion Foundation ran a full-page ad in the *New York Times* that demonized Christians for exercising their First Amendment right to religious liberty. They accused them of trying to impose a "theocracy" on the nation. This was pure demagoguery pushed by atheist extremists.

In both instances, these religion-hating organizations—they hate Christians the most, holding a special place for Catholics—used Christmas to raise money while bashing us. It was a new low. If white racists used Black History month to make money while bashing blacks everyone would brand them as opportunists as well as racists. This is what the religion haters did in 2019 to Christians.

We ended the year with the publication of a booklet I wrote, “The ACLU at 100,” that chronicled the history of the organization in time for its centennial in January 2020. I sought to debunk the myth that it is a non-partisan institution. I also challenged its reputation as a force for freedom in America. It was based on my two books on the ACLU, as well as new material.

The year 2019 led the Catholic League into battle on many fronts, and we came away with many key victories. This is a tribute to the Catholic League staff and, importantly, to our supporters, without whom we would never be able to score a single victory.