

# MICHIGAN AG NESSEL SLAPPED DOWN BY JUDGE

Catholic League president Bill Donohue comments on a federal court ruling in Michigan:

A federal district court judge in Michigan has upheld the religious freedom of a Catholic foster care and adoption agency, while calling out the “religious targeting” engaged in by Michigan Attorney General Dana Nessel.

At issue is whether faith-based foster care and adoption agencies may refer same-sex and unmarried heterosexual couples to other agencies, rather than be forced to place children with such couples themselves, in violation of their religious beliefs.

As district court judge Robert Jonker explained in his 32-page ruling, the Michigan legislature in 2015 enacted a law upholding the right of faith-based agencies to adhere to the teachings of their Church. But Nessel opposed the law, promised in her campaign not to enforce it, and last spring entered into a settlement with the ACLU whereby the state would terminate its contracts with faith-based agencies that refuse to violate the tenets of their religion.

St. Vincent Catholic Charities of Lansing, Michigan, which includes foster care and adoption among its many services, challenged Nessel’s policy in court; yesterday judge Jonker ruled in favor of St. Vincent, blocking the state from terminating its contract with the Catholic agency.

“The record demonstrates,” the judge concluded, “that the State’s new position targets St. Vincent’s religious beliefs.

Jonker was unstinting in his rebuke of Nessel for her anti-Catholic bigotry.

He noted that she referred to Michigan's 2015 religious freedom law as "indefensible," labeling its supporters "hate mongers" and charging that it's only purpose was "discriminatory animus."

Jonker wrote that Nessel's 2018 campaign and her statements as attorney general "create a strong inference that the State's real target is the religious beliefs and confessions of St. Vincent, and not discriminatory conduct." Moreover, she sought to terminate the state's contract "simply because St. Vincent adheres to its sincerely held religious belief that marriage is an institution created by God to join a single man to a single woman." Furthermore, this "strongly suggests that the State's real goal is not to promote non-discriminatory child placements, but to stamp out St. Vincent's religious belief" and replace it "with a State-orthodoxy test that prevents Catholic believers from participating."

"All of this," he concluded, "supports a strong inference that St. Vincent was targeted based on its religious belief, and that it was Defendant Nessel who targeted it."

The judge said Nessel's policy—which would "flout the letter and stated intention of the Michigan legislature"— "actually undermines the state's stated goals of preventing discriminatory conduct and maximizing available placements for children."

"Shuttering St. Vincent would create significant disruption for the children in its care, who already face an unpredictable home life and benefit from stability," Jonker wrote. "It would also hurt the foster and adoptive parents who rely on St. Vincent for support and would have to find new resources."

We are most pleased with the judge's ruling because the [Catholic League](#) has been exposing Nessel as an anti-Catholic bigot since she declared her candidacy for this office. She

has finally received her comeuppance.