

Associated Baptist Press

Editor: Greg Warner
Associate Editor: Bob Allen
Phone: (904) 262-6626
Fax: (904) 262-7745

July 29, 1997

(97-69)

In this issue:

- **Baptist pastor, Disney gadfly, convicted for sheltering homeless**
- **Press association botched ethics study, directors say**
- **Former Justice William Brennan, 'friend of freedom,' dies at 91**
- **Guidelines for remedial education in private schools released by agency**
- **Children need 'consultants,' educator tells conference**
- **Solitude, community, ministry related, speaker tells women**

Baptist pastor, Disney gadfly, convicted for sheltering homeless

By David Finnigan

FULLERTON, Calif. (ABP) -- A California minister best known as a leader in the Southern Baptist Convention's Disney boycott was found guilty July 28 of violating city zoning codes for feeding and sheltering the homeless at his church.

An apparently sympathetic jury convicted both Pastor Wiley Drake and his First Southern Baptist Church in Buena Park, Calif., on four of five misdemeanor counts of building-code violations. All relate to the church's Here's Hope Social Ministry Center, which gives groceries to hundreds of people every month and allows dozens of homeless to sleep at the church instead of in cars or dumpsters.

Drake, 53, was visibly upset as the verdict was read late Monday afternoon at Orange County Superior Court, but later said he would appeal and maintain his ministry. "I'm going to keep feeding people, clothing people, helping people and telling them about Jesus," he said in an interview. "We're going to continue, in a non-governmental format, to meet human needs."

Along with distributing about 25,000 pounds of groceries per month, he said his church houses about 50 people -- some sleeping in their cars on church property, others inside on cots. Some food and clothing donations come from the local Catholic St. Vincent de Paul Society.

Because city officials never issued a cease-and-desist order, the conviction did not immediately stop Drake's work. "We're not doing anything different," he said by telephone from his church the next morning. "We're feeding them, clothing them, getting them off to work. We have not changed."

Drake and his church, which was charged as a corporation, each were found guilty of four misdemeanor building code violations:

- "Conducting activities within a commercial zone that are not inside a permanently constructed building."
- "A change in the use of a patio structure from recreational to mercantile not in conformance with the administrative code and the building code."
- "A change in patio use not in conformance with the administrative code and without approval of the building official."

-- "A change in the patio use not in conformance with the building code and without approval of the building official."

A Magnolia, Ark., native, Drake, 53, and the church were found not guilty of "using, keeping or maintaining recreational vehicles for sleeping or living purposes." He probably was found innocent of that charge, Drake said, because near his church is an Elks lodge with about eight motor homes regularly parked there.

Buena Park police and code-enforcement officials began looking into the violations 18 months ago. Each conviction carries a \$1,000 fine and/or six months in jail, totaling a possible \$4,000 in fines and 24 months in jail. Sentencing is Aug. 22. The assistant city prosecutor handling the case has said he will ask for probation for Drake and a cease-and-desist court order to the church.

Drake is the man who asked the Southern Baptist Convention to boycott Walt Disney Co. last year in New Orleans. The convention stopped short of issuing a boycott at that meeting but warned of a possible boycott unless Disney reversed its pro-homosexual stances in employment and theme-park marketing. At this year's convention in Dallas, messengers approved a resolution asking Southern Baptists to "refrain from patronizing" Disney and its 200-plus subsidiaries.

Drake's church, which has about 75 members, is four-and-a-half miles from Disneyland. "We just teach the whole Bible," he said, explaining his stances on the homeless and Disney. "The Bible teaches we are there to take care of the poor and go and sin no more."

Orange County Superior Court Judge Gregg Prickett refused to allow Drake, who testified in the two-week trial, to use a "necessity defense." Had that been allowed, Drake would have argued that those he helps -- like a raped woman, a man living in his car or people eating from dumpsters -- necessitate violation of zoning laws. "Every one of the jurors told us that the verdict would have been different had the judge allowed the necessity defense," he said.

"People are hungry and starving -- that's necessity," Drake said. "Those are the basic necessities of life."

Drake's conviction made the front pages of both the Los Angeles Times and the Orange County Register. The Register carried a large, color photo of Drake hearing the verdict in court, sporting an American-flag tie.

The verdict also drew sympathy on the "Up for Air" morning show at Los Angeles' KPFFK-FM, a liberal Pacifica radio station known for regularly dismissing religious conservatives like those doing the Disney boycott. "I've been on that program in reference to that," said Drake. "They disagree with me on some areas but agree with me on helping the poor."

