

Government

January



Hightstown, NJ—Town Councilman Eugene Sarafin, known for his atheism and inflammatory remarks about religion, twice used obscene terms to describe his Catholic critics. He labels them “Catholic s—.” After a complaint by the Catholic League, Sarafin was censored by the town council on March 3 by a vote of 5-1.

January

New Hampshire—Lawmakers began debating whether to end the priest-penitent privilege as it currently exists in law. A bill was introduced and eventually stalled in committee. A prime motivator for the bill was Ann Coughlin, an active member of Voice of the Faithful.

Coughlin said her actions were “a defense of a Catholic institution.” She admitted she has no evidence whatsoever to show that priests in New Hampshire are being told in the confessional of crimes against children: “I can’t prove that ever happened. But I’m absolutely convinced that it has.”

January

Kentucky—Lawmakers debated whether to end the priest-penitent privilege as it currently exists in law. It eventually stalled in committee.

January 8

Albany, NY—After Bishop Howard Hubbard of Albany delivered the New York legislative session’s opening prayer, New York State Senator Thomas Duane sent a letter to Senate Majority Leader Joseph Bruno demanding that no priest be allowed to open the senate sessions with a prayer. He cited the sex abuse scandal in the Catholic Church as justification for his request.

January 30

Washington, DC—Superior Court Judge Mildred M. Edwards

convicted three Catholic homosexual activists for unlawful entry and then refused to sentence them. Her decision not to sentence them was based on her expressed sympathy for the activists.

The three were arrested on November 12 for an illegal protest they held in a D.C. hotel. They were protesting a decision made by a priest not to give them Holy Communion the day before at the National Shrine of the Immaculate Conception. The priest denied them Communion because he was aware that they belonged to Soulforce, a group that condemns the Church's teachings on sexuality.

Judge Edwards told the activists that by denying them Communion, the priest had committed "tremendous violence" against them. The judge, who claimed to be Catholic, asked the protesters to forgive the Catholic Church and closed her remarks by saying, "Go in peace."

February 10

Albany, NY—Attorney John Aretakis, a lawyer with three suits against the Albany Diocese, asked the presiding judge, State Supreme Court Justice Joseph Teresi, to recuse himself because he is a practicing Catholic. The judge refused. When Aretakis commented that Teresi often goes to weekday Mass and is a "deeply religious and spiritual person with a great deal of faith in his Catholic Church," Teresi said this was pure "hyperbole"; he scoffed at the "deeply religious" claim. Eventually Teresi did recuse himself.

March

The 9th Circuit Court of Appeals rejected an appeal to reconsider a ruling made in June 2002 by a three-member panel of judges that held the Pledge of Allegiance to be unconstitutional because of the words "under God." The three judges slightly altered their earlier ruling which had banned the Pledge in all public forums; they decided to limit their ban to recitations in schools.

March

Annapolis, MD—State legislators considered a child abuse reporting bill that would do away with the clergy-penitent privilege of the confessional. After objections by Cardinal Theodore McCarrick of Washington and the Catholic League, the bill was shelved in committee. State legislators in Iowa and West Virginia dropped similar bills even before scheduled debate began.

March

Topeka, KS—Lawmakers considered a child abuse reporting bill that would do away with the clergy-penitent privilege of the confessional. After protest from Catholics, including the Catholic League, the bill was withdrawn.

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March

Carson City, NV—State Senator Dina Titus introduced legislation for clergy reporting of child abuse designed to end the priest-penitent privilege. She was persuaded to rethink her proposal after receiving a letter from William Donohue of the Catholic League. She wrote to Donohue thanking him for his “thoughtful message,” saying she cancelled a hearing on her bill. Titus wrote that “we want to preserve the sanctity of the confessional.”

March 12

Mineola, NY—At the sentencing of a Catholic priest convicted of sexual abuse, Nassau County Judge Donald DeRiggi said, “The Catholic Church is so vehement in its stand against fornication and homosexuality and adultery, how someone in the church can violate those things is hard to understand.” DeRiggi, a Catholic, added that priests who can’t keep their

vow of celibacy should leave. He also raised questions about celibacy itself: "Maybe the assumptions we have about priests have to be reevaluated."

April

Fort Lauderdale, FL—An exhibit at the Mizell Cultural Center, operated by Fort Lauderdale Parks, included a charcoal drawing by Ronald Rodney titled "Pseudo Charity." It depicted a religious figure resembling Pope John Paul II crouching over an emaciated child, with a vulture looking on. The recreation center's director removed the work after complaints from employees that it was offensive.

