

February 27, 2003

620 Washington Street
Covington, KY 41011-2314
(859) 491-6200
491-6201 Fax

Most Rev. Roger J. Foys, D.D. - Personal
Bishop of Covington
422 Wallace Avenue
Covington, KY 41014

Your Excellency:

We are grateful to have another conference with you, now scheduled for March 6, to revisit some of the issues raised in our meeting last November, which issues now have become urgent in light of certain events, the timing of which is inflexible.

NORTHERN KENTUCKY INDEPENDENT DISTRICT HEALTH DEPARTMENT BOARD

Northern Kentucky Right to Life challenged the policy of the Northern Kentucky Independent District Health Department Board of Directors in 1997 as to distribution of abortifacient drugs and materials to underage children, without even the knowledge, much less consent, of their parents. After losing that initial effort at the Health Board by a vote of 2 to 20, we became active in the next election and were instrumental in contributing to the defeat of three county judges in Boone, Campbell, and Kenton who had appointed pro-abortion voting members to that Board. Three candidates were elected who had made written campaign promises to us to appoint only people who would oppose the public distribution of such drugs and devices with taxpayers' funds.

One of those candidates, Campbell County Judge-Executive Steve Penderly, immediately violated his commitment and his appointees have voted 100% pro-abortion.

The second, Kenton County Judge-Executive Richard Murgatroyd, who is a Catholic, has an appointment record of about 50/50. His personal representative to the Board, filling his seat which he could assume at any time, is Mrs. Barbara Black, Kenton County Commissioner. Black broke her campaign commitment to us, and was the leader of the pro-abortion forces on the NKIDHD Board.

The third county Judge-Executive, Gary Moore of Boone County, has attempted to be faithful and has appointed people who have led the Pro-Life cause on the Health Board. One of his appointees, pediatrician Dr. Christopher A. Cunha, violated his commitment to Moore and cast a pro-abortion vote. We lost last year by a tie vote which was then broken by the Chairman, Greg Kennedy (whose term has now expired).

Another key vote that we lost was that of Mrs. Mary Lou Gastright, who is the personal representative of the Catholic mayor of Covington, Butch Callery. Callery defends Gastright since she is a Eucharistic Minister at Holy Cross Church, his church. Our letters to Mayor Callery of 6/10/02 and 6/16/02 and to his pastor, Fr. Thomas Barnes

Most Rev. Roger J. Foys, D.D.

February 27, 2003

Page 2

of 7/3/02 are enclosed herewith.

We see more recently that Callery has just refused to support a Pro-Life resolution at the Covington City Commission that would have called on the U.S Supreme Court to “reverse Roe v. Wade...and to promote and protect the Right to Life of unborn children.” Two other Catholic members of the Commission voted with him (Jerry Bamberger and Alex Edmondson) to defeat the Pro-life measure, 3 to 2. *Kentucky Post* story of 1/15/03 is enclosed.

For 32 years, NKRTL has been engaged vigorously and daily in this cultural war, without compromise, and with some considerable success. For the last 23 of those years, we have been functioning (with the exception of a handful of faithful and courageous priests) without the assistance of the local Church, and in many instances, with the active opposition of many of its agencies. Considering that tragic situation, it is no wonder that many politicians, including those who call themselves Catholic, have boldly begun to publicly oppose Pro-Life policies. Unless and until the vine is reconnected to the branch (the local Church to Truth), continued and greater degeneration is guaranteed. The only person who can make that re-connection is the Shepherd of the local Church.

