

DIOCESAN NEWS

Critics say RICO case weakens protest rights

By Rob Cullivan
Staff writer

Pro-life advocates in the Diocese of Rochester and elsewhere in the nation claim a federal jury's decision in Chicago April 20 effectively places pro-life protesters who commit civil disobedience in the same category as violent mobsters and murderous drug-runners.

Meanwhile, one of the defendants in the case — Joseph M. Schiedler, executive director of the Pro-Life Action League — is slated to speak in Rochester May 31 at 11:30 a.m. at the Beahan Road Party House. His speech is sponsored by the New York Lambs of Christ.

A U.S. District Court jury convicted Schiedler and his organization, as well as Operation Rescue National and its leaders, of 21 acts of extortion — including threats of violence — in an effort to shut down abortion clinics.

The acts were defined as violations of the federal Racketeer Influenced and Corrupt Organization statute, better known as RICO. The law was framed in the 1970s to combat organized crime and drug cartels.

The conviction stemmed from a class-action lawsuit brought by the National Organization of Women — NOW — on behalf of all the nation's abortion clinics as well as the women who have used them or plan to use them, and by two abortion providers, one in Milwaukee, Wis., and one in Wilmington, Del. Both clinics sought a total of more than \$85,000 in damages from the defendants for security costs.

Essentially, the jury found the groups and their leaders guilty of a conspiracy to cross state lines and commit felony acts, according to several reports. The May 3 edition of *Our Sunday Visitor*, for example, noted that NOW's lawyers had argued that while the pro-life groups and their leaders did not commit violence themselves, they had "created a climate that encouraged others to commit violence."

Suzanne Schnittman, Rochester dioc-

san director of the Consistent Life Ethic Office, decried the Chicago's jury's decision in a written statement.

"Efforts to close the locations that provide unsavory services are common to most movements for justice," Schnittman wrote. "Boycotts against certain companies, or prayer services at military installations, or marches at racist institutions, all are planned to interrupt business we oppose."

"Unfortunately, a few violent incidents at clinics color every activity of every group that opposes abortion," Schnittman continued. "But, as those who demonstrate for life have said recently, the peaceful opposition will not end, nor will the speech against abortion."

The jury's verdict represents an assault on anyone who protests anywhere, not just pro-life protesters, according to Tom Brejcha, the attorney who represented Schiedler.

Brejcha spoke with the *Catholic Courier* in a phone interview from Evanston, Ill., on April 28.

Brejcha said the case "was just a fog of abstractions" and said that if RICO had existed during the civil rights protest era, organizations like the Southern Christian Leadership Conference could have been convicted under the statute because its members organized efforts and crossed state lines to engage in such acts as lunch counter sit-ins.

"These (southern) businesses certainly had their property rights," he said.

Brejcha acknowledged that some pro-life protesters may have committed isolated acts of violence in the course of protests against abortion clinics. However, he said the official leadership of both organizations cited in the lawsuit officially eschews acts of physical violence against anyone. He added that the vast majority of pro-life protesters at clinics are peaceful.

In fact, Brejcha said, the jury essentially bought the plaintiffs' argument that such acts as trespassing on a clinic's property could be construed as "violent." Through-



Greg Francis/Staff photographer

Hope for homeless

At left, Bethy Darin, 9, talks to her pet, Tammy, prior to the Hike for the Homeless, held April 25 in Rochester to raise funds for Dimitri House, Corpus Christi Parish's homeless outreach ministry. Above, volunteer Dennis Counts signs in Betsy Inglis for the hike. About 250 hikers participated in the event, garnering \$21,000 in pledges.

out most of U.S. history, he said, such acts, although punished under local laws, were also seen as legitimate civil disobedience.

"To say that sitting down in front of an abortion clinic is extortion does violence to the English language," he said.

In particular, he noted that his client, Schiedler, simply cannot control every act of every pro-life protester, including those who step over the line from non-violent civil disobedience to actual violence.

"The idea that he is a kingpin on top of a vast racketeering enterprise ... is sheer fiction," Brejcha said of Schiedler.

Brejcha noted the next step in the case will be a June 30 injunction hearing during which a federal judge may bar the defendants — which includes anyone who may consider protesting at a clinic — from engaging in civil disobedience at any clinics. At that time, he said, the defendants will renew their claim that "RICO is unconstitutional on its face," he said, because it violates every citizen's right to free speech and

free association.

