

Court overturns decision on clinic

Pro-life group may appeal latest ruling

Rob Cullivan/Catholic Courier

ROCHESTER — The state Supreme Court's Appellate Division acted March 21 to overturn a 2001 court ruling that a Brighton clinic must cease operating as an abortion provider and dismantle a wall behind it.

Alan Knauf, the attorney representing Brighton Residents Against Violence to Children Inc., said he may appeal the ruling to New York's highest court, the Court of Appeals, within a month. BRAVE is led by Carol Crossed, a member of Brighton's Our Lady Queen of Peace Parish and a nationally known consistent-life-ethic activist.

In January, five appellate justices heard arguments from attorneys representing BRAVE, the Town of Brighton and Dr. Morris Wortman, whose office is located at 2020 S. Clinton Ave. in the town.

Attorneys for Wortman and the Town of Brighton had appealed

state Supreme Court Justice William P. Polito's September 2001 decision that Wortman stop providing abortions at his office and remove a grass-covered, 60-foot-long, 10-foot-high concrete wall, or berm, that separates the facility from a parking lot, offices and a child-care facility.

Wortman has said the wall was constructed in case of a possible bomb attack by anti-abortion activists. Brighton officials have said Wortman's wall did not violate town codes.

BRAVE had petitioned the court in January 2001, saying the wall behind Wortman's office wasn't part of the building's original architectural plan and did not meet Brighton's planning and zoning guidelines. In part, Polito's decision had determined that the wall did not serve the function of a berm according to Brighton's town code.

However, the appellate division ruled that Polito "erred in determining (BRAVE) had standing" to bring suit in the matter. The court also said, "(n)owhere in the record



File photo

This grass-covered, 60-foot-long, 10-foot-high concrete wall, or berm, separates a child-care facility, parking lot and offices from the office of Dr. Morris Wortman, located at 2020 S. Clinton Ave. in Brighton.

does (BRAVE) establish how its members have suffered or will suffer an injury in fact as a result of the allegedly unsafe berm."

Furthermore, the court said: "Simply stated, opposition to abortion cannot serve as a lawful basis for challenging zoning decisions."

The court did not accept BRAVE's contention that its members were "presumptively aggrieved because of their proximity to the berm." The court said that this contention was "belied by the fact that

the owners of the adjacent day care center actually requested construction of the berm, and the clients of the day care center have overwhelmingly supported the construction of the berm."

Knauf said that while he was disappointed by the court's decision, it held a silver lining.

"They didn't really criticize the merits of Judge Polito's decision per se, they just said he should not have allowed us into court," the attorney said.

Catholic Charities to honor women for service

Four Auburn-area women will be honored for their service to the community during the Second Annual Works of Love Awards Dinner, sponsored by Catholic Charities of the Finger Lakes, on Thursday, April 3, from 6 to 9 p.m. at the Sunset Restaurant in Auburn.

CCFL established the awards to recognize individuals "whose everyday lives reflect God's compassion, mercy and love," according to an agency statement.

The honorees will be feted along with the dinner's special guest, Giovina Caroscio, who is resigning her position as CCFL's executive director March 31. Caroscio has been the agency's only director in its 20 years of existence.

The honorees are as follows:

- **Susan M. Dwyer**, a parishioner at St. Alphonsus Church in Auburn, is being honored for her work on behalf of children and families. Dwyer is staff assistant to U.S. Rep. Sherwood Boehlert, and has also served as an assistant to U.S. Rep. James T. Walsh. Among Dwyer's numerous achievements, she has overseen pro-

duction of a human services directory for Cayuga County, and helped found the county's Human Services Coalition. She is also a board member of United Way of Cayuga County, and also worked in the areas of mentoring women's careers and fostering children's education.

When asked by CCFL what her vision was for the area, Dwyer said, "I am hopeful, and I will work toward making information about services for families easily accessible."

- **Gloria N. Griffin**, a parishioner at St. Mary's Church in Auburn, is being honored for her work in the area of emergency services and services to the marginal. Griffin has served as executive director of the Cayuga/Seneca Community Action Agency since 1975, and has served on numerous community and church boards, committees and task forces that have focused on such areas as community health, human rights, prisons and inter-faith relations and race relations.

When asked about her vision for the area, Griffin said, "I have a vision of a community free of racial

discrimination. We all need to identify and face our own fears, admit we have a problem and work together in a variety of ways for solutions."

- **Debbie Patrick** is the chairwoman of the social ministry committee for Good Shepherd Catholic Community, which comprises the parishes of St. Patrick, Aurora; St. Patrick, Moravia; St. Joseph, Cayuga; St. Bernard, Scipio Center; Our Lady of the Lake, King Ferry; and St. Michael, Union Spring. Patrick, who is also Good Shepherd's parish council president, is being honored for her social-justice work, and has worked in the areas of bereavement support, migrant ministry, food assistance and housing.

When asked about her vision, Patrick said: "If I and others want peace, we need to work for justice — putting the needs of the poor and the vulnerable first, and respectfully addressing the issues that provoke anger and violence. It's a frighteningly large goal, but I keep putting my drops in the bucket."

- **Valerie R. White**, a religious educator at Trinity United Methodist

Church in Auburn, is being honored for her work in community information and education. White is a public health educator with the Cayuga County Department of Health and Human Services, and has worked on such issues as AIDS; stopping intoxicated driving; reducing teen pregnancy rates; parenting education; and advocating for victims of sexual assault.

"The cycle of poverty could be broken by providing the information, skills, encouragement, guidance and attention that our youth need to be resilient and succeed," White said when asked about her vision for the area.

Caroscio praised all four women for their achievements.

"Each of these four women have worked tirelessly to make a positive impact to the lives of the people they reach individually as well as for the good of the whole community," she said. "They embody the spirit of the Works of Love on a variety of levels — work, faith community, and volunteerism on special projects and issues."

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