Callery's brother-in-law is Fr. Joseph Brink, pastor of St. Mary's Church in Alexandria, Kentucky, and a longtime, virulent opponent of the Right to Life movement, and an active supporter of pro-abortion candidates. See our enclosed May, 1987 newsletter to the clergy, responding to the gratuitous and unprovoked attack by Fr. Joseph Brink on NKRTL in his parish bulletin of 5/3/87 while he was pastor of Holy Cross Church in Latonia, before he stripped the Church and bitterly divided the parishioners. You will see there quotes of his carried directly from a photocopy of a political ad in the *Kentucky Post*, supporting John Y. Brown for governor of Kentucky, even though Brown had promised during the campaign not to sign our Pro-Life legislation (and indeed after his election did refuse to sign bills that we had successfully passed through the General Assembly), and a photocopy of an article in the *Kentucky Post* describing his political activity with Brown, a letter to all the priests from Msgr. Thomas B. Finn, Vicar General of the Diocese of Covington attempting to recall the scandal given by Fr. Brink in his endorsement of Brown on the stationery of Thomas More College where he served as Chairman of the Theology Department, an apology also for that aberration by President Robert J. Giroux of Thomas More College, a thank you from a longtime faithful priest of the diocese over the issue, Fr. Anthony H. Deye, etc. This is more, unfortunately, that we have to expose you to, of the tragic and scandalous reality that has been widely practiced in this diocese since the retirement of Bishop Ackerman, 25 years ago. At the risk of broadening this letter to more tangential issues and persons, we felt that it was nonetheless appropriate to furnish you documented records, not only in our words, but in the words of our detractors and of our supporters, documenting these issues and positions and actions of people, including clergy still active with this diocese.

Obviously, there are many in this diocese, who call themselves Catholic, who are in need of reminder by their Shepherd of their moral duties as public officials “to defend the lives of the innocent...in the first place infants hidden in their mother's womb, and if the public magistrates do not defend them, but by their laws and ordinances betray them to death, let them remember that God is the Judge and Avenger of innocent blood which cries from earth to heaven.” *Casti Connubii*, Pope Pius XI

The three of us just had a meeting with Judge Moore, to devise a strategy to obtain repeal by NKIDHD of Title X. He indicates that Dr. Cunha's term expires in June, and he is definitely going to replace him with a Pro-Life vote. Clearly, the votes of Mayor Callery's designee and Judge Murgatroyd's designee would be decisive. Another Catholic on the Health Board who is one of our most vocal and active opponents is Dr. Stephen Hiltz.

Most Rev. Roger J. Foys, D.D.

February 27, 2003

Page 3

In September, an active pro-abort assumes the chairmanship of the NKIDHD Board, Dr. Daniel Courtade (a fallen-away Catholic), and our opportunities to process the matter for a vote would be materially impaired. It thus appears that the narrow window of opportunity for us to achieve this goal presents itself this Summer.

DIOCESAN PRO-LIFE COMMISSION

In the meantime, the public (including Catholic members of the Health Board) continues to labor under the scandal and deception given by Karen Riegler, who was quoted in the secular press two days before last November's election, carrying her title as Coordinator of the Pro-Life Commission of the Diocese of Covington.

Mrs. Riegler called Commissioner Black "very pro-life" and went on to advocate rejection of NKRTL's endorsements. That public scandal stands, un-recalled. Mrs. Black's public position is unambiguously in direct contradiction to the teachings of the Church that abortion, whether surgical or chemical, is always morally wrong, and that artificial contraception is intrinsically evil. NKRTL has been for years actively soliciting a public statement from the Pro-Life Commission, asserting these principles. Their silence has been and continues to be damning.

We are enclosing herewith our six-page letter of 5/21/02 to the then-Chairman-Elect of the Pro-Life Commission, briefly synopsising, with specific detail, the tortuous, lengthy, and unsuccessful efforts of NKRTL to enlist the Pro-Life Commission's cooperation in recalling these various public scandals. As with all of our correspondence to the Commission, it has never been answered.

DIOCESAN FAMILY LIFE MINISTRY

We note that the January speaker for the "Theology on Tap" program at St. Timothy Church in Union, Kentucky, was Mrs. Susan Vogt, who, together with her husband Jim, have been among the major problems for Pro-Lifers and orthodox Catholics in the past 22 years in this diocese, in their various positions as heads of the Family Life Ministry, and of the Pro-Life Commission. We are enclosing a note to Mr. Cetrulo from NKRTL's office manager describing Couple to Couple League's Joe Oka explanation of Mr. Vogt's refusal to permit him to teach about the abortifacient properties of the pill at Catholic churches.