Meanwhile, Father Norman U. Weslin, a prominent locally-based pro-life activist who served a six-month prison term in 1997 for blocking Rochester's Planned Parenthood headquarters, dismissed the jury's decision. Using RICO against pro-life protesters will only embolden the movement, according to Father Weslin, founder of the Lambs of Christ. Along with Schiedler, Weslin is slated to speak at the Beahan Party House on May 31.

"If we lose our property, our houses and our cars, that's very minor in terms of fighting this war for God himself," he said. He added that he strongly condemns violence against those who support abortion.

"Those people who shoot abortionists are not us," he said of the Lambs of Christ. "We say: 'Don't join us,' to anyone inclined to violence. 'You'll set us back 10 years.'"

Richard Rosati appointed development director

By Lee Strong
Associate editor

Bishop Matthew H. Clark has named Richard A. Rosati, a parishioner of St. Paul of the Cross Church, Honeoye Falls, the Diocese of Rochester's director of development effective June 1.

Rosati, currently the associate vice president for college relations and development at the State University College at Geneseo, succeeds Mark Seeberg, the diocese's development director since 1988. Seeberg is leaving to operate a private consulting business.

"We see in Dick a dedicated, charismatic professional who will bring to the position a genuine passion for the human service mission of the church," said Thomas Clement, a member of the development search committee that selected Rosati. "We were lucky to be able to add a person of his energy and vision to the senior staff of the Pastoral Center at a critical juncture in the life of the church of Rochester."

A graduate of Holy Cross School and Aquinas Institute in Rochester, Rosati holds master's degrees in public relations from the Syracuse University's Newhouse School of Communications, and in counseling and personnel services from SUNY Albany. A 1971 graduate of SUNY Geneseo, he has worked at the college since 1983.

He and his wife Ann have two daughters, Cara, 19, and Jenna, 16.

Rosati views the position as a way to use his talents and training to serve the church. "From the start, this opportunity im-

pressed me as a meaningful way to combine what I do professionally with what is important to me personally," Rosati said. "I see this position as primarily the means to carry out the work of the church."

Through coordinating efforts to raise funds for the diocese, he explained, he will be helping to further the diocese's 1993 Synod goals and the process of Pastoral Planning for the New Millennium.

"I've been involved with both the diocesan Synod and the pastoral planning process in my parish," Rosati said. "I've seen firsthand that our church is moving forward in an exciting direction and I realize the importance of development in getting us there."

The challenges, he said, are "to communicate the needs of the church in a persuasive way, to encourage people to be as generous as possible in support of the church and to facilitate the active support of lay leaders in generating that support."

CORRECTIONS

The last name of Terrance and Gloria Duran — celebrating their 25th wedding anniversary — was spelled incorrectly in the April 23 "Milestones" supplement.

In the same issue, seminarian Joseph Marcoux's last name and Father James Jaeger's first name were incorrect in "Nurturing future 'milestones.'"

The *Courier* regrets the errors.

"One of Dick's greatest challenges will be shaping our diocesan development effort in support of our strategic planning initiatives with both our parishes and the Pastoral Center as we enter the new millennium," noted Father John Mulligan, vicar general, outgoing moderator of the Pastoral Center, and chairman of the development search committee. "Mark Seeberg has developed a solid staff and volunteer team to support Dick in this effort. We are confident that Dick's vision, development experience and participation in both parish and diocesan initiatives will enable him to hit the ground running."

Rosati will assume control of a department that has generated close to \$100 million in the last decade. Among its fundraising efforts is the annual Thanks Giving Appeal, the chief source of income for Pastoral Center operations. The 1997-98 appeal has generated more than \$5 million.

"There certainly is a record of support," Rosati said. "The opportunity for me is to build off past success."

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Recognizing

★ Rose Marie Boston, outgoing president of Nazareth College, received the 1998 Phi Delta Kappa Educator of the year award in February, from the Rochester chapter of the education fraternity.

★ Carlton J. Servas Sr., a parishioner at Our Lady of Mercy Church, Greece, was named the 1997 Layman of the Year by the Catholic War Veterans of Monroe County. Servas, who received the award April 19, was nominated by the Sacred Heart Post of the organization.

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