

April 16, 2003

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Most Rev. Roger J. Foys, D.D. - Personal
Bishop of Covington
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Your Excellency:

We thank you for the opportunity to have met with you last November, and again last month, to set forth for your consideration, with multiple documentary evidence, the grievous, repetitive, and ongoing violations of Catholic doctrine in this diocese for the past 25 years, continuing by people who continue to hold positions of authority in the diocese.

At our last meeting, you posed the question as to just what we wanted you to do. We will now respond.

1. We request first that you advise us as to the Statement of Catholic Principles document which we furnished to you at the last meeting, covering the life issues, and our perception of the Church's positions on those issues, which we based upon authorities that we cited in the document, including various papal statements, statements of bishops, statements from the *Catholic Catechism*, etc. We wish to be advised by you if we have properly stated the position of the Catholic Church in those respects. If we have, it is our request that you issue such a complete and comprehensive Statement, under your signature, for publication in *The Messenger*, for release to the public press, and for distribution to the directors of all of the agencies of the diocese, the Officers and Board of Directors of St. Elizabeth Medical Center, the Director and all members of the Pro-Life Commission, the Editor and staff of *The Messenger*, the Director and staff of the Family Life Ministry office, etc., and that you request all of these persons to sign off on these principles, indicating their internal and external and unreserved assent to them.
2. We request that you give effective recall to the monumental scandal, with which we acquainted you at our last two meetings, of the Executive Director of the Pro-Life Commission being quoted, in her official capacity in the secular press, two days before last November's election, endorsing NKRTL's leading opponent in the public arena, Kenton County Commissioner Barbara Black, as "a very good pro-lifer."

Mrs. Black was reelected two days later to her office as Kenton County Commissioner, and continues on the Northern Kentucky Independent District Health Department Board, where she was the leader of the forces opposing the efforts to reject Title X funds, which mandates the distribution of these contraceptives and abortifacients with public taxpayers' funds to all, including children, without the knowledge or consent of their parents.

This is a monumental scandal, within the precise meaning of the *Catholic Catechism*, creating confusion and a stumbling block to the faith. Mrs. Riegler should be discharged immediately, and with a public statement that she has erroneously misled the faithful in her active support for elective office of a person who is aggressively espousing policies directly and unequivocally in opposition to the teaching of the Church, i.e., the sanctity of all innocent human life, the integrity of the family, etc.

3. We have brought to your attention the aberrant testimony and actions of Susan Vogt, of the Family Life Ministry, with contraceptive literature and materials available in that office, and who has publicly written letters (on diocesan stationery) insisting that the Catholic Church does not oppose abortion in all instances, and who was part of the pro-abortion policy adopted by the St. Elizabeth Hospital in 1990, authorizing the destruction of innocent human life at this Catholic facility.

We have now been advised more recently that Mr. and Mrs. Vogt appeared and testified at the recent hearings in Covington concerning the so-called "equal rights" ordinance, which indeed seeks to normalize sodomy, and in so appearing, they identified themselves as to their official positions with the Diocese of Covington. Again, the scandal needs to be recalled by a public statement of the Shepherd, the true teaching authority in the diocese. In addition, future scandals can be prevented only by the removal of such people who have demonstrated a persistent and obdurate unacceptance of the authoritative teachings of the Church.

4. We ask that you promulgate an unequivocal policy, in accord with the authorities we have previously furnished to you, prohibiting the honoring, on Catholic premises, or the invitation as a speaker or honored guest, on such facilities, of any person who has a known record of violating in any way what our Holy Father has on multiple occasions described as "the ultimate issue," i.e., the protection of all innocent human life, particularly in the context of abortion.

We furnished you papal statements and statements of other bishops, and of the Knights of Columbus, in these respects, and pointed out the inconsistency of the invitation of Governor Frank Keating by the Catholic Men's Conference in Cincinnati. You indicated that you were investigating that matter. We were dismayed frankly to see your promotion of that event in *The Messenger*, and indeed your attendance at the event. You had told us that you were going to investigate the matter, and we assumed that we would hear back from you as to whether or not you developed any contrary information to the Governor's own self-proclaimed position, published with his picture and questionnaire answers on the Internet, wherein he supported the destruction of innocent unborn children for the crimes of the father, i.e., rape and incest.

If you have such contrary information, we would appreciate receiving it.

We are enclosing a copy of the flyer, containing all of that information that we had previously furnished to you, and which we distributed there on the Xavier campus on the date of the event on March 22, until we were thrown off the campus with threats of arrest by the campus police, at the instigation of the event's sponsors. We then continued to distribute the literature on the public sidewalks and were again threatened with arrest for "obstructing traffic," including in an area which was blocked by a staff car and blocked by orange cones by the event's sponsors, and available only to pedestrian traffic.

We respectfully inquire if you agree with our stated position that when the Catholic Church (through its

clergy or agencies or organizations, use of facilities or sponsorships) honors or grants an opportunity to speak, to a public official whose positions contradict the moral teachings of the Church, the acceptability and credibility of that official is increased, enhancing his or her efforts to mislead others.

As pointed out by Bishop James Timlin of Scranton, PA, "I will not lend my presence to any occasion which might in any way seem to support a public figure whose views are pro-abortion, pro-choice or in any way ambiguous in this most crucial issue." That position, of course, has been adopted by Cardinal O'Connor of New York, Bishop Fabian Bruskewitz of Nebraska, and many others, including the Knights of Columbus.

The fact that a majority of your brother bishops appointed Keating to chair the committee investigating child abuse is certainly not persuasive. They also appointed Leon Panetta, an ex-congressman with a 100% undenied pro-abortion voting record in Congress!

If Keating had on his record a public statement in favor of slavery, or anti-Semitism, or anti-Black, and had not sufficiently and unequivocally recanted it, we can certainly believe that he would not have been invited to speak at the Catholic Men's Conference, would not have been appointed by the bishops, and that you would not have attended an event where he was a featured speaker.

We can certainly believe that if he had a position opposing "most" child abuse, he would not have been appointed to the bishops' committee. Yet he passes muster for a high office conferred by the Catholic bishops, and for presentation on a Catholic platform at a Catholic event. The sin of "scandal" could not be more graphically or dramatically demonstrated.

5. We would respectfully request that as you make appointments, and invitations to the diocese, that