

DIOCESAN NEWS

Judge convicts 11 'Lambs'; four sent to prison

By Rob Cullivan
Staff writer

ROCHESTER — Following a daylong non-jury trial, U.S. District Judge David G. Larimer June 9 found 11 members of the pro-life group Lambs of Christ guilty of violating the federal Freedom of Access to Clinic Entrances Act (FACE).

Four of the defendants — including the Lambs' leader, Father Norman Weslin, OS — were sentenced to prison, while the remaining seven were ordered to perform community service.

The convictions stemmed from a Dec. 7 "rescue" by the Lambs outside the offices of Planned Parenthood of Rochester and the Genesee Valley, 114 University Ave. On that day, the Lambs obstructed the building's entrances by means including blocking their limbs inside a box-contraption in front of an entrance, as well as parking a car with deflated tires in front of an entrance.

The Lambs' trial took place in the Kenneth B. Keating Federal Building, 100 State St. Numerous pro-life activists — and a handful of Planned Parenthood supporters — were both inside and outside the building all day. Between sessions of the trial, supporters of the Lambs prayed and sang in the courtroom.

Two defendants were sentenced to 120 days in prison each: Father Weslin, most recently of Long Island, and Dwight Monaghan of Los Angeles. Monaghan, who had glued his face to a clinic entrance, brought to the trial a tube of glue visible in his front shirt pocket.

Two other defendants — Daniel Lamantain-Leatherman of Perris, Calif., and Arnold Matheson of Poughkeepsie — were each sentenced to 60 days in prison.

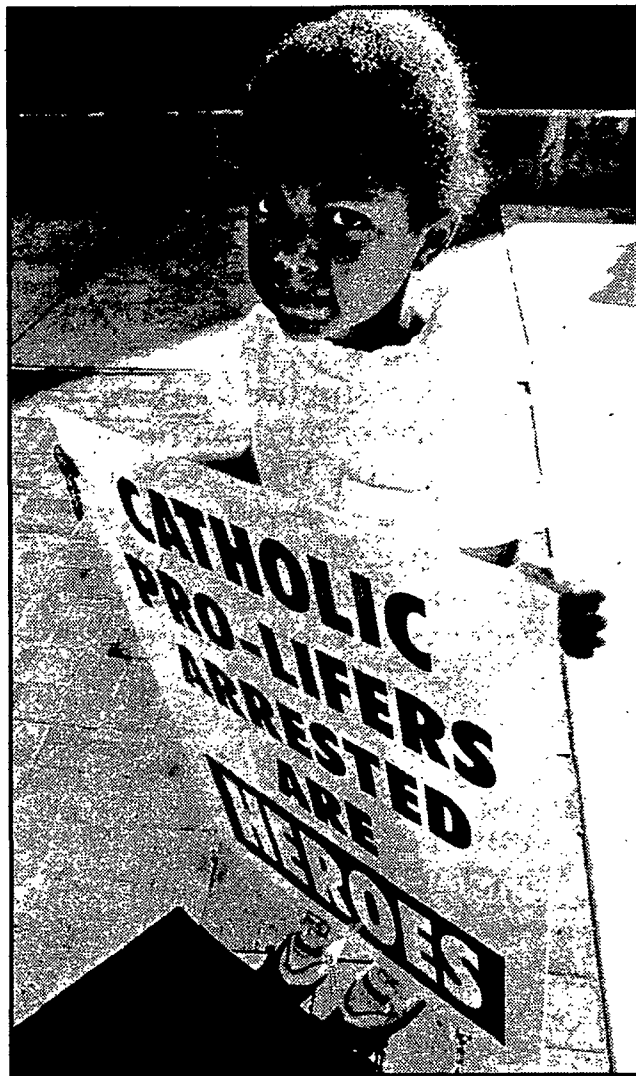
In all four instances, Larimer cited the lengthy arrest records of the defendants as influencing his decision to send them to prison.

