

Pro-life supporters rally at priest's release

By Rob Cullivan
Staff writer

ROCHESTER — About 120 supporters held candles and sang with the priest who had just been released from Monroe County Jail shortly after midnight Friday morning, May 4. Another newly released inmate, meanwhile, slipped through the crowd and stood off in the paved area outside the building.

Asking not to be identified, the former inmate smiled and spoke about his comrade behind bars, Father Anthony Mugavero.

"He's a wonderful guy," the man said of Father Mugavero. "We prayed together. All I can say is he's a wonderful guy." As he turned to walk away, the former inmate added: "And I believe in what he's fighting for."

What the assistant pastor of St. Theodore's in Gates is fighting for is an end to legalized abortion. It's a battle that has landed him in jail before, and which might put him there again, given the remarks he made following his early release from jail Friday morning for good behavior.

Speaking of his obligation in conscience to protest abortion by breaking the law in certain instances, Father Mugavero said, "I think that every kind of feasible way to approach this (issue) is my desire ... In fact, the experience of going to jail only makes (my conscience) a little bit stronger."

On Thursday, April 26, Father Mugavero was sentenced to 15 days in jail for harassing a county jail inmate who was seeking an abortion on January 30. On that date, jail counselor Patricia Carrigan was escorting inmate Michelle Andrews to the



Father Anthony Mugavero and his sister, Rosalie Mugavero, lead a group of the priest's supporters in song after his release from the Monroe County Jail shortly after midnight last Thursday.

Babette G. Augustin/Staff photographer

Brighton office of Dr. Morris Wortman, when Father Mugavero and two companions approached the two women in an attempt to speak with Andrews.

Although both Andrews and Carrigan signed statements asserting that the priest had harassed them, Andrews recanted her statement at Father Mugavero's trial — to which she had been subpoenaed — in Brighton Town Court.

Nonetheless, Justice James E. Morris found Father Mugavero guilty of harassment, basing his decision on Carrigan's

testimony that the priest had physically and verbally abused the women. The assistant pastor — who counseled Andrews prior to her appointment with Wortman — has maintained that he merely spoke with Andrews in an effort to persuade her not to have the abortion. His testimony was corroborated by his companions, Robert Dorschied of Penfield and Connie Salamida of St. Mary of the Lake Parish, Ontario.

After the trial, Father Mugavero said that Andrews' testimony corroborated his

own and that of his companions. But Justice Morris noted that the harassment complaint was filed not only by Andrews but also by Carrigan, giving Morris sufficient grounds for a conviction. He also noted that Andrews testified she was upset and humiliated when Father Mugavero approached her.

When handing down his sentence, the judge also cited Father Mugavero's past convictions for his participation in pro-life actions. Father Mugavero has insisted, however, that he was not engaged in civil disobedience, but merely exercising his right to free speech when he tried to speak with Andrews.

The crowd gathered outside the Monroe County Jail early Friday morning stood solidly behind Father Mugavero.

Father Chester M. Klocek, pastor of St. Leo's Church in Hilton, likened the priest to St. Peter and Stephen, who were both persecuted for their faith. Reflecting on Father Mugavero's jail sentence, the pastor commented: "Like Peter said, it's better to obey the law of God than man ..."

Despite her concern for his welfare in jail, Father Mugavero's sister supported the actions that led him there. "Basically,

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Bishop lobbies against death penalty

By Rob Cullivan
Staff writer

ROCHESTER — Bishop Matthew H. Clark has written open letters to New York state Assemblyman Gary Proud and Assemblywoman Audre "Pinny" Cooke, asking them to vote against an override of Governor Mario Cuomo's death-penalty veto.

The letters followed Proud's April 19 announcement that he would vote in favor of an override. Previously, Proud had opposed death-penalty bills on the grounds they contained no provisions to ensure that innocent people would not be executed.

Proud switched his stance after the death-penalty legislation introduced this year was amended to give the state's appeals courts greater discretion in handing down death sentences than had been provided for by previous legislation.

In his letter to Cooke, who supports the death penalty, Bishop Clark stressed that "ample evidence" exists that black and Hispanic defendants receive death sentences disproportionately. "I strongly believe that if we allow the death penalty to

be enacted in New York State, we will knowingly and willingly place ourselves at risk of ... taking of a human life as a result of racial biases," he argued.

The bishop also asserted that those states that have enacted the death penalty have seen a rise, not a decrease in violent crime.

Bishop Clark, a longtime opponent of the death penalty, was unconvinced by Proud's insistence that the amended death-penalty bill would ensure that innocent people would not be executed mistakenly.

The bishop told Proud: "The proposed ... amendment seems empty in that it appears to correct a legislative flaw, when in reality it does nothing more than lift up a provision of the New York State Constitution, which would exist with or without the amendment."

In a telephone interview with the *Catholic Courier* on Monday, May 7, Proud questioned whether the bishop had actually read the death-penalty bill. The assemblyman said that Bishop Clark's stance was religious in nature and encompassed a desire to protect even guilty murderers from the death penalty. Proud

said his own duty as an assemblyman was to protect the innocent from execution.

Proud outlined his position in a May 7 letter to the editor of the *Catholic Courier*, in which he wrote: "The old section (of the bill) which is being removed states: '... the authority of the court to review the validity of a sentence of death shall not be construed to give the court the discretion, ... to set aside, reduce or change a sentence of death as being unduly harsh or severe.'"

The amendment, Proud's letter noted, reverses the above statement by saying the courts shall be given the discretion to "set aside, reduce or change a sentence of death as being justified based on the quality of evidence."

"Anyone who says that is not a change, indeed an improvement, is not facing reality," Proud's letter continued.

Bishop Clark's letter scoffed at the amendment. "I believe the questions raised concerning the ability of judges of the

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