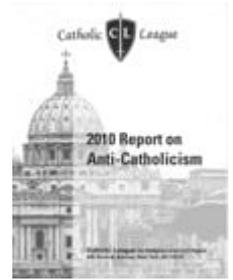


Government

Government



January-August

San Francisco, CA – On January 20, a judge in a San Francisco court allowed attorneys David Boies and Theodore B. Olsen to submit e-mails they obtained between the director of the U.S. Conference of Catholic Bishops and the bishops regarding support of Proposition 8, the 2008 California proposition which affirmed marriage as a union between a man and a woman. Allowing such communication in a trial is unusual enough, but the purpose was even more invidious: to show that Catholics played a major role in passing Prop 8. The lawyers did the same thing to Mormons, offering more e-mail “proof” of their involvement.

Their goal was not to contest the First Amendment rights of Catholics and others—their goal was to put religion on trial. What they said was that religious-based reasons for rejecting gay marriage are irrational, and thus do not meet the test of promoting a legitimate state interest. They trotted out professors Gary Segura of Stanford and George Chauncey of Yale to testify to the irrationality of the pro-Prop 8 side. Chauncey was even given the opportunity to read from a Vatican document that rejects homosexual marriage.

The lawyers for the anti-Prop 8 side touted Segura’s testimony that religious groups which supported Prop 8 constituted 34 percent of the nation’s population, while only 2 percent of religions opposed it. A comment that was grossly misleading.

Far more than 2 percent of religions support gay marriage:

Buddhism has no official position but it is well known that Buddhists in California worked against Prop 8; the Evangelical Lutheran Church of America supports gay marriage, just so long as the term "marriage" isn't used; the Episcopal Church also opposes all state and federal bans on gay marriage, therefore putting it on the side of the anti-Prop 8 forces; Hinduism has no official position on gay marriage, though those who follow Hindu texts like the Kama Sutra are fine with it; Reform and Reconstructionist strands of Judaism support gay marriage; the Presbyterian Church (USA) is similar to the Evangelical Lutherans in supporting gay marriage just so long as "marriage" is not used; Unitarian Universalist Association is pro-gay marriage; the Universal Fellowship of Metropolitan Community Churches is pro-gay marriage; the United Church of Christ also supports it.

Second, over 100 faith-based organizations, listed on the website of Vote NO on Prop 8, support gay marriage and worked hard to defeat Prop 8.

Third, though there are many religions opposed to gay marriage, there is nothing analogous to the coordinated effort of the National Religious Leadership Roundtable—it enlists the aid of all the aforementioned religions, and even includes Quakers, Baptists, Eastern Orthodox and Methodist members.

A few days after Segura's testimony, Boies pointed out that Catholicism teaches that homosexual acts are a "serious depravity," and that the Southern Baptist Convention labels them an "abomination." He was asking the presiding judge to connect the dots between the identification of sinful acts and the sanctioning of incivility against the sinners.

The argument failed miserably. As the Church has long noted, there is a huge difference between condemning sinful behavior and condemning those who engage in it. It is even more preposterous to sanction incivility against sinners by the self-righteous.

On August 4, Federal Judge Vaughn Walker overturned Proposition 8, finding that “religious beliefs that gay and lesbian relationships are sinful or inferior to heterosexual relationships harm gays and lesbians.”

January 14

New Bedford, MA – When Massachusetts senatorial hopeful Martha Coakley, a Roman Catholic, was asked on WBSM radio whether she supports conscience rights for health care employees she replied, “No.”

Coakley said that if she were asked to consider a bill that would say “if people believe that they don’t want to provide services that are required under the law and under *Roe v. Wade*, that they can individually decide to not follow the law. The answer is no.” When asked by host Ken Pittman about the rights of Catholics who follow the teachings of the Church, Coakley offered the separation of church and state argument. Pittman then said, “In the emergency room you still have your religious freedom.” Coakley conceded that point but hastened to add, “you probably shouldn’t work in the emergency room.”

January 20 – April 9

After Dawn Johnsen’s nomination to head the Justice Department’s Office of Legal Counsel was sent back to the White House at the end of 2009, President Obama quickly renominated the anti-Catholic lawyer.

Most of Johnsen’s critics focused on her strong pro-abortion record. But we pointed out her anti-Catholic history.

In the late 1980s, she joined a cadre of anti-Catholics to strip the Catholic Church of its tax-exempt status, claiming the Church was guilty of violating IRS strictures because it took a strong pro-life position. The lawsuit failed.

Despite this information on her, the *New York Times* asserted that the “baseless objections” and “baseless concerns” of Johnsen’s critics should be ignored. We asked if it would it

be “baseless” to object to someone who wants to deny Muslims the same tax-exempt status afforded Catholics, Protestants, Jews and others? Would not such a person be branded a bigot who is unfit to serve in any administration, especially in a high post in the Justice Department?

On March 4, we wrote to every member of the U.S. Senate asking the question: “Are you aware that Dawn Johnsen, who will soon be voted upon by the full Senate, sought to strip the Roman Catholic Church of its tax-exempt status in 1988?”