Publications actively supporting contraception, and violation of *Humanae Vitae*, are available in the Family Life Ministry office, as has been attested to by Fr. Berschied, and indeed others. Jim Vogt was the person who signed off on the letter which we previously furnished to you, in his official position on behalf of the diocese, asserting that the Catholic Church does not oppose abortion in all instances. St. Timothy Church, coincidentally, happens to be the parish of Mrs. Riegler. And so the faithful continue to be deceived, as long as these people remain in positions where they can speak for the diocese and confuse the faithful.

THE MESSENGER

We are enclosing also our 9/14/89 letter to the Editor in Chief of *The Messenger*, complaining of their refusal to run our ads, not only the ones with aborted baby pictures, but even those furnishing the voting record of the pro-abort candidates, although they permitted those candidates to run ads in *The Messenger* calling themselves "pro-life." You were shocked when we called this to your attention at our November meeting, and we enclose this letter to document those assertions, and to call to your attention that these policies unfortunately continue with the current administration of *The Messenger*, which for years has not covered our annual Celebration of Life, and, in the Health Department dispute, wrote a strong pro-abortion story which we furnished to you at our last meeting, further

Most Rev. Roger J. Foys, D.D.

February 27, 2003

Page 4

confusing and scandalizing the faithful.

In that connection, we hope that you will immediately reverse this policy, and compel *The Messenger* to accept these ads, including the ones that demonstrate the reality of abortion. On January 14, there was carried on the local Catholic radio station a program of "Catholic Answers," which is part of the EWTN programmed material thankfully made available, which featured Fr. Frank Pavone, who, as you know, is Director of Priests for Life, and who was a past speaker of NKRTL here at one of our Celebrations of Life. Fr. Pavone strongly made the point that when we consider, for example, the recent episode of half a dozen so-called Catholic universities featuring Planned Parenthood on their web sites, that abortion has been detoxified and sanitized to such an extent that many people have lost the reality of what it is, and that the only way to demonstrate that is visually. When met with the argument from "smiling Catholicism" (a phrase used by one of the callers on the show) that this offends people's sensibilities, Fr. Pavone responded that then we should logically remove the crucifixes from all of our Catholic churches, since that graphic depiction of violence would likewise be considered obscene. He noted also that all of the movements of the world used graphic pictures and demonstrations, including the abolition movement, the Nazi Holocaust, the Mothers Against Drunk Driving, the anti-poverty movement, etc., and no one really objects to those things. It is truly time for us not only to comfort the afflicted, but also to afflict the comfortable. These pictures, as shown in the enclosed letters, of course have been used on Mother Angelica's EWTN-TV station, shown by Bishop Austin Vaughn, Auxiliary Bishop of New York, and certainly are no more graphic than most people permit in their homes on television every night without a second thought for their children.

Enclosed also is the article which NKRTL submitted to the press, which was published by the *Kentucky Post* and the *Community Recorder* (enclosed). When Fred H. Summe spoke to *The Messenger* Editor, Tim Fitzgerald, as to why *The Messenger* had failed to publish it, he was told that it was too long.

On May 20, 2002, a shorter version was submitted to Fitzgerald, who again would not commit to publish it and in fact never did. (See attached copy of letter to Mr. Fitzgerald.)

CATHOLIC PRINCIPLES

The issues are clear, we submit, and the need for action unambiguous. We are enclosing herewith a proposed Statement of Principles, which we believe to be in conformity with the teachings of the Catholic Church. This statement has been endorsed unanimously by each member of the Northern Kentucky Right to Life Board of Directors. We are suggesting that if it carried your signature, and were presented by you to the Pro-Life Commission, asking that each member of that organization sign off on it, that you could very easily obtain an accurate litmus test of those with a Catholic heart. We are further suggesting that unless those people who dissent from Catholic teaching are removed from those positions, and a clear and unambiguous statement issued by the Ordinary of the Diocese, affirming these principles, that we indeed have no chance to reverse the public policy of the Health Board.

We would also suggest that you consider presenting this statement to the editor and staff of *The Messenger*, and to the officers, board, and staff of the St. Elizabeth Catholic Hospital, and to the authorities at the Family Life Ministry.

