

Bishop

Continued from page 3

Appeals Court to rule on the 'quality of evidence' rather than solely on the legality of the evidence are not easily resolved without also risking the valued right of a citizen to trial by a jury of his/her peers," he commented.

The bishop's letter concluded by saying: "No human judge or jury will ever be able to supplant the sovereign role of God, who alone can judge humanity in justice and mercy."

Yet Proud noted it was the merciless slayings of five Rochester residents in 1986 that persuaded him to reconsider his stance on the death penalty. That year, Carl Campbell and Robert Ahalt went on a three-day murder spree, killing two elderly women, a middle-aged man, a 38-year-old mother and a 29-year-old woman who was seven months pregnant and whom the duo repeatedly tortured before slaying.

Campbell and Ahalt were convicted of multiple counts of second-degree murder and both sentenced to serve jail terms of 25 years to life.

"Individuals may disagree with the judgment that criminals such as Campbell and Ahalt should be subject to the death penalty," Proud's letter concluded. "(W)hile I respect their opinion, I most profoundly disagree with them. In certain cases, capital punishment is appropriate and in the interest of justice."

Proud, a member of St. Margaret Mary's Parish in Irondequoit, also criticized the bishop for singling him out for a public appeal. The assemblyman observed that the majority of his fellow legislators in the diocese support the death penalty, and that the bishop had not openly appealed to them to change their stance.

Proud also said that pro-choice Catholics in the legislature are not singled out by the bishop even though their public stance clashes with the teachings of the Catholic Church, whereas Catholic theology has never stated that the death penalty is wrong.

"I would inquire of the bishop (as to) what he's doing in regard to these cafeteria Catholics," said Proud. Cooke's Albany office was contacted on Monday, May 7, but she was in legislative session and unable to respond in time for the *Catholic Courier's* deadline.

'Stand and Deliver' principal to speak at Fisher commencement

ROCHESTER — Jaime Escalante, who transformed a decaying Los Angeles high school into a successful institution, will be the featured speaker at St. John Fisher College's 36th commencement on May 20 at 1 p.m.

Escalante, a Bolivian native, left his country in 1963, finding work testing computers with the Burroughs Corporation after attending Pasadena City College. He took a 20 percent pay cut to join the faculty of James A. Garfield High School in East

Pro-life

Continued from page 3

my brother is in jail for talking for about a minute and a half with a friend," Rosalie Mugavero said. "The girl (Andrews) herself testified on his behalf. I feel a great injustice was done."

Joseph Mugavero, the priest's father, echoed his daughter's feelings about the April 26 trial, and commented on his faith in his son. "He's going to fight for his conviction — I'm sure he is," Joseph Mugavero observed. "I'm proud of him for doing that."

The St. Thomas More Lawyers' Guild — an association of Catholic attorneys — shared Joseph Mugavero's admiration for the priest, whose own lawyer plans to appeal the harassment conviction in Monroe

County Court.

The guild voted on Wednesday, April 25, to attempt to file a friend-of-the-court brief in the case on Father Mugavero's behalf. Such a brief can be filed by any party the court deems has a legitimate interest in the outcome of a trial, explained Vincent Barone, guild vice president.

Barone pointed out that his group is devoted to protecting "the rights of Catholics in following moral imperatives without any encroachment by the government or other entities." Father Mugavero's anti-abortion efforts fall within the guild's interests, Barone said.

Father Mugavero was encouraged by the efforts on his behalf by fellow Catholics and pro-life allies. "It's the kind of support I know is out there," he said. "People say, 'You're all alone.' It isn't true."

Los Angeles, and in 1978 he launched the school's first advanced placement course in calculus.

Three years later, Escalante's students were scoring the highest possible grades in the advanced placement exam, entitling the pupils to college credit. Today, only six schools in the nation prepare more students for the exam than Garfield.

Inspiring students to stay in school, Escalante's efforts brought the drop-out rate from a high of 55 percent in 1978 to a

low of 14 percent in 1988. In addition, 75 percent of graduating seniors in 1988 made plans for college.

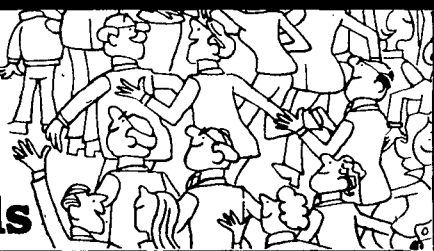
Escalante's Garfield years were the subject of the 1987 film *Stand and Deliver*, which starred Edward James Olmos as Escalante.

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