On April 9, our letter seemed to have paid off; Johnsen withdrew her name from nomination.

February 2

Washington, D.C. – At the National Press Club, Harry Knox, Director of the Human Rights Campaign’s Religion and Faith Program and member of President Obama’s Advisory Council on Faith-based and Neighborhood Partnerships, stood by his 2009 comments that the pope was “hurting people in the name of Jesus” because he did not promote the use of condoms as an effective means to control the spread of HIV and AIDS. Knox was asked by CNSNews.com if he stood by those comments and he said, “I do.”

February 25

Washington, D.C. – Tony Perkins, president of the Family Research Council, was scheduled to speak at a National Prayer Luncheon at Andrews Air Force Base but the invitation was withdrawn by the chaplain’s office because Perkins had spoken out in favor of the military’s “Don’t Ask, Don’t Tell Policy.”

We said that the decision to silence Tony Perkins, an ordained minister and Marine veteran, represented political correctness at a dangerous level. There are legitimate reasons to accept and reject the current policy regarding gays in the military. No one, therefore, should be censored from speaking at any private or public forum—much less a military

installation—because of his or her views on this subject.

We contacted Major General Darrell D. Jones, Commander of the Air Force District of Washington, at Andrews Air Force Base asking for a probe into this matter.

February 26

Washington, D.C. – Several officials from the Obama administration met with representatives of the Secular Coalition for America giving people of faith a reason to wonder exactly where their interests lie with the Obama administration.

No one opposes men and women who are incidentally agnostic or atheist from expressing their concerns, even to the White House. The problem with this meeting was the profile of the coalition's members and organizations. On the advisory board of the Secular Coalition for America are such activists as Robert Boston, Richard Dawkins, Sam Harris, Christopher Hitchens, Susan Jacoby and Michael Newdow. Member organizations include American Atheists, the American Ethical Union and the Council for Secular Humanism. All of these persons and groups have a track record of open hostility to people of faith, and some have been downright bigoted in their assault on Christianity, especially Catholicism.

March 3

Topeka, KS – A bill in the Kansas House of Representatives that was initially introduced to repeal the sales tax exemption of all non-profit organizations was amended to target only religious non-profits. The bill would penalize the Catholic Church and organizations like Catholic Charities, as well as other religions and charitable groups. When this bill reached the House floor, it was fixed and the tax exemptions were kept in place.

March 4

Jefferson City, MO – State Senator Church Purgason introduced

a revised version of a proposed sales tax bill; his original bill would have required private and parochial schools to collect sales tax on school tuition and Catholic Charities would have had to pay a new sales tax. Under his revised legislation, churches, charitable organizations and private and parochial schools were exempt from the proposed sales tax.

March 3 – May 11

Michigan – On March 3, the Catholic League filed a formal complaint with the Michigan Attorney Grievance Commission regarding anti-Catholic comments made by defense attorney Henry Scharg.

In a Wayne County Circuit Court hearing concerning a woman charged with smothering her newborn daughter to death, her attorney, Henry Scharg, sought repeatedly to malign trial judge Dan Ryan, accusing him of allowing his Catholic religion to color his judgment in the case. Not only did Scharg call into question Ryan's affiliation with Ave Maria Law School, he sought to remove the judge from the case.

Scharg was angered over the fact that Ryan was taking vacation time to teach at Ave Maria on Mondays (the fact that Ryan rearranged his Monday schedule to accommodate Scharg undercut his complaint). On p. 10 of the transcript from the hearing, Scharg was quoted as saying, "This is the equivalent to an African-American man being on trial and the judge taking Mondays off to attend Klan meetings."

Bill Donohue issued the following statement to the media: "Scharg has no business representing anyone. To compare an accredited Catholic law school to a racist terrorist organization is more than despicable—it constitutes rank anti-Catholic bigotry. Indeed, this remark is so egregious as to warrant severe punitive sanctions, if not disbarment. We will do what we can to see that justice is done."

We lodged a complaint with the Attorney Grievance Commission

of the State of Michigan. On May 11, we received note that the Commission determined that Scharg's offense did not constitute professional misconduct. Nonetheless, we are pleased that Scharg was forced to defend himself in writing and that a formal complaint is now in his file.

March 14

Gilbert, AZ – The Alliance Defense Fund claimed that a town code barring religious assemblies in private homes is unconstitutional. A Christian church began meeting in a pastor's home for Bible study and fellowship and were told by a town zoning official that church activities were not allowed in private homes.

March 26 – 29

Davenport, IA – The city of Davenport removed "Good Friday" from its municipal calendar and announced that the day would be renamed "Spring Holiday." After backlash, the idea was overturned and "Good Friday" was put back on the calendar.

April – May 3

Hartford, CT – A bill seeking to extend the statute of limitations in sex abuse cases was introduced in the Connecticut General Assembly by Rep. Beth Bye, but never came to a vote, thus securing a victory for Catholics. This victory was in no small part due to our tireless work in educating the public on how HB 5473 was inherently discriminatory towards the Catholic Church.

As it stood, the bill would have done absolutely nothing to bring relief to those who had been abused by a public school employee save for filing a civil suit against the individual.