The record of documentation which we have previously furnished to you, not just of our assertions, but of public acts and statements of those Catholic agencies and their responsible governing persons, demonstrate beyond contradiction that those actions and statements have, in many instances, been directly contradictory to the clear and mandatory teaching of the Catholic Church in several respects.

Most Rev. Roger J. Foys, D.D.

February 27, 2003

Page 5

Why would someone who holds a position of authority in connection with any of these Catholic agencies be unwilling to publicly affirm his or her commitment to these clear and unambiguous Catholic principles? If indeed they are unwilling to commit their acceptance of these Catholic principles, and their willingness to implement them, then why should they continue in such a position where they have vast influence, and, by their actions and statements, confuse and scandalize the faithful?

At the last meeting, you agreed with us that there are obviously many objective wrongs going on in this diocese, and that you were committed to changing these practices and policies, bringing them into accord with the teachings of Jesus Christ and His apostles. We find it difficult to believe that the changing of these un-Catholic and anti-Catholic policies can be effected successfully without changing the personnel who instituted and implemented them, and obdurately persist in their implementation even after being confronted with the truth.

We have seen the consequences of delay and ineffective action in the parallel, and very relevant, experience regarding *Ex Corde Ecclesia* where, as we know, the Church in America has unfortunately persisted in neglecting its obligation to insist that Catholic institutions teach true Catholic doctrine. Most people in responsible positions of authority have obdurately rejected the teaching of the Holy Father in these respects, ignored this encyclical, and are now even attempting to evade or ignore the implementation of this mandated doctrine, with several Ordinaries publicly announcing that they simply do not intend to enforce it or to call in theologians to apply for the appropriate mandatum required for their continuation of teaching authority at Catholic institutions. The result of such contempt for the teaching of the Church, as mandated by the Holy Father, will unavoidably result in the continuation of the dissemination of heresy, deceptively delivered under the auspices of institutions which call themselves Catholic. On the contrary, we submit, decisive and immediate action is the absolute responsibility of those in authority.

Nor is this matter purely local in nature. It has tremendous national implication. Dr. Kunath and Mr. Cetrulo were invited presenters at the American Life League Annual Conference on January 21 at Washington, D.C., preceding the March for Life, in which they likewise participated. ALL is vitally interested in the initiative locally, and intends to devote its resources to a nationwide advocacy of the rejection of Title X funds — effectively striking at contraception, the head of the snake of abortion, euthanasia, cloning, stem cell research, and all of the burgeoning progeny of the culture of death.

It was very exciting to see the growth in the number of “no exception/no compromise” RTL locals around the country that have now affiliated with ALL, as NKRTL has been for many years. One such organization was Wisconsin Pro-Life. We are enclosing copies of two of their newsletters depicting LaCrosse Bishop Raymond Burke appearing at one of their functions, and another newsletter depicting Milwaukee Archbishop Timothy Dolan appearing at another of their functions with staunch Pro-Life advocate Alan Keyes. They were all stirred by Dolan’s words: “I just wanted you to know how much you mean to me -- I couldn’t be anywhere else -- to be with you on your 10th birthday and to wish you God’s blessing and to thank you for all you do and mean to that most sacred cause of pro-life. You’re looking at someone who wants to be a constant ally and who looks forward to working with you for the greatest cause of all. You are a true inspiration for me. Don’t be afraid -- victory is on our side.”

We are enclosing also a copy of that organization’s questionnaire to candidates, which is uncannily similar to our own, expressing no compromise and no exceptions, from abortion to euthanasia to cloning, conscience rights of pharmacists, etc. — contrary to the exception-laden and meaningless questionnaires of the National (sometime) Right To Life Committee, and its weak affiliates, Kentucky Right to Life, Cincinnati Right to Life, etc., who end up calling Pro-Life and endorsing people who are in favor of all sorts of killing.

Most Rev. Roger J. Foys, D.D.

