

# HOUDINI                  LAWYER                  SHADOWS CARDINAL MAHONY

U.S. Attorney Thomas P. O'Brien has launched a federal grand jury investigation against the Los Angeles Archdiocese claiming it violated the federal "honest services" fraud law when dealing with clergy abuse.

Catholic League president Bill Donohue addressed this issue today:

"Eighteen months ago Los Angeles Archbishop Roger M. Mahony reached a settlement with alleged victims of priestly misconduct, thinking the issue was over. But now it has been resurrected by the Houdini-like tactics of U.S. Attorney O'Brien. He has subpoenaed 22 priests, notwithstanding the fact that two of them are dead and the other 20 were kicked out of the priesthood a long time ago.

"O'Brien is saying there was a cover-up of abusing priests, and as a result parishioners were denied so-called honest services. So novel is this use of the law that this is the first time it has ever been used against a church; it is typically used against politicians and CEOs. But O'Brien isn't like most lawyers. He has tried to court martial a Marine about an incident in Iraq even though the accused was no longer a reservist; he then tried to get the Marine in civilian court—another first—and again he failed. He has also tried to nail a woman for a crime usually committed by computer hackers (she was acquitted of all the felony charges against her and the rest of the case may soon be dismissed).

"No wonder O'Brien is being scorned by his profession. Northwestern law professor Albert Alschuler says 'Nobody knows what honest services means.' Former U.S. Attorney Charles LaBella says, 'This is a strange one.' An editorial in the *Los*

*Angeles Times* opines that 'we worry about the elasticity of the law.' Loyola law school professor Laurie Levenson calls this 'creative lawyering,' and Rebecca Lonergan, a USC law professor, similarly dubs it 'creative.' Catholic law professor Nick Cafardi says this is 'a real stretch' and Notre Dame law professor G. Robert Blakely brands it 'outrageous.'

"Houdini O'Brien should drop his witch hunt. If he wants to do something really creative, let him read a book on ethics."

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## POPE'S OUTREACH UNFAIRLY PORTRAYED

Catholic League president Bill Donohue commented today on the controversy over the pope's decision to reach out to the St. Pius X Society:

"Whenever the media distort a story, either willfully or out of ignorance, it generates skewed commentary. The latest example is what happened following the announcement that Pope Benedict XVI was seeking reconciliation with the St. Pius X Society. News reports quickly surfaced that the pope had welcomed back a Holocaust-denying bishop. Nonsense.

"Here are the facts. The pope lifted the excommunication that had been imposed in 1988 on four bishops from the St. Pius X Society. One of them, Richard Williamson, entertains loopy and wholly discredited views on the Holocaust. It is important to note that none has been fully reinstated in the Catholic Church, and they may never be. What the pope did was the *first step* toward full communion. As the *New York Times* correctly said on January 28, this was 'a step toward the men's full restoration to the church, *but their status has yet to be*

*determined.'* (My emphasis.)

"So what will it take for these bishops to get reinstated? The pope said it best: 'I hope my gesture is followed by the hoped-for commitment on their part to take the further steps necessary to realize full communion with the Church, thus witnessing true fidelity, and true recognition of the magisterium and the authority of the pope and of the Second Vatican Council.' There is no way to read that other than to conclude that to be fully reinstated in the Catholic Church, all those who have passed the first test must now clear the big hurdle: either accept what the Catholic Church teaches or remain on the sidelines. And what the Church teaches, among other things, is the necessity of respecting our Jewish brethren.

"None of the media distortions of this issue excuses those in the Jewish community who have lashed out at the pope. They should know better. Is their commitment to good relations with Catholics so thin that it can wither because of something like this? We certainly hope not."

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## **OBAMA TO FUND U.N. PRO-ABORTION AGENCY**

On January 24, President Obama said, "I look forward to working with Congress to restore U.S. financial support for the U.N. Population Fund." He pledged to do this "in the coming weeks," maintaining that "It is time that we end the politicization of this [abortion] issue."

Bill Donohue explains the Catholic League's response:

“The United Nations Population Fund (UNFPA) claims that it is not pro-abortion. It says that it merely supports ‘reproductive rights.’ Not quite. Starting in 1979, in the first five years of China’s draconian one-child policy, UNFPA gave the program \$50 million. To accomplish this goal over the years, which is still ongoing, IUDs have been forced into the wombs of hundreds of millions of women against their will. Indeed, no coercive method is considered taboo, including forced abortion. It was for reasons like these that in 2002 the U.S. State Department blasted China for its affront to human rights. Indeed, Secretary Colin Powell backed the Bush administration’s denial of funds to UNFPA.

“The one-child policy has abetted female infanticide, so much so that there has been a massive decrease in the female population—there are now an estimated 350 million girls missing from China. Other non-white areas of the world where UNFPA concentrates its efforts include Vietnam, Nigeria and Peru. But it can be multicultural: When the genocidal maniac from Serbia, Slobodan Milosevic, wanted to tame his people, he invited UNFPA to help reduce the population of Kosovo; he wasn’t unhappy with the results, nor, of course, the means.

