

CALIFORNIA CONFESSIONAL BILL UPDATE

In the last *Catalyst*, we said progress was being made on the California Confessional bill. Instead of requiring priests to divulge any information on the sexual abuse of a minor learned in the confessional from any source, it was limited to penitents such as a co-worker or a priest. Catholic League members helped drive this progress. Below is the text of a letter by Bill Donohue to Sen. Jerry Hill, the bill's sponsor, on June 12.

Dear Sen. Hill:

Regarding SB 360, you have been quoted as saying that "the clergy-penitent privilege has been abused on a large scale, resulting in underreported and systemic abuse of thousands of children across multiple denominations and faiths."

Could you please provide my office with documentation to support that claim? I will not be coy: I don't believe you can. But go ahead and prove me wrong.

There have been several inaccurate reports in the secular and Catholic media about the number of states that do not honor the clergy-penitent privilege in cases involving the sexual abuse of minors. There are six: New Hampshire, West Virginia, North Carolina, Oklahoma, Rhode Island, and Texas (See "Clergy As Mandated Reporters of Child Abuse and Neglect," www.childwelfare.gov).

If you are right, then these states must have a trove of evidence showing how "the systemic abuse of thousands of children" has been uncovered now that the clergy-penitent privilege is no longer operative. I don't believe you have such data, and that's because it doesn't exist.

The sexual abuse of minors is an outrageous crime. It is also outrageous to sponsor a bill that allows the state to encroach on religion while doing nothing to resolve this issue. That's a lose-lose. That is why I am asking you to withdraw your bill.

On June 25, Donohue wrote the following letter to Assemblyman Reginald Byron Jones-Sawyer, chairman of the Public Safety Committee in charge of the bill.

Dear Assemblyman Jones-Sawyer:

The California confessional bill has national implications, which is why Catholics across the country are deeply concerned about this legislation. We all agree that those who violate a youngster—in any profession—should have the book thrown at him. But to violate a sacrament of the Catholic Church in the course of doing so is unjust. Please reconsider this bill. It is not only the wrong remedy, it is unenforceable as well. Moreover, it will spur needless lawsuits. Surely there is a more prudent way to address this matter.

Thank you for your consideration.

See the September *Catalyst* for more on this subject.

NYS-RUN HOMES MERIT NEW LAW

There was a recent story in the New York Times on conditions in state-run homes for the developmentally disabled that was very disturbing. Not only are many of the residents subjected to physical and sexual abuse, state laws protect miscreant state workers, allowing them to strike again, with impunity. This is not a new story.

In 2011, the New York Times detailed the extent of the abuse in these same facilities, explaining how the Civil Service Employee Association blocks disciplinary action against the abusers. Little has been done to ensure progress.

On June 18, Bill Donohue called on Assemblywoman Linda Rosenthal and State Sen. Brad Hoylman to craft new legislation to remedy this situation. These two lawmakers were the sponsors of the recently passed Child Victims Act, a law designed to grant new rights to the victims of clergy sexual abuse, as well as others.

Here is the text of Donohue's letter.

On June 10, 2019, the *New York Times* ran a front-page story on state-run homes for the developmentally disabled that was very disturbing. Eight years earlier it ran a series of articles on this problem. It is obvious that little has been done to check widespread physical and sexual abuse of these vulnerable persons, despite assurances by Gov. Andrew Cuomo that these conditions would no longer be tolerated.

Your interest in addressing the issue of clergy sexual abuse in the Catholic Church is the reason why I am writing to you. We need a grand jury investigation of these homes, as well as new legislation that will end this abuse. Stories of horrid conditions in these facilities extend back a half century.

In 1965, New York Sen. Robert Kennedy referred to homes for the developmentally disabled in Willowbrook as a "snake pit." This notorious Staten Island facility was exposed to the public in 1972 when ABC reporter Geraldo Rivera broke the story. Fast forward to March 13, 2011. On that day, the *New York Times* wrote the following:

"A New York Times investigation over the past year has found widespread problems in the more than 2,000 state-run homes. In hundreds of cases reviewed by The Times, employees who sexually abused, beat or taunted residents were rarely fired,

even after repeated offenses, and in many cases, were simply transferred to other group homes run by the state.

