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**\$1.2 million misconduct judgment
against diocese allowed to stand**

WASHINGTON (ABP) -- A Colorado court's \$1.2 million sexual-misconduct judgment against a denominational entity will stand.

The U.S. Supreme Court refused May 31 to review the decision against an Episcopal diocese and bishop, which were held legally responsible for a parish minister's sexual misconduct. The high court's decision triggered a warning from a Baptist church-state legal specialist that the case could have ramifications for other denominations.

Brent Walker, general counsel at the Baptist Joint Committee, said that while the decision is "controlling precedent only in Colorado, it will be argued as persuasive authority in other states."

Affirming a trial court's decision in favor of the victim, the Colorado Supreme Court said the diocese and bishop breached their fiduciary duty to act in the best interest of the victim.

The court also said the Episcopal Diocese of Colorado and Bishop William Frey were negligent in hiring and supervising an assistant priest who became sexually involved with a parishioner he was counseling at St. Philip and St. James Episcopal Church in Denver.

The diocese had psychological reports that gave it a reason to believe the minister "should not be put in a position to counsel vulnerable individuals," the court said.

It was reasonable for the trial court to conclude that the bishop and diocese should have "taken adequate steps to ensure (the minister) was not in a position where he could abuse the trust he enjoys as a priest conducting counseling," the court said.

The Colorado court also rejected arguments that the religious-freedom guarantees of the First Amendment bar courts from hearing the victim's claims.

"Even denominations with a congregational polity, like most Baptists, should find this case disturbing," Walker said. "The local church is a convenient target, based on the same theories that pinned liability on the diocese in this case."

"What's more, local associations and state and regional conferences that become involved in resolving these disputes are put in some jeopardy. And as this case shows, the damages can be monstrous."

Walker called the case "wrongly decided." Particularly disturbing, he said, is the judgment tagging the diocese with negligent hiring and supervision when the relationship between the diocese and assistant priest was so limited.

"The day is over when courts and juries give churches a break on liability issues," Walker warned. "If a pastor misbehaves -- especially if the misbehavior is egregious -- the church and denominational entities better batten down the hatches."

In other cases May 31:

-- The Supreme Court declined to disturb the Kentucky Supreme Court's ruling that a right-to-life group's free-speech rights were not violated when it was denied booth space at a Frankfort, Ky., civic festival.

Downtown Frankfort Inc., a non-profit entity established to promote downtown revitalization, organizes the annual "Great Pumpkin Festival" held on a public mall. After the Capital Area Right to Life distributed plastic models of fetuses from its booth in 1989, DFI adopted a policy denying booth space to organizations deemed incompatible with the festival's goal of "fun and entertainment."

The court said DFI was acting on behalf of the city and subject to free-speech requirements. Noting that pro-choice groups were also denied space, the court said DFI's policy was content-neutral and a valid time, place and manner restriction.

Justice Sandra Day O'Connor dissented from the court's refusal to review the case. She wrote that the Supreme Court has held that valid time, place and manner restrictions on speech cannot be based on either content or subject matter.

-- The Supreme Court refused to review lower-court rulings ordering Cobb County, Ga., officials to remove a framed panel of the Ten Commandments and teachings of Jesus from a county courthouse in Marietta.

In addition to the Ten Commandments, the 3-foot-by-5-foot panel includes the teachings of Jesus: "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. Thou shalt love thy neighbor as thy self. On these two commandments hang all the law and the prophets."

A federal district court, in a ruling later affirmed by the 11th U.S. Circuit Court of Appeals, concluded that the panel "has the effect of endorsing religion in general and Christianity in particular and therefore violates" the First Amendment's requirement of church-state separation.

The court cited the U.S. Supreme Court's 1980 decision that barred posting of the Ten Commandments in public schools. In that ruling, the high court said the "purpose for posting the Ten Commandments on schoolroom walls is plainly religious in nature."

In the Georgia case, the federal district judge had stayed his order for four months to give Cobb County officials "an opportunity to include the panel in a larger display of non-religious, historical items, which may bring it within constitutional parameters." The panel was removed in March.

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-- By Larry Chesser

Clinic bill becomes law
as challenges mount

WASHINGTON (ABP) -- A new law to protect abortion clinics and their clients was signed into law May 26. On the same day, anti-abortion groups filed suit to stop the law's enforcement.

The law makes it a federal crime to block access to abortion clinics, to damage property or to physically intimidate patients and clinic workers. President Clinton signed the Freedom of Access to Clinic Entrances Act into law at a May 26 White House ceremony, during which he challenged Americans to speak out against vigilantism and to reach across political barriers.

