

VICTORY FOR PRIESTS' RIGHTS

Catholic League president Bill Donohue comments on a court ruling in Pennsylvania yesterday:

On December 3, the Pennsylvania Supreme Court ruled in a 6-1 decision that the Pennsylvania grand jury report on the Catholic clergy cannot make public the names of 11 priests who challenged the release of their identities; they claimed that doing so would violate their reputational rights as guaranteed by the state constitution.

The Catholic League filed an [*amicus curiae*](#) brief in this case.

The priests maintained that they did not have an opportunity to challenge the accusations made against them to the grand jury. Moreover, they said the report contained "false, misleading, incorrect and unsupported assertions." Thus, their reputations would be smeared if their names were not permanently redacted. The court agreed.

Indeed, the majority ruling concluded that permanently redacting the names of these priests was "the only viable due process remedy we may now afford to Petitioners to protect their constitutional rights to reputation."

The judges said that a person's "personal reputation was regarded by the framers of our organic charter as a fundamental human right—one of the 'inherent rights of mankind.'" Furthermore, the ruling said, "throughout our Commonwealth's history, it has been accorded the same exalted status as other basic individual human rights, such as freedom of speech, freedom of assembly, and freedom of the press."

Though this ruling did not invalidate the state's grand jury act, it did, by implication, call into question the propriety of releasing the names of all the priests named in the report. Had all the priests in Pennsylvania who were named in the

report taken the same position as the plaintiffs—none were given a realistic chance to rebut the charges (many were dead)—the grand jury report would have imploded.

This is a big victory for the due process rights of priests. It is also a slap in the face to Pennsylvania Attorney General Josh Shapiro.

Shapiro has shown nothing but contempt for the rights of Catholic priests. Furthermore, his cherry picking of the Catholic Church—he never convenes a grand jury to probe sexual misconduct in any other institution—shows a disgusting animus to Catholicism. He apparently has no time to investigate all of the teachers in the public schools who are raping children right now. He is too busy looking for dirt in the Catholic Church committed in the last century.

Shapiro has the gall to ask the bishops to make public the names of the 11 priests whose identity is protected under court order. Will he make public the names of all his plaintiff lawyer buddies and political allies who are seeking to revise the statute of limitations so they can further stick it to the Catholic Church? No bishop, anywhere in the nation, should cooperate with the likes of AGs like Shapiro.

There is no institution in the nation that publishes the names of accused employees. They don't do it in the media. They don't do it in Hollywood. They don't do it in the public schools. They don't do it in the colleges or universities. They don't do it in any other religion. Why should the bishops be any different?

Finally, let's stop with the sop that all that matters are the victims. They surely matter and everyone who has truly been molested—by anyone—deserves justice. But many of the people who scream the loudest for victims are phonies—they never go after the molesters in the public schools. Indeed they shield them. How? By refusing to repeal the antiquated and wholly

discriminatory doctrine of sovereign immunity that protects them.

Kudos to the Pittsburgh lawyers at Porter Wright Morris & Arthur for representing the Catholic League. Priests have rights, just like those lawyers, reporters, and pundits who wish they didn't.