“And, despite a state law requiring that incidents in which a crime may have been committed be reported to law enforcement, such referrals are rare: State records show that of some 13,000 allegations of abuse in 2009 within state-operated and licensed homes, fewer than 5 percent were referred to law enforcement. The hundreds of files examined by The Times contained shocking examples of abuse of residents with conditions like Down syndrome, autism and cerebral palsy.”

The newspaper explained why this happened.

“The Times reviewed 399 disciplinary cases involving 233 state workers who were accused of one of seven serious offenses, including physical abuse and neglect, since 2008. In each of the cases examined, the agency had substantiated the charges, and the worker had been previously disciplined at least once.

“In 25 percent of the cases involving physical, sexual or psychological abuse, the state employees were transferred to other homes. The state initiated termination proceedings in 129 of the cases reviewed but succeeded in just 30 of them, in large part because the workers’ union, the Civil Service Employee Association, aggressively resisted firings in almost every case. A few employees resigned, even though the state sought only suspensions.”

In the public schools, transferring molesting teachers to another school is so common that they call it “passing the trash.” The same phenomenon happens in homes for the developmentally disabled. In both cases it is the unions that make progress impossible.

The Times expanded on this situation in this same story.

“The Civil Service Employees Association, one of the most powerful unions in Albany, makes no apologies for its vigorous

defense of the group-home workers it represents.

“But the union’s approach—contesting just about every charge leveled at a worker—has contributed to a system in which firings of even the most abusive employees are rare. Most disciplinary measures represent a compromise between management and the union, often reached at the urging of an arbitrator chosen by both sides.”

The most recent story in the *New York Times*, which appeared on June 10, shows how little has changed in the last eight years.

“Hundreds of pages of disciplinary records from 2015 to 2017, obtained by The Times under the state open-records law, show that more than one-third of the employees statewide found to have committed abuse-related offenses at group homes and other facilities were put back on the job, often after arbitration with the worker’s union.”

It is for this reason that Michael Carey, an advocate for those housed in these homes, said, “Eight years have passed, and there have been no significant reforms to stop or prevent physical abuse.”

That is why I am writing to you. You are in a position to end this tragedy, especially given the fact that, unlike the Catholic Church, these are state-run institutions, entities that fall directly under your purview.

Please introduce new legislation that will finally remedy this situation.

BIDEN'S BIGGEST BLUNDER

Joe Biden can get away with his penchant for gaffes, but he will never get away with his newly decided opposition to the Hyde Amendment. For decades, his pro-abortion stance drew a line in the sand when it came to forcing the taxpayers to pay for abortions. That line is now gone. This is Joe Biden's biggest blunder.

To begin with, Biden blundered morally: mandating that the public pay for the killing of unborn babies (at any time of gestation and for any reason) is obscene.

He also blundered by being dishonest. He was right to say that "circumstances have changed," but he was dishonest when he blamed Republicans for his historic flip flop. As everyone knows, Biden gave in to pressure from the pro-abortion industry and activists in his Party.

It is the Democrats that have changed. There was a time, not long ago, when Democrats who were abortion-rights advocates balked when it came to partial-birth abortion and taxpayer-funded abortions.

New York Sen. Daniel Patrick Moynihan, and New York City Mayor Ed Koch, both Democrats, refused to go that far. Yet they never paid a political price for doing so. But "circumstances have changed," and now the abortion zealots have taken full control of the Democratic Party; they will punish anyone who disagrees with them.

Biden has also blundered politically. While his decision to fold may win the plaudits of the activists in his Party, his embrace of the extremist positions on abortion runs against the grain of the country. When it comes to the general election, Biden will lose on this issue. Just ask Hillary Clinton. Her defense of partial-birth abortion cost her big time.