April 23

New York, NY—On the Fox News Channel show "Hannity and Colmes," Rep. Jerrold Nadler of New York was questioned about Sen. Rick Santorum's remarks about homosexuality. Nadler implied that the Catholic position on homosexuality is bigoted. The Catholic League demanded an apology. On April 25, before an appearance by William Donohue on MSNBC TV, the league contacted Congressman Nadler's office to see if he wanted to issue a statement. Nadler quickly sent a note saying, "I regret if anyone reading an account or a quote of only one or two sentences mistakenly gets the impression that I was referring to the Catholic Church or to its position on sin." The apology was accepted.

May 28

Bryan, TX—A Lutheran father sued his daughter's Catholic grandparents for custody of her; his attorney noted disparagingly that the child was taught not to receive Communion in non-Catholic Churches. Judge Steve Smith included in his closing comments his opinion that the child, a baptized Catholic, should attend Lutheran services with her father and receive Communion there. He acknowledged that he should not comment on religious matters from the bench, but said that he would do so anyway.

June 11

Washington, DC—The Senate Judiciary Committee held hearings on the nomination of Alabama Attorney General Bill Pryor, who is Catholic, to the 11th Circuit Court of Appeals. It was the position of the Catholic League that those opposed to the nomination of Bill Pryor were not guilty of applying a *de jure* religious test to his nomination; this means that technically speaking, no religious test was being applied. We contended, along with some prominent constitutional scholars, that Pryor's leading critics were guilty of applying a *de facto* religious test; in other words, the effect of what they are doing was the application of a religious test. For example, on abortion it was no secret that Pryor's personal convictions are also the convictions of Catholicism. Indeed, he spoke of abortion in the most plain language, branding it "the worst abomination of constitutional law in our history." But he also understands that civil law must be guided by precedent. So when a broadly written Alabama law surfaced that banned partial-birth abortions, Pryor noted the statute's unconstitutionality and advised state officials not to enforce it. In short, he is utterly capable of making critical distinctions between civil and ecclesiastical law. But this was of no consequence to his opponents; they still objected to him because of his personal animus to abortion.

Senator Charles Schumer of New York questioned Pryor about his "deeply held beliefs." He said Pryor's beliefs "are so deeply held that it's very hard to believe that they're not going to influence" him on the bench. (This, of course, was code for questioning Pryor's deeply held religious convictions). Senator Richard Durbin of Illinois, a Catholic who sat on the Senate Judiciary Committee, asked Pryor whether he understood that a statement of his raised "concerns of those who don't happen to be Christian, that you are asserting...a religious belief of your own, inconsistent with the separation of church and state." Durbin accused Pryor of wanting to "condone by government action certain religious beliefs." Senator Edward

M. Kennedy of Massachusetts declared that “Mr. Pryor is simply too ideological to serve as a federal court judge.”

The Committee for Justice and the Ave Maria List sponsored pro-Pryor print and television ads depicting judicial chambers with signs reading “Catholics Need Not Apply.” Reaction to this charge was strong. Senator Patrick Leahy of Vermont called it “Religious McCarthyism.” Durbin called it “Shameful...disgusting...[and] unacceptable.” As of the end of 2003, Pryor’s nomination was still blocked in the Senate. After one of the votes, Senator Orrin Hatch of Utah, chairman of the Senate Judiciary Committee, remarked, “It’s getting so that a pro-life Catholic can’t serve in the federal judiciary.”

August

Sacramento, CA—A new California law prevented the sale of Church-owned health facilities if the seller prohibits the new owner from offering services such as abortion and sterilization. It thus prevents Catholic hospitals from requiring their buyers to follow directives that forbid procedures that are against Catholic teaching. Rev. Michael Place, president of the Catholic Health Association of the United States, called the law “an invasion of the government into the freedom of the private sector in carrying out business in accordance with its beliefs.”

September

Kansas City, MO—The Thomas More Law Center filed suit on behalf of a Missouri student who had been barred from receiving state scholarship money for a theology degree. Eleven other states prohibit state funds for theology degrees.

September 2

Rockford, IL—Over the Labor Day weekend, members of the Winnebago County Board designed a plan to tear down a Catholic Church, St. Mary’s Oratory, and replace it with a new county jail. St. Mary’s is the second-oldest church in Rockford and

one of the only churches in the nation to offer the Latin Mass twice daily. After being informed of the hasty action of the board, the Catholic League issued a protest and was joined by Bishop Thomas Doran of Rockford and Scott Richert of the Rockford Institute. On September 3, county officials decided not to go ahead with the plan to raze the church.

