

# OPEN LETTER TO ELIOT SPITZER

*Catholic League president Bill Donohue wrote the following letter today to New York State Attorney General Eliot Spitzer:*

Governor George Pataki recently proposed tuition tax credits for private schools, including parochial ones. I had hoped that you would support this plan, but instead you have chosen to remain non-committal. If anything, you seem to be leaning against this initiative. To be exact, you are quoted in today's *New York Sun* as saying, "there will be serious constitutional issues if they [the tax credits] are used for parochial schools."

Your comment is somewhat surprising given your previous remarks on this subject. In May 2002, your office released a "Report on Non-Public Education" that was a model of reasonableness. The Report suggested many ways in which private schools, including parochial schools, could receive public funds without violating the First Amendment. While voucher programs and tuition tax credits were not addressed in the Report, your own statement showed how the courts have become increasingly open to innovative programs that assist non-public schools. Indeed, the tenor of your remarks clearly depicted you as someone who was favorably disposed to such programs.

I urge you to support tuition tax credits for parents who send their children to non-public schools. After all, the Pataki proposal is designed to help students who must attend failing public schools. The proposal was made all the more poignant today in a news story in the *New York Post*: an African-American woman has asked a judge to award her \$26,000 so two of her children in the public schools can attend private ones (it costs New York taxpayers \$13,000 a year per student in the public schools; she has two other children enrolled in a Catholic high school). Her suit is not frivolous given the

fact that her 16-year-old daughter was nearly murdered in the local public school. Nonetheless, it could have been avoided altogether had a tuition tax credit been available to her.