The public has no appetite for pro-abortion extremism. In October 2016, a survey published by the Harvard T.H. Chan School of Public Health found that only 36% of likely voters favored Medicaid funding of abortion; 58% were opposed.

The year before, a survey commissioned by the Catholic League found that 61% of Catholics were pro-life. Perhaps even more important, of those who were in the abortion-rights camp, only 5% said that abortion should be allowed for any reason and at any time.

There is another reason, having nothing to do with abortion, why Biden blundered politically. It makes him look weak. One of the reasons why President Trump continues to draw support from Independents is his leadership credentials—he is fearless.

Now look what happened to Beto O'Rourke. He started out just fine, then crashed (his support stands at 3%). Why? After he broke hard from the gate, all he did was apologize for at least a week. That's not leadership.

Biden's blunder on abortion shows no leadership. He had a chance to distinguish himself from his competitors—on an issue where the public would have had his back—but he blew it. Now he is just another pro-abortion Democrat, of a militant stripe.

“GENIUS” BUTTIGIEG EVOLVES ON ABORTION

South Bend Mayor Pete Buttigieg has degrees from Harvard and Oxford and was a Rhodes scholar. The *New Republic* is in love

with him, calling the son of two college professors a “genius.” When it comes to abortion, however, the “genius” hasn’t a clue what he is talking about. He even admitted that last year.

In 2018, Buttigieg declared that abortion was too hard a subject for him to figure out. He told the *South Bend Tribune* that “Issues on the legality or morality of abortion are dramatically beyond my pay grade as a mayor.”

On May 1, 2019, presidential candidate Buttigieg said on “Meet the Press” that “in my view, [abortion] is a question that is almost unknowable. This is a moral question that’s not going to be settled by science.”

Abortion is unknowable? Not to Planned Parenthood, the abortion-mill behemoth that Buttigieg likes. He is right to say that abortion is a moral issue, but he is wrong to say it’s not going to be settled by science. It already has. Science tells us that life begins at fertilization, and not a day later. If left unobstructed, the life that begins at conception develops into a man or a woman.

Between May 1 and May 19, it was apparent that Buttigieg took a crash course on abortion, one that lifted him above his pay grade and allowed him to opine on what science tells us. Recently he told a Fox News audience that pro-life legislators were “ignoring science” by pushing for restrictions. He must have meant science fiction.

Buttigieg also said that aborting a baby just prior to being born is “an impossible, unthinkable choice.” Wrong. It is not only possible, it is done all the time. He was also being deceitful. He said in the interview that he favors no restrictions on abortion at any time during pregnancy.

Some reporter should ask Buttigieg about the baby that was cut from his mother’s womb recently. A Chicago pregnant mother was murdered but doctors were able to save the child.

Buttigieg should be asked if the doctors did the right thing. If he disagrees, what would he say to the father who wants to raise his son? If he agrees that the doctors did the right thing, how can he explain his support for late-term abortion? What does he think it does?

This “genius” has a lot of sorting out to do.

THE COST OF WARRING ON RELIGION

The Left likes to describe the way status groupings such as class, race, and gender interconnect, constituting what they call intersectionality. In real life, no one uses such verbiage: it is confined to higher education and other left-wing ghettos. But it may have some utility in explaining why so many Democrats are sponsoring bills that result in the killing of innocent persons.

Women and African Americans, two segments of the population championed by Democrats, are now at risk, thanks to policies that Democrats are supporting. On June 3, the Democrat-controlled Illinois Senate voted to sustain the vote in the Democrat-controlled House allowing for an abortion bill that threatens to put the life of women in jeopardy, especially black women. It was signed by Gov. J.B. Pritzker, a Democrat.