Contrast that with a child abused by an employee of a Catholic school. Not only would the victim be able to file a suit against the individual, but the victim could then file suit against the diocese thus costing the Church millions of dollars.

As is the case in other states, public entities enjoy sovereign immunity from such claims and cannot be sued for damages unless a bill specifically authorizes it. Accordingly, we called Bye's bluff: we said to make it inclusive of all institutions, public as well as private, or pull it.

We heard nothing from the teachers' unions and the other lobbyists for the public schools. They knew that if the statute of limitations was eliminated in cases of childhood sexual abuse that took place in public schools, many former administrators and teachers—to say nothing of current school districts—would be forced to face the fire. We said that justice demands that they suffer the same fate of those in private institutions or they should withdraw the discriminatory bill altogether.

We were pleasantly surprised when we found out that State Senator Andrew McDonald, Chairman of the Judiciary Committee, opposed the legislation stressing the importance that statutes of limitations have in the judicial system. We were surprised because it was McDonald, along with Rep. Michael Lawlor, who in 2009 drafted a bill "To revise the corporate governance provisions applicable to the Roman Catholic Church and provide for the investigation of the misappropriation of funds by religious corporations." (The bill was pulled because the Connecticut bishops, the Catholic League and thousands of Connecticut Catholics fought it.)

Soon after we learned of HB 5473, we spoke to someone at Rep. Bye's office and were told that this bill did apply to public schools and that there is a difference between state employees and public school employees when it comes to sovereign immunity. After we heard this we said that it was time to end the duplicity and have an equal playing field for everyone regardless if they are employees of private or public institutions. Accordingly, we extended a challenge to Bye: submit a bill that would repeal sovereign immunity for all public employees. Then, and only then, would Connecticut

Catholics and Catholic institutions know that they would not be treated in a discriminatory manner in law.

Following our challenge to Bye, Voice of the Faithful in the Diocese of Bridgeport sent a letter to Connecticut lawmakers unjustly condemning the bishops for seeking to “mislead, mischaracterize and spin the facts in an effort to preserve their temporal, rather than spiritual authority.” In doing so, the group went way beyond the pale for even a dissident Catholic group—it portrayed an animus so vile as to rival the antics of rank anti-Catholics.

We wrote to the Connecticut Legislature and let them know that the Connecticut bishops speak for the Church in the state, noting that some Catholics were falsely positioning themselves as being legitimate competitors to the voice of the bishops and that Voice of the Faithful were the most irresponsible. We said: “To be sure, lay Catholics have a right to speak to all public policy issues that touch on the affairs of the Catholic Church. But no lay Catholic organization has the right to portray itself as a substitute to the canonical authority of the bishops. That is what Voice of the Faithful has done.”

We respectfully asked the lawmakers to weigh the real-life concerns of the bishops regarding the draconian implications of the bill. We also asked that they not be distracted by those who harbor an agenda of their own.

On May 3 our work paid off: proponents of the bill announced that there were not enough votes in the House or Senate to push the bill forward.

April 14

Harry Knox lashed out at Cardinal Tarcisio Bertone for his comments regarding homosexual priests and the sex abuse crisis. Knox said, “As pastor he should be spending night and day seeking to heal the wounds inflicted by the Church on the victims of pedophile priests.” Knox, a spokesman for the Human

Rights Campaign, also accused the cardinal of “diverting attention away from decades of Vatican cover-ups of pedophile behavior.” In 2009, we called on Knox to be ousted by the Obama administration for his comments bashing the pope. We did so again.

June

We filed an amicus brief with the Pacific Justice Institute appealing a decision by the Ninth Circuit Court of Appeals that denied standing to the Association of Christian Schools International (ACSI) in a free speech and association case. At stake was the right of the University of California system to reject high school courses in its admission process which have a religious viewpoint. By filing the brief, we hoped that the U.S. Supreme Court would hear the case and overturn the decision.

The more immediate problem was the right of ACSI to secure standing, or the right to challenge these decisions. We found it important that organizations like the Catholic League know that their members need not personally participate in lawsuits which effect their interests in cases like this one. (The Ninth Circuit Court ruled that ACSI had no right to represent its member schools.)

October 26

The Democratic-Farmer-Labor Party of Minnesota came under fire for their anti-Catholic mailer that was sent out a week before Election Day. On one side of the mailer was a priest, shown from his Roman collar down, wearing a button that read, “Ignore the Poor.” On the other side of the mailer, there is a statement criticizing Dan Hall, a Protestant minister who was a candidate for the state Senate, saying, “Preacher Dan Hall protects politicians—not the poor.”

Although the DFL released a statement defending the mailer, saying it “explicitly criticized Preacher Hall,” the DFL had deliberately exploited Catholic imagery to make a political

point. It was a clear Catholic-baiting stunt.

December 2

Jon Lovett, a White House speechwriter, won the “Funniest Celebrity” award for making a joke about the TSA’s airport pat-downs. Lovett said, “it’s giving a way for, you know, defrocked priests to get their lives back together, giving back to the community, lend a ... Well, not lend a hand, but you know.”