“So here we have it. In the name of women’s rights, UNFPA undercuts women. In the name of eradicating poverty, it eradicates the poor. Moreover, it works closely with anti-Catholic groups. And now Obama wants us to bankroll UNFPA. During a recession, no less. To top things off, he is doing all of this in the name of ending the politicization of issues that he says marked previous administrations. The ironies are as endless as they are priceless.”

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# PELOSI ON KIDS: THEY'RE AN ECONOMIC DRAIN

Yesterday, House Speaker Nancy Pelosi told ABC's George Stephanopoulos that it was necessary to spend hundreds of millions of dollars on family planning services in order to stimulate the economy. Pelosi maintained that "contraception will reduce costs to the states and to the federal government."

Catholic League president Bill Donohue commented as follows:

"Looks like the Democrats have abortion and contraception on the brain. Last week, President Barack Obama lifted restrictions on federal funds being used to promote and perform abortions overseas. Now we have Pelosi arguing that the way to balance the budget is not by cutting expenditures, but by cutting kids. Her comment matches up well with what Obama said during the presidential campaign about comprehensive sex education: speaking of his own daughters, he said that 'if they make a mistake, I don't want them *punished* with a baby.' (My emphasis.)

"We have reached a new low when high-ranking public office holders in the federal government cast children as the enemy. But at least it explains their enthusiasm for abortion-on-demand."

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## OBAMA TO FUND ABORTION

News reports are that President Barack Obama will overturn restrictions on funding abortions overseas today. The Mexico

City Policy, which denied federal funding of private organizations that perform and promote abortions, will be rescinded by executive order.

Catholic League president Bill Donohue addressed this decision today:

“Here we have a black president taking money from the taxpayers in a time of economic crisis and giving it to organizations—many of which are anti-Catholic—so they can spend it on killing non-white babies in Third World nations. And Obama is known as a progressive.

“Obama has said repeatedly that he is not pro-abortion, and some Catholics salivating for a job in his administration believe him. Yet he’s in office for only a few days and one of the first things he decides to do is fund abortion. That would be on a par with someone who said he was in favor of gun control and then provided funds to the NRA. Indeed, no one spends money to support that which he really abhors. In short, it’s time for the pro-abortion crowd to simply say that whatever reservations they may have about abortion (and some have none at all), they are outweighed by their overall support for it.

“Just last Monday, the United States Conference of Catholic Bishops made public a letter it sent to Obama asking him to retain the Mexico City Policy. Obama has made his decision, and we hope every Catholic who is truly pro-life gets it.”

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**COURT      APPROVES      INAUGURAL**

# PRAYERS

Several atheist groups sought a preliminary injunction to prevent the saying of prayers and the use of the phrase “so help me God” at the end of President-elect Obama’s oath at next Tuesday’s presidential inauguration. Yesterday U.S. District Court Judge Reggie Walton denied the request, saying the plaintiffs had failed to prove any “harm” would result from the invocation of God. He further ruled that he has no authority over the Presidential Inaugural Committee because it is not a government agent.

Catholic League president Bill Donohue comments as follows:

“The judge’s ruling is a victory over mean-spirited nonbelievers trying to impose secular values on a country founded on religious principles, and where over 90% of the people profess a belief in God. The judge saw through the atheists’ arguments, noting that the prayers do not appear ‘to give the impression that the government is endorsing religion.’

“The contention that atheists are ‘harmed’ by public prayer and the display of religious symbols is a specious argument. Besides, if harm is a criterion for censorship, then all atheist groups would have to disband immediately: their very existence causes great harm to the faithful.”

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## BUSH PROCLAIMS PRO-LIFE DAY:

# WILL OBAMA HONOR IT?

Yesterday, President George W. Bush proclaimed January 18 to be “National Sanctity of Human Life Day.” He said that “All life is a gift from our Creator that is sacred, unique, and worthy of protection.” The president emphasized that “we aspire to build a society in which every child is welcome in life and protected in law.”

The president received the praise of Catholic League president Bill Donohue:

“George W. Bush will be remembered as doing more to build a culture of life than any president. Not that his father and Ronald Reagan weren’t champions of life, too. The difference is that this president was faced with more challenges, and he made good on every one of them. From embryonic stem cell research and cloning to the Born Alive Infants Protection Act and partial-birth abortion, George W. Bush has been the pro-life community’s best friend.

“Barack Obama will soon be president. He is an avowed champion of abortion rights. When asked during the campaign when life begins, he balked, giving a lame answer. Bright as he is, Obama is not well informed about the most fundamental question of them all: What is the origin of human life? But even those who posit that no one can be sure must be inclined to offer protection to that which might be life. To assume otherwise is a game of chance no morally responsible society should tolerate.

“On January 22, the Right to Life March will take place in Washington, D.C. We know of President Bush’s honorable record. We now await to see what President Obama will say on the 36th anniversary of the infamous *Roe v. Wade* decision.”



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# BISHOP GENE ROBINSON AT INAUGURAL?