This bill as originally written would have put women at risk in three ways: (a) it removes regulations for abortion clinics, allowing them to be self-policing b) it eliminates all reporting requirements and regulations governing an investigation of maternal deaths due to abortion, which further puts women at risk and (c) it would have allowed

people not trained as doctors to perform abortions, thus jeopardizing the life of a woman who suffers from complications. Although this last provision was removed shortly before passage, the bill's original intent is clear.

If anyone thinks we are exaggerating the danger to women, consider what Dr. Matt Zban, an emergency room doctor from Charlotte, North Carolina told Bill Donohue via an email in April. He said that a doctor who performed an abortion at a nearby clinic was unable to help the woman's condition—she was experiencing low blood pressure, vaginal bleeding and had a perforated uterus. He contacted a colleague of Dr. Zban's, an Ob/Gyn specialist.

Fortunately, this abortion doctor referenced the woman to a physician who could help her, and the good news is that she was treated for her complications. But under the original Illinois statute, a midwife who performed an abortion and was presented with these kinds of issues would not have been required to seek help from a doctor. If the woman died, there would have been no investigation and no penalties for anyone connected to the abortion.

Wealthy white women seeking an abortion in Illinois would not have had to worry about some non-doctor aborting their child and placing them at risk—they would have the best service that money can buy. But what about indigent black women? We all know that they would be the most likely to be placed at risk.

An assisted-suicide bill, pushed by Democrats in New York, mandates that a patient suffering from “an incurable and irreversible illness” must have two witnesses to his request to be put down. There is more to this bill that is really disturbing.

One of the bill's provisions says that family members need not be told of their loved one's decision. So who qualifies as a witness? The bill explicitly permits one of them to be “a

person entitled to a portion of the patient's estate, or a person associated with the health care facility where the patient is receiving treatment." That's right—those who stand to profit from the sudden death option can act as a witness.

What's driving these Democrats to promote abortion-on-demand, absent protections for the women's life, and euthanasia for despondent patients, supported by those who may benefit from it?

One does not have to be religious to wonder whether the absence of God from public life has something to do with such madness. It is not hard to connect the dots.

On February 28, three persons appeared before the House Judiciary Committee and were sworn in before they gave their testimony. Democrat Rep. Steve Cohen asked them, "Do you swear or affirm under penalty of perjury that the testimony you're about to give is true and correct, to the best of your knowledge, information and belief?"

Cohen intentionally left out the phrase, "So help me God." When a Republican colleague took issue with this startling omission, he was quickly put in his place by the chairman of the committee, Rep. Jerry Nadler, a Democrat. Nadler said, "We do not have religious tests for office or for anything else, and we should let it go with that."

The matter in question, however, had absolutely nothing to do with violating the Constitutional provision barring a religious test—that stipulation applies only to those seeking public office.

The bias against religion, especially our Judeo-Christian heritage, is so commonplace among Democrats these days that the aforementioned Illinois abortion bill removes conscience protection for healthcare personnel who oppose abortion. It also requires all private health insurance plans to cover abortions.

These two provisions are obviously aimed at Catholics, though not exclusively so. The law would punish Catholic doctors and nurses for not performing, or assisting in, an abortion, and would force Catholic schools and other non-profits to pay for an employee's abortion.

This bill will be challenged in the courts, but the fact remains that these Democrats, having abandoned any fidelity to our religious heritage, are hell bent on promoting death to innocents. This is the most obscene illustration of what intersectionality means when applied to the liberal-left agenda.

JOHN IRVING'S FICTIONAL ACCOUNT OF ABORTION

John Irving can't stop writing fiction, even when he ventures into the world of non-fiction. His op-ed on the history of abortion in the June 24 edition of the *New York Times* is a classic example.

"The Anti-Abortion Crusade's Cruel History" is the title of this rambling, inaccurate portrait of the pro-life movement. Irving says abortion was not illegal in the United States until the 1840s. Wrong. He's off by two decades—it was in the 1820s that states such as Connecticut and New York passed restrictive legislation on abortion.

Irving says that self-interested male doctors were responsible for the anti-abortion campaign. Wrong. Feminists such as Elizabeth Cady Stanton and Susan B. Anthony were strongly opposed to abortion, calling it "child murder."