September 24

Seattle, WA—The American Center for Law and Justice (ACLJ) filed suit against St. Edward State Park on behalf of a couple who donated an inscribed brick that said, “Thank you Jesus, Daria and Evan Buchanan,” for a playground. When the playground was opened, the brick said only “Daria and Evan Buchanan.” Two other bricks use “God” and “Angels,” so the ACLJ asked why the one with “Jesus” on it was singled out. Americans United for Separation of Church and State opposed the brick.

October 3

New York, NY—Judge Luther V. Dye was censured by the Committee on Judicial Conduct for two incidents involving bias. One was against a Catholic. In the summer of 2002, the judge rejected a woman’s request that money being held by the court be used for her teenage daughter’s Catholic school tuition. Judge Dye said he wouldn’t send his kids to a Catholic school, given the scandal in the Church. The woman contacted the Catholic League, which immediately filed a complaint against the judge. This led to the censure and assurance from the judge that he would step down from the bench when his term ended in a few months.

October 5

Milwaukee, WI—The Wisconsin state legislature considered an amendment to a school-choice bill that would require background checks of voucher-school employees. State Senator Gwendolynne Moore, who pushed for the measure, said she wanted to vest this authority in the Milwaukee Department of Public Instruction. (The Milwaukee Archdiocese already conducts

background checks.) State Senator Moore repeatedly cited the sexual abuse scandal in the Catholic Church. Those who objected to her amendment were accused of protecting “rapists.” She said the voucher schools would become magnets for pedophile priests. She also said that because private (non-Catholic) schools are not required to conduct background checks, predatory men who are thinking about entering a seminary might elect instead to teach in one of these schools.

October 23

Balch Springs, TX—Liberty Legal Institute filed a lawsuit against the city of Balch Springs charging the city with religious discrimination against its senior citizens in its senior center. Because the center was a public building, the city told the seniors that they could no longer pray before their meals, sing Gospel music, or post inspirational messages.

November 19

Fort Lauderdale, FL—A federal judge ruled that Calvary Chapel could display a cross and a sign saying “Jesus is the reason for the season” as part of a holiday lights display in a Broward County park. The county issued a policy on holiday displays in October 2002 discouraging nativity scenes and crosses but allowing menorahs.

November 29

Sacramento, CA—The California Supreme Court heard arguments in a lawsuit brought by Catholic Charities of Sacramento challenging a California state law requiring employers who offer prescription drug plans to have coverage for artificial contraception. State Senator Jackie Speier, one of the authors of the law, said, “My experience with the Peoples Temple and Jim Jones makes me prickly on this issue. Sometimes in our zeal to protect the First Amendment right of freedom of religion we allow organizations to not be subjected to the law.”

December 1

Troy, MI—A policy that would allow a nativity scene to be displayed in front of city hall was voted down by the city council. During Christmas the city displays a “Season’s Greetings” sign, a green and red garland in the shape of bells and a flagpole draped with lights. Cindy Stewart, the city’s community affairs director said of the display, “We have so many different nationalities and cultures in Troy, it’s a catch-all for everybody’s holiday.”

December 4

Birmingham, MI—A man paid a fee for a permit to erect a nativity scene in Shain Park intending to use the city’s figures. However, the city had sold them off. He then paid for a new set, which he erected. The figure of Jesus was then stolen. He replaced it and immediately it was stolen again. City officials emailed him notifying him that if he did not replace the missing pieces of the crèche it would be have to be dismantled. He replaced them again at his own expense.

December 2

Albany, NY—State Justice Dan Lamont dismissed a lawsuit brought by Catholic Charities of Albany that challenged a New York state law requiring employers who offer prescription drug plans to have coverage for artificial contraception. Lamont said he found no evidence of “animosity” towards the Catholic Church in the law.

December 16

Palm Beach, FL—Two women asked a federal judge to overrule the city’s refusal to display a nativity scene in Bradley Park. A Christmas tree and a menorah were allowed. Both women sued for religious discrimination, saying, “If Jewish people are represented with a menorah, we want to be represented as Christians.” John Randolph, the town attorney said, “The case law we have researched indicated that when a symbol such as a menorah is placed next to a Christmas tree, the religious symbol is neutralized and becomes a secular display. The

menorah then is not strictly a religious symbol.”

December 22

Glenview, IL—Some residents complained to village officials that they could see Christmas lights, a Christmas tree and a Santa Claus inside Glenview’s Fire Station No. 7 when they drove down Glenview Road. Village officials declared that they wanted “to make sure that our public buildings remain neutral.” They ordered the firehouse to remove the decorations from inside the building.