The new law imposes up to six months' imprisonment and a \$10,000 fine for first-time, non-violent offenders (those who block access without damage to property or persons). Violent offenders are subject to stiffer penalties -- a maximum of \$100,000 in fines and one year in prison. Bodily injury or death carry the stiffest penalties.

The bill establishes the right to bring civil suits to stop such activities, as well as to collect damages. The bill also contains a provision that would make it a crime to block access to churches and synagogues or to vandalize those facilities.

Acknowledging intense emotional differences surrounding the issue of abortion, Clinton said that "as a nation we must remain committed to the rule of law. It is what keeps us civilized. It is what enables us to live together."

Clinton said, "We simply cannot -- we must not -- continue to allow the attacks, the incidence of arson, the campaigns of intimidation upon law-abiding citizens that have given rise to this law."

Among the incidents precipitating the bill was the murder of a Florida doctor, David Gunn, by an anti-abortion proponent. Gunn's children, David and Wendy, were present at the ceremony in the Roosevelt Room.

"No person seeking medical care, no physician providing that care, should have to endure harassments or threats or obstruction or intimidation or even murder from vigilantes who take the law into their own hands," Clinton said.

Clinton said that the bill would curb violence but is not a strike against the First Amendment.

Several anti-abortion groups have maintained the bill would violate their free-speech rights and ability to protest peacefully.

The American Life League filed suit in federal court. Pat Robertson's American Center for Law and Justice also filed suit on behalf of Operation Rescue because Operation Rescue's message is "targeted for extinction," said Jay Sekulow, ACLJ chief counsel.

Judie Brown, American Life League president, said: "We intend to show the court beyond doubt that to deny freedom of speech to an entire class of Americans simply because they are pro-life is to deny the very meaning of the Constitution of the United States. We represent hundreds of thousands of law-abiding citizens in this nation who feel as we do, and we do not intend to leave one stone unturned in our efforts to stop this tragic law from ever taking effect."

Michael Whitehead, general counsel of the Southern Baptist Christian Life Commission, called the clinic-access bill "a farce."

"The signing ceremony was a masquerade ball for pro-aborts and the president to put on a false face that this federal law was needed to stop violence at abortion-clinic entrances," Whitehead said. Clinton and abortion advocates know "local laws can handle violent crimes," he said.

"We join other pro-life leadership in deploring and condemning violence," he said,

"but FACE is really about abortion politics and making federal political prisoners out of peaceful protesters."

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-- By Pam Parry

First 3-year class graduates
from Richmond seminary

RICHMOND, Va. (ABP) -- Baptist Theological Seminary at Richmond graduated 10 students May 27, the first graduating class to complete three full years of study at the moderate seminary.

By graduating its first three-year class, the Richmond seminary qualifies for associate membership in the Association of Theological Schools in the United States and Canada, an important step toward receiving accreditation. The school offers one degree, the master of divinity.

Last year the seminary conferred degrees on nine students, all transfers from other seminaries. Currently there are 130 students enrolled in the school, which was started in 1991 in response to the conservative shift in Southern Baptist seminaries.

Speaker for the May 27 commencement was Carolyn Weatherford Crumpler, moderator of the Cooperative Baptist Fellowship, which supports the seminary financially. Crumpler is retired executive director of the Southern Baptist Woman's Missionary Union.

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-- By Greg Warner

Samford administrator Pat Pattillo
to lead foundation for troubled youth

BIRMINGHAM, Ala. (ABP) -- Veteran Southern Baptist administrator Pat Pattillo has resigned as vice president for university relations at Samford University, a Baptist school in Birmingham, Ala., to lead a new charitable foundation for troubled youth.

Pattillo has been named executive director of the National Foundation for Youth, established by Florida philanthropists Jack and Ruth Eckerd. The foundation will seek to raise support nationwide to provide alternative rehabilitation and educational programs for troubled youth and initiate school and community efforts to offer guidance to at-risk children and teenagers.

Pattillo, 53, came to Samford in 1986 after 14 years as vice president for development at Southern Baptist Theological Seminary in Louisville, Ky. He is accredited by the National Society of Fund-Raising Executives and holds bachelor's and master's degrees in journalism from, respectively, University of Georgia and Ohio State University.

He and his wife, Zelma, chaplain of Montclair Hospice in Birmingham's Baptist Health System, are parents of two adult children, Laura and Stephen.

The new foundation will be based in Clearwater, Fla., near other Eckerd interests including a 25-year-old program that offers wilderness camps and other non-prison

rehabilitation opportunities. The program, Eckerd Family Youth Alternatives, employs 900, spans eight states and has served more than 16,000 young people.

Eckerd is founder of a 16-state chain of drugstores and a Christian layman known for his involvement in business, politics, prison reform, higher education and cultural affairs.

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