Several jurors told both newspapers they respected and admired what Drake was doing, but that their verdicts -- which had one juror weeping as they were read -- centered on legal, not moral, issues.

"It was very hard to punish him, but the law is made for everybody and everybody needs to follow it," 22-year-old juror Michele Pryor told the Register.

-30-

Press association botched ethics study, directors say

EARLYSVILLE, Va. (ABP) -- The Evangelical Press Association botched an ethics complaint against World magazine over stories about a Bible-translation controversy, the association's board of directors has announced.

In a statement adopted July 22 but released July 28, directors of the press association said the organization erred by allowing non-members to conduct the ethics investigation and by releasing the committee's report before it was reviewed by the board of directors.

Those errors "delayed a constructive resolution" of the ethics complaint, the directors stated.

The statement did not indicate where the board stood on findings by the ethics panel that the magazine's style of journalism "falls seriously short" of the press association's code of ethics.

The statement said the board had approved "a course of action" in which the press association will "work directly with parties involved" to resolve the dispute and conduct an internal review of its ethics-review procedure.

Zondervan Publishing House and the International Bible Societies filed ethics charges over articles in World alleging Bible translators were planning a "unisex" translation of the New International Version.

A three-person ad hoc ethics panel said the stories violated the press association's code of ethics, which calls for reporting that avoids "distortion and sensationalism."

After the report of the ad hoc ethics panel was made public, the association remembered that its bylaws require that functioning committees be composed of EPA members, the directors' statement said. The members of the committee are not current members.

World's publisher and editor said in a statement they were glad the directors chose to "distance" themselves from the ad hoc committee's findings and encouraged the board to "set aside the substance" of the original report.

Earlier, Editor Marvin Olasky hinted the conservative magazine based in Asheville, N.C., would drop its membership in the press association if directors did not repudiate the ethics-panel's report.

-30-

-- By ABP staff

Former Justice William Brennan, 'friend of freedom,' dies at 91

By Larry Chesser

WASHINGTON (ABP) -- Former Supreme Court Justice William J. Brennan Jr., a major force in shaping U.S. Constitutional law for more than a third of a century, died July 24, following a long illness. He was 91.

Brennan's legacy on the bench included more than 1,200 opinions. When he retired in 1990 after suffering a small stroke, he had significantly molded the high court's views in support of individual liberties, particularly in the areas of free speech, civil rights and voting rights. He was also a strong opponent of the death penalty.

President Clinton called Brennan "a remarkable human being, one of the finest and most influential jurists in our nation's history."

For Brennan, the Constitution was a living document.

"The genius of the Constitution resides not in any static meaning that it has in a world that is dead and gone, but in its adaptability of its great principles to cope with current problems and current needs," he wrote in an address delivered to a Washington civil-liberties conference in 1966.

He was appointed to the Supreme Court by President Dwight Eisenhower in 1956. Among the opinions Brennan authored in 34 years on the bench were:

-- A 1990 opinion that a federal statute banning flag desecration violates the First Amendment's free-speech guarantees and a 1989 ruling that the First Amendment protects flag burning.

-- A landmark 1964 decision that the First Amendment protects the press from libel suits by public officials unless actual malice is involved.

-- A 1962 ruling that allowed federal courts to hear challenges to legislative district boundaries, leading to enforcement of the one-person, one vote concept.

-- Decisions in 1973 and 1976 that enhanced equal treatment of men and women.

Brennan authored three significant church-state decisions. Most notable is his 1963 decision in *Sherbert v. Verner* that government needs a "compelling" reason to justify restrictions on religious liberty.

Baptist Joint Committee General Counsel Brent Walker called Brennan's opinion on *Sherbert vs. Verner* "the high water mark" in the court's handling of free-exercise cases.

The high court largely abandoned the "compelling interest" test in 1990 and this year struck down a law enacted by Congress to restore it. Brennan was among four dissenters in the court's 1990 *Employment Division vs. Smith* decision that lowered protections for religious practice.

In 1985, Brennan authored the court's ruling in *Grand Rapids vs. Ball* which said remedial and enrichment classes provided at taxpayer expense in religious schools violated the separation of church and state. Two years later, he wrote in *Edwards vs. Aguillard* that a Louisiana law that required schools teaching evolution to also teach creation science violates the separation of church and state.