"I respect your personal reasons not to have an abortion—no one is forcing you to have one," Irving says. Wrong. He needed to read that same day's *New York Times* article. It had a story titled, "Mentally Disabled Woman Must Have an Abortion, a British Court Rules."

Irving writes that "*no one is pro-abortion*" (his italics). Wrong. He needs to read the book *Abortion Is A Blessing* by atheist Anne Nicol Gaylor (it was endorsed by Betty Friedan and Gloria Steinem). In 2009, an Episcopalian priest, Rev. Katherine Ragsdale, also proclaimed that "abortion is a blessing." In 2018, Michelle Wolf dressed up in red, white, and blue and marched across a stage in honor of her "Salute to Abortion!"

Irving dates the Catholic Church's opposition to abortion to Pope Pius XII. In 1951, he used the term "right to life." So? Less than a hundred years after the birth of Jesus, the Christian document called the Didache exclaimed, "do not murder a child by abortion or kill a new-born infant."

Irving is upset that Catholics are leading the pro-life cause, and he cites the First Amendment provision on the establishment of religion as support for his argument that we are acting unconstitutionally. He should read the First Amendment again—it says something about freedom of speech.

Irving ends by chiding the pro-life community for not caring about children once they are born. This tired refrain carries no weight whatsoever. All the data on charitable giving and voluntarism show that the most generous Americans are people of faith; the least generous are secularists (their idea of generosity is raising taxes and redistributing income—they are the least likely to give of themselves).

John Irving's foray into non-fiction is an utter failure. But he proved beyond a shadow of a doubt that he is a master fiction writer.

MICHAEL NEWDOW IS A LOSER

National League pitchers have a better batting record than Michael Newdow. The devout atheist lost again recently when the U.S. Supreme Court refused to hear his case, thus ending his quest to get “In God We Trust” off the coins. He previously lost twice in the lower courts.

In 2003, we noted how he tried to censor Supreme Court Justice Antonin Scalia: Newdow argued that the Catholic judge should be disqualified from hearing his case trying to erase “under God” from the Pledge of Allegiance. Why? Because Scalia was too public about his support for religious liberty. Newdow lost.

In 2004, the Catholic League filed an amicus brief with the Thomas More Law Center supporting the right of public school students to say the Pledge of Allegiance. Newdow lost when the high court said he lacked standing.

In 2005, we wrote about Newdow’s attempt to ban the Inaugural prayer. Judge Brett Kavanaugh, then a D.C. Circuit Court judge, defended the religious significance of this well-established prayer, saying it did not run afoul of the First Amendment provision regarding separation of church and state. Newdow lost again.

Newdow is a lawyer and an ER physician. His success as a lawyer is abysmal, and God only knows how he has performed as an emergency room doctor.

Perhaps most interesting, Newdow is also an atheist minister. This is an oxymoron to most, but recall that Barry Lynn, the long-time head of Americans United for Separation of Church and State, was an ordained minister in the United Church of

Christ, and he worked tirelessly against religious liberty.

Newdow is a minister in the Universal Life Church. What's that? We had to look it up. It's basically a fraud. The guy who invented this "church" started out in his garage in Modesto, California preaching how important it is to do the "right thing." But the IRS said he didn't do the right thing when he refused to pay his fair share, and that is why he was forced to fork up \$1.5 million in back taxes.

What is really great about the Universal Life Church is its commitment to inclusion. Anyone can join, and it takes only seconds to do so. Think we're kidding? This is what it says on its website: "Get Ordained Online. Officiate A Wedding." It also says, "Ordination is Fast, Free & Easy." How long does it take? It says you "can become a minister within seconds."

This is all news to us. All along we thought Al Sharpton had the ordination record. He was "ordained" at the age of nine. But at least Al has some victories under his belt, however scurrilous some of them are. Newdow has yet to win. He is a real loser.