February 27, 2003

Page 6

We would note also that the two U.S. senators from this state, Jim Bunning and Mitch McConnell, both Republican, are also both Catholic. The Republican Party, which claims of course to be Pro-Life (although its record is certainly inconsistent) and our Republican president, likewise, are now in a position where they could, being in control of both the U.S. House and the U.S. Senate, and the White House, strike a death blow to the federal legislation, Title X, stopping the public distribution of these dangerous and destructive chemicals and devices, while simultaneously teaching the truth. Your public leadership in these respects is absolutely essential.

CONCLUSION

We make bold to speak to you so pointedly and plainly because we discern your genuine humility and committed orthodoxy, and for the more important reason that it is our individual obligation, as pointed out in Holy Scripture. Galatians 2:11; Ezechiel 3:18

We are looking for a voice with more authority than ours to be raised publicly in support of Catholic teaching — which has not happened in this community since the retirement of Bishop Richard Ackerman, a quarter of a century ago. The Holy Father has obviously recognized the urgency of this need in his publication last month of *Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life*, which, happily, has been implemented immediately by Bishop Wiegand of California, publicly instructing the fraudulently Catholic, Governor Gray Davis.

We believe that God has furnished a unique opportunity to strike a material blow in this cultural war, and that the window of opportunity is narrow, and calls for decisive, clear and public pronouncements by the true authoritative teacher of the diocese, the Bishop, in *The Messenger*, and in the secular press, to the Pro-Life Commission, to the Catholic hospital, and indeed to all diocesan agencies and to the entire faithful. The faithful are confused and scandalized by the history of inaction and acceptance by the diocese and its agencies of outrageously immoral conduct and activities, and indeed frequently by the overt and frank support of those policies and practices by people in positions of authority with the diocese.

“If the trumpet give forth an uncertain sound, who will prepare for battle?” I Corinthians 14:8

We cannot win without the help of the Church and without your intervention as our Bishop. What would be most helpful to the success of this cause would be the following:

1. A clear public statement from you about the intrinsic evil of contraception, as proclaimed by the Church for the last 2,000 years.
2. A clear public statement by the Pro-Life Commission which would state that contraception and abortion are intrinsically evil, and that the Catholic Church condemns all abortion, whether surgical or chemical.
3. Full and frequent treatment of these issues in *The Messenger*, by the Bishop, so that the laity can be informed and energized.
4. A private meeting with Catholic politicians, so that they will understand their moral duties, as always taught by the Church, and recently restated in the *Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life*.

In a published statement, Bishop William Wiegand of Sacramento stated that he had been attempting for some time to have a meeting with pro-abortion California Governor Gray Davis, but had been unsuccessful: "I just want to sit down and talk with him and explain the teachings of the Church," Wiegand said.

After Davis had canceled meetings, the Bishop spoke from the pulpit at the Mass marking the Supreme Court's *Roe* decision of January 22: "As your bishop, I have to say clearly that anyone - politician or otherwise - who thinks it is acceptable for a Catholic to be pro-abortion is in very great error, puts his or her soul at risk, and is not in good standing with the Church. Such a person should have the integrity to acknowledge this and choose of his own volition to abstain from receiving Holy Communion until he has a change of heart."

5. Appropriate public teachings, to Catholic doctors, and to all staff personnel at the Catholic St. Elizabeth Hospital, regarding these doctrinal issues.
6. A Statement of Principles as to Pro-Life issues, which all persons who hold positions of authority in any diocesan agency would be expected to sign, to demonstrate their faith in and obedience to the teaching of Christ, as proclaimed by the Church.

We pray for your urgent and decisive actions in these respects, and assure you of our unflinching prayer, and public activism in defense of these principles.

Sincerely,

ROBERT C. CETRULO, J.D.
President, NKRTL
620 Washington Street
Covington, KY 41011
(859) 491-6200

FRED H. SUMME, J.D.
Vice President, NKRTL
4 West Fourth Street
Newport, KY 41071
(859) 431-6111

ARTHUR M. KUNATH, M.D.
Board Member, NKRTL
President, St. Francis Assisi
Chapter, Catholics United
For the Faith
106 Bivouac
Ft. Thomas, KY 41071
(859) 781-8010

Enclosures

cc: Fr. Paul L. Berschied
Fr. Daniel J. Saner