Catholic League president Bill Donohue comments today on the selection of Episcopal Bishop Gene Robinson to offer a prayer at an inaugural event next week:

“President-elect Barack Obama says he wants to unite Americans, and yet he chooses the most polarizing person in the Episcopal Church, Bishop Gene Robinson, to offer a prayer at one of his inaugural events. Robinson, who dumped his wife and children to live with another man, is not just an embarrassment to rank-and-file Episcopalians, he has a record of offending Catholics, as well.

“In 2005, Robinson said the following: ‘I find it so vile that they [the Catholic Church] think they are going to end the child abuse scandal by throwing out homosexuals from seminaries. It is an act of violence that needs to be confronted.’ He added that ‘Pope Ratzinger [sic] may be the best thing that ever happened to the Episcopal Church. We are seeing so many Roman Catholics joining the church.’

“Three months ago, the disgraced openly gay bishop admitted that he had led a retreat a few years ago for gay Catholic priests. He stuck his nose into the affairs of the Catholic Church even further when he urged those priests to push for women priests, saying ‘that if you work for the ordination of women in your church, you will go a long way toward opening the door for the acceptance of gay priests.’

“In other words, Obama has chosen a man who offends Catholics as much as he does Protestants. If that’s his idea of inclusion, he can keep it. The only saving grace is that

Robinson says he will not use a Bible next week. It would be news if he did.”

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# SACHA BARON COHEN’S BLACK JESUS: THE COLOR DOESN’T MATTER

News reports about the upcoming movie, “Bruno,” featuring Sacha Baron Cohen of “Borat” fame, say there is a black model called Jesus who wears a loincloth and a crown of thorns. Some media pundits are saying this is sure to offend Christians.

Catholic League president Bill Donohue speaks to this issue today:

“In many African American neighborhoods there are Catholic and Protestant churches that display statues of a black Jesus; artistic renditions of a black Jesus are also commonplace throughout the country. No one but racists and the hyper-sensitive object. What matters is not the color of Jesus, it is how the Jesus-figure is portrayed. If the depiction of Jesus in this movie is not offensive, then the Catholic League will not protest. If it is, we will.

“Critics of the Catholic League say we do object to images of a black Jesus. They cite our objections to black photographer Renee Cox who was depicted as Jesus in 2001, our complaints against hip-hop artist Kanye West on the cover of *Rolling Stone* with a crown of thorns in 2005, and our problems with the Chocolate Jesus sculpture in 2007. All these critics miss the point.

“Had Cox managed to keep her clothes on when being photographed as Jesus, we would not have registered the same complaint (though we would have noted the silliness of portraying a man as a woman). The *Rolling Stone* controversy was all about the exploitative picture of West with blood streaming down his face, and the fact that the cover story, ‘The Passion of Kanye West,’ disclosed his self-confessed passion for pornography. Those who said we would not have objected to a Vanilla Jesus don’t get it: our concern over the sculpture was the fact that this larger-than-life figure was displayed with exposed genitals at Easter time in a mid-town Manhattan hotel where visitors were invited to eat him.

“In other words, whether we go after ‘Bruno’ depends entirely on how Jesus is portrayed—not on the color of his skin.”

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## **GAYS VANDALIZE SAN FRANCISCO CHURCH**

Most Holy Redeemer Catholic Church, in the heart of San Francisco’s gay Castro community, was vandalized over the weekend by opponents of Proposition 8, the California resolution passed by voters in November that rejected gay marriage. Swastikas were painted on the church and the names Ratzinger (referring to Pope Benedict XVI) and Niederauer (the San Francisco Archbishop) were scrawled besides the Nazi symbol.

Catholic League president Bill Donohue is asking Catholics nationwide to respond to this incident:

“In the wake of Proposition 8, innocent persons have been assaulted, churches have been vandalized, a white substance

resembling anthrax was sent to the Knights of Columbus and to Mormon temples, supporters of traditional marriage have been branded Nazis, African Americans have been called the 'N-word,' houses and cars have been trashed, etc. Unfortunately, most of those in the gay community have been silent about these acts.

"Part of the blame for the latest attack goes to San Francisco Mayor Gavin Newsom and the San Francisco Board of Supervisors. Both Newsom and the Board have shown nothing but contempt for the First Amendment rights of Catholics. When crucifixes are sold as sex toys and Catholic sensibilities are assaulted by naked men in the street at the annual Folsom Street Fair, they say nothing. When gay men dressed as nuns show up at Mass—at the same church—they say nothing. But the Board was quite vocal about condemning the Catholic Church in 2006, something which led to a lawsuit triggered by the Catholic League and the Thomas More Law Center.

"For those who love to write about 'root causes,' let them ponder the guilt of these public officials. Moreover, leaders in the gay community show no leadership when it comes to denouncing incivility committed in the name of gay rights. This has got to end."

*Contact Mayor Gavin Newsom and ask him to finally condemn gay assaults on Catholics and other people of faith: [gavin.newsom@sfgov.org](mailto:gavin.newsom@sfgov.org)*