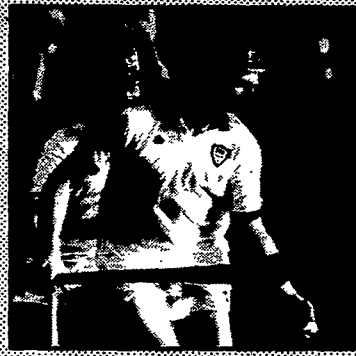


### Faith and hope

For those who've survived the initial trauma of loss, a Beginning Experience weekend can mark the start of a new chapter in life. See page 3.



### Gaelic game

Thirty-six hurling players from Waterford, Ireland, demonstrated the traditional sport during an exhibition game at St. John Fisher College. See page 16.

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## Anti-abortion activists unfazed by possible criminal charge

### Hospital asks for civil citation; judge orders criminal investigation

By Teresa A. Parsons

Two local anti-abortion activists are facing the possibility of civil or criminal charges in connection with their alleged violation of a court order prohibiting them from entering Genesee Hospital.

But Father Anthony Mugavero and David Long believe that anything the courts can impose on them pales in connection to the fate of the victims of abortion.

"This is very serious, but it's also very minimal compared to what is happening to human lives every day," Father Mugavero said. "The ways that we can figure out to help people are a small risk in comparison."

In State Supreme Court last Wednesday, July 22, an attorney for Genesee Hospital requested that the two be cited with contempt of court. The attorney, Joyce R. Parker, produced two affidavits stating that Long and Father Mugavero were seen Saturday, June 20, inside Genesee Hospital, speaking to a young man in a doctor's office. Their presence there, Parker asserted, would defy a temporary restraining order issued earlier this year. The order prohibits anti-abortion demonstrators from being in the hospital or on the hospital grounds.

State Supreme Court Judge Myron E. Tillman surprised Parker and most others in the courtroom last week when he directed hospital representatives to ask for an investigation of possible criminal trespass charges against both men by the district attorney's office.

First assistant district attorney Charles J. Siragusa declined to comment on the case until he received the judge's signed order.

But Parker explained that any response to the hospital's request for a civil contempt citation will now most likely be delayed, pending a decision on the likelihood of a criminal investigation. "It is unusual for a judge to make a formal order referring the matter to the district attorney," she said. "It's also somewhat unusual to defer a civil action in favor of a criminal action."

Speaking on behalf of the hospital, she termed the whole case an unfortunate necessity. "This is not a pro-abortion action," she

said. "What we are trying to do is keep these actions (protests) within limits that allow us to run a hospital."

One of the few people who claimed not to have been surprised by Judge Tillman's action last week was David Long, director and co-founder of an anti-abortion group known as Project Life. "What (Judge Tillman) did was pretty consistent with what he's done all along," he said. "He has tried not to get more involved than he has to, and he is trying not to come down on one side or the other."

Early this year, Genesee Hospital went to court in an attempt to limit anti-abortion demonstrations that were gradually becoming larger and more aggressive. In February, 1987, Judge Tillman issued a temporary restraining order, stating that the protests could continue as long as participants remained on public property.

Hospital spokeswoman Jean Haskins-Dalmath said that the hospital has never sought to prohibit the demonstrations. "We're only asking that they do it legally," she said.

Long said that he didn't have any specific plans to challenge the order. But he added that it was too general to be practical. "We knew inevitably that any of several hundred people who had participated in the protests could be cited for being in the hospital for any reason," he said.

Long believes that trespass charges against him and Father Mugavero would be difficult to prove in criminal court, particularly since he claims that several of the affidavits contradict one another.

If the district attorney's office does decide to proceed with charges, however, Long is considering several options in response. One possibility would be to plead the "law of necessity," which he said upholds the right to violate a lower law when a higher law has been broken.

For instance, if a person was drowning in a private swimming pool, Long explained, a rescuer would not likely be prosecuted and found guilty of trespassing for entering the pool to save the victim. Similarly, he claimed that anti-abortion activists have the right to trespass in the process of saving unborn lives.

Long also asserted that both he and Father Mugavero are entitled to enter the hospital. "Do not a Catholic priest and a Protestant person in ministry have the right to give counsel to a consenting adult in a semi-public place?" he asked.

Long said he might even consider bringing counter-charges against Genesee Hospital. He claims that during the past several weeks, the hospital's security police have threatened Project Life protesters by approaching them, demanding their names, following them to their cars and writing down their license plate numbers.

A group of Catholics has been praying and distributing leaflets each Saturday outside Genesee Hospital for more than three years. A little more than a year ago, Long and other members of Project Life began introducing a whole range of new anti-abortion tactics. They brought larger numbers of protestors to the Saturday morning demonstrations at Genesee Hospital and planned additional actions at the homes of doctors who reportedly perform abortions. Members initiated an economic boycott, known as Project Jericho, against the hospital.

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Michael Necdet Aydogan

The news that two leaders of the local pro-life movement might be subject to a criminal investigation did not deter more than 30 anti-abortion protestors who turned out at Highland Hospital last Saturday morning.

### California group started sidewalk counseling

The anti-abortion tactic known as sidewalk counseling was pioneered by a group of Third-Order Dominicans in California. But members of the original group didn't start out as Catholics. They began instead as anti-Catholic, anti-institutional, anti-bureaucratic activists who came together in 1968 primarily to oppose the Vietnam War.

After the Supreme Court's legalization of abortion in 1973, some members of the group became Catholics and later formed a Dominican lay group known as the St. Martin de Porres Dominican Community.

In 1983, the growing community moved to a 100-acre farm in New Hope, Ky., where they continued their pro-life work through a non-profit corporation known as Catholics United for Life (CUL).

CUL has since established some two-dozen affiliate groups throughout the country. They offer videotapes and training workshops in sidewalk

counseling and other anti-abortion activities. They also support mothers and families who decide not to have abortions, but who need financial and/or emotional assistance.

Sidewalk counseling was introduced in Rochester by David and Diana Long, the couple who founded Project Life.

Locally, the Longs have been joined by at least 30 and as many as 50 local recruits to sidewalk counseling. They are usually active on Saturday mornings and occasionally on Wednesday afternoons.

David Long can count at least one previous arrest in connection with his pro-life activities. Along with more than 100 other demonstrators, he was arrested in April, 1986, during a "rescue mission" at a hospital in St. Louis, Mo. He has since courted arrest at least once in Rochester by entering Genesee Hospital along with a small group of others who staged a sit-in in what they termed an "abortion room."



A sidewalk counselor waits patiently outside the fence at Genesee Hospital Saturday morning for what he hopes will be a chance to save an unborn life.