Brennan "wanted government to remove obstacles to religious liberty, without ever trying to give religion a helping hand," Walker said.

-30-

Guidelines for remedial education in private schools released by agency

WASHINGTON (ABP) -- The U.S. Department of Education has reissued a list of "safeguards" to ensure that tax-funded remedial education at parochial schools does not violate the separation of church and state.

The standards, which were in use before 1985, govern the federal Title I program, which provides special instruction in subjects such as math and reading for students who are economically and educationally disadvantaged.

In 1985, the U.S. Supreme Court ruled that using Title I teachers inside parochial schools excessively entangled church and state. The high court reversed that ruling in June, however, once again entitling religious schools to the program.

While the Supreme Court did not require the Education Department's guidelines, the agency said they are "factors a court is likely to take into account in reviewing the constitutionality of any services in private schools."

The guidelines issued July 18 seek to inform state and local education agencies how to administer federal Title I programs.

Under the guidelines, only public employees may serve as Title I instructors, assignment to private schools must be made without regard to the teacher's religious affiliation and a publicly paid field supervisor will visit the classroom unannounced each month.

The guidelines request that taxpayer-funded teaching at private schools be provided in "space that is free of any religious symbols." Teachers must refrain from introducing religion into the classroom and may not take part in religious activities at private schools.

The education department stated that it will not take any enforcement action against educational agencies if they conform to the standards.

-30-

-- By Kenny Byrd

Children need 'consultants,' educator tells conference

By Ken Camp

WACO, Texas (ABP) -- Child-rearing calls neither for "helicopter" parents who hover over their children and then swoop down to rescue them nor "drill sergeant" parents who bark orders and tell children their only responsibility is to obey, says a Texas educator.

Both parenting styles teach children they are incapable of deciding for themselves, Brenda Bird, lead parent educator with the Carrollton-Farmers Branch Independent School District, said at a seminar sponsored by Woman's Missionary Union of Texas.

Instead, Bird said, parents should adopt a "consultant" parenting style in which they point children in the right direction and then let them suffer consequences for bad choices, unless they pose physical harm.

"It's knowing when to step in and when to step back, and that's a hard dance for some of us to learn," Bird said.

To help parents develop more of a "consultant" style, Bird offered seven "C's" for what she called a blueprint for strong families:

-- Choices. Instead of making threats or rescue attempts, give children "non-threatening choices you can live with."

-- Control. Teaching children to make choices empowers them and gives them more control over their lives as they grow older.

-- Consequences. Allow children to "own" their problems by helping them to see that the choices they make have real consequences.

-- Count. "Kids must know that they count -- that they matter to someone." For children in homes where they are not valued, adults in the church may be able to provide them that sense of value.

-- Capable. Teach children that they are capable by giving them tasks, allowing them to make mistakes and letting them learn from those mistakes. "Then give them the same task again, showing them that we trust them and that they are capable."

-- Connections. Children need to feel connected to someone older, preferably a responsible parent or a positive adult role model at church. "If kids don't feel that they count, if they don't feel capable, and if they don't feel connected at home or at church, they'll find it someplace else -- probably in a gang."

-- Courage. By encouraging children, adults can inspire them to have the courage to learn new things, make new friends and take risks.

-30-

Solitude, community, ministry related, speaker tells women

WACO, Texas -- Solitude, community and ministry are "good habits" that nurture relationships between God, self and others, a university professor told women attending a Baptist leadership conference in Waco, Texas.

"Solitude is listening to the voice of the one who calls you 'beloved,'" said Deirdre LaNoue, assistant professor of history at Dallas Baptist University, in a Bible study at a July leadership conference sponsored by Woman's Missionary Union of Texas.

Failure to spend time alone with God shows that something is lacking in a person's devotional life, LaNoue maintained. "The problem is not that we don't have time. The problem is that we don't love him to the fullest."

Community, which LaNoue defined as "the people with whom you live the mission," hinges on individuals having a growing relationship with God, she said.

"You can't do community well -- you can't do church well -- unless you are nurturing the relationship with God," she said. "Often, the reason we're not doing community well in the church is because we're not doing solitude well."

Ministry develops naturally when Christians recognize other believers are loved by God and become capable of "celebrating the belovedness in others," LaNoue said. "Ministry is the giving of yourselves to others in order to make the Father known.

"Jesus says, 'Come go with me and learn how to love one another.'"

-30-

-- By Ken Camp

END