The remaining seven defendants, most of whom had few or no previous arrests on their records, received supervised sentences under which they must perform 120 hours of community service within the next four months. Those defendants were Randolph Smith of Rochester; Barton Chamberlain of Moravia; John Blanchard and Karen Jackson of Watertown; Michael Illuzi of Long Island; Robert Raco of Campbell, Ohio; and Rene Riddle of Toledo, Ohio.

In addition, the defendants were ordered to pay restitution fees of \$105 each to cover damage to the offices of Planned Parenthood.

Each Lamb had faced a possible maximum six months in prison, as well as \$10,000 fines. Defense attorneys said they would appeal the convictions within 10 days.

Larimer said he believed that the defendants were sincere in opposing abortion. However, to allow them to go



Matthew Scott/Staff photographer

Barbara Fredericks, 6, was among numerous supporters who prayed and carried signs outside the Kenneth B. Keating Federal Building, Rochester, in support of the 11 Lambs of Christ on trial June 9.

free without punishment would send a signal that others could break laws with which they disagree, and hence invite legal "chaos."

"One may not pick and choose the laws he or she may obey," the judge said. "It would certainly defeat the purpose of civil disobedience to hold that a person may disobey the law and then escape punishment."

In an interview following the trial, John J. Broderick of Long Island, the lead defense attorney for the Lambs, rejected the judge's logic in punishing the defendants. The defendants' civil disobedience, Broderick said, does not

invite legal chaos because the defendants never used violence.

Assistant U.S. Attorney Brian M. McCarthy had recommended shorter sentences, of no more than 30 days in prison. In making his recommendation, McCarthy cited the fact that the defense attorneys representing the Lambs had cooperated in pre-trial conferences, conferences that led both sides to agree to a "stipulated facts" trial.

By stipulating the facts, both sides agreed on what witnesses would have said about the basic facts of the case. Hence, neither side had to call witnesses to testify about the Dec. 7 incident, enabling the trial to move at a speedier pace than if facts had been contested. The defendants, did, however, testify as to their motives in disobeying FACE.

Despite the prison sentences for four of his clients, Broderick said he felt Larimer had tried the case fairly.

"I thought he was as fair as I guess he could be," Broderick said. "(But) I don't think my clients should be arrested because they're saving babies."

During a break in the trial, Father Weslin, in his late 60s, reiterated that he had no fear of going to prison, and he expressed pleasure at the amount of news media attention the case had brought the pro-life movement in Rochester.

"We're bringing out God's word," he said. "We're trying to tell people that we're defending God's children."

On the other side, Ellen Gertzog, public affairs coordinator for Planned Parenthood of Rochester and the Genesee Valley, said her organization was glad the defendants had been convicted under FACE.

"I'm gratified by the convictions," Gertzog said. "That is what we were looking for."

Gertzog added that any additional convictions of the 11 Lambs for breaking the statute will bring them harsher sentences, a fact that Larimer stressed during sentencing. However, some of the Lambs said they might consider breaking the law again.

"Right now, I don't have plans to do it, but that's not saying I wouldn't do it again," Illuzi said.

Smith, who grew up in Blessed Sacrament Parish in Rochester, said he will comply with his sentence, and noted he will perform his community service at a home providing hospice care.

"Certainly, I'd rather do this than go to jail," he said.

However, he said he disagreed with Larimer's contention that by violating FACE, the Lambs were inconsiderately imposing their own moral views on others.

"It's not arrogance," Smith said of the Lambs' staunch pro-life stance. "I just humbly accept what the church has received from God. We're getting out the message that there is absolute truth."

Physicians guild, diocesan officials to meet over teachings

By Kathleen Schwar
Staff writer

In a disagreement over teachings on homosexuality, Bishop Matthew H. Clark issued, but later temporarily suspended, directives that he must approve beforehand any moral or theological teachings presented by the diocesan Catholic Physicians Guild.

The bishop required that such teaching material, as well as programs and speakers on issues pertinent to Catholic tradition, be submitted three weeks in advance for his approval before dissemination or promotion.

The bishop temporarily suspended the directives, however, pending a meeting between guild and diocesan representatives later this month. The date of that meeting has not been officially released.

The directives came after Guild President Dr. Michael Aiello circulated a letter criticizing attempts to teach an overly "compassionate treatment" of homosexuals.

His letter, which charged that confusion is being created by false teachings on homosexuality, went out on guild stationery to about 400 physicians, clergy and other people in the diocese following a March 1 Mass for homosexual people celebrated at Sacred Heart Cathedral by Bishop Clark.

While declining to name the bishop as his target — "we don't operate like that," Aiello told the *Catholic Courier* in April — the guild president said, "I'm not sure all

the information is being addressed yet."

While Catholics are called to compassion, his letter stated, there is much concern "because this new call for compassion flatly contradicts Catholic teaching on homosexuality."

His mailing included a January 1995 letter to the U.S. bishops from the Society of Catholic Social Scientists, whose president is a political science professor at the Franciscan University of Steubenville, Ohio. That group criticized ministries in which:

- "False statements are being made about homosexuality being biologically determined,"

- "Catholic homosexuals are being told wrongly that sexual-orientation change is never possible."

- "A separate 'gay spirituality' regrettably is being encouraged ..." and

- "Catholics are being informed wrongly that the homosexual condition is *not* disordered."

The society, founded in 1992, has about 300 members worldwide, according to its co-founder, Joseph A. Varacalli of Nassau (N.Y.) Community College.

In a May 6 letter to Aiello, Bishop Clark stated, "Several of our pastors were disturbed by the recent literature that you distributed in our diocese on the topic of homosexuality."

He wrote, "In my responsibility as bishop and teacher in the Diocese, it is my priority and concern that we work together as a Church to face the difficult issues in the moral life which confront us today"

The physicians guild aims to assist re-

ligious leaders in clarifying medical, ethical and religious information as it pertains to medicine, Aiello said in a phone interview June 6 from his Syracuse office.

Because of its stated purpose, Bishop Clark wrote Aiello, "It is therefore imperative that your role in this area be appropriately clarified."

He also stated that he had appointed Father Alexander Bradshaw as the guild's spiritual advisor, replacing Father Frederick Helfrich, a St. Mary's Hospital chaplain who's been named a parochial vicar for St. Theodore's Church, Gates. Father Bradshaw is pastor of Holy Ghost Church, Gates.

In the same letter, Bishop Clark noted that such guild initiatives as a Haiti outreach and spiritual programs for physicians "are indeed praiseworthy."

The guild followed the bishop's letter with its own letter of appeal. In a May 27 letter, Father Kevin McKenna, diocesan chancellor, informed the guild that Bishop Clark had suspended his directives until the guild's status in the diocese can be clarified.

The physician's guild is not the only guild in the diocese recently to address the issue of church teachings and homosexuality.

The Thomas More Lawyers Guild published a lengthy advertisement May 21 in area *Messenger-Wolfe* weekly newspapers titled "a clarification of the Teaching of the Catholic Church on Homosexuality."

The ad quoted from various church documents, stating, "Because of his (Bishop Clark's) failure to convey the full teach-

ing of the Catholic Church on the issue of homosexuality, his words and actions caused much confusion among the faithful, especially our youth."

Asked if Bishop Clark has had any communication yet with the lawyers guild about the ad, Father McKenna replied, "Not to my knowledge."

He added, however, that it is important that the bishop work with any group in the diocese distributing information on faith or morals, "to make sure we are all on the same page."

Both guilds acted after the bishop's March 1 Mass for homosexual people and their family and friends. Bishop Clark reported that the Mass, which was planned and hosted in conjunction with the diocesan Catholic Gay & Lesbian Family Ministry, generated hundreds of letters of support to his office.

Ministry team member Kevin Elphick stated that having felt like an outcast as a gay Catholic in his own faith community, the Mass felt "very much like a homecoming" and that Bishop Clark "exercised the role of Jesus" in overcoming discrimination.

The bishop's approach has been to focus on the church's call for compassion for gay and lesbian Catholics, and on their inclusion in the church. In a nutshell, he has said, the church does not condemn homosexuality, recognizing that the orientation is not freely chosen. Rather, he has noted, the church condemns genital sexual activity of homosexual people — as it does of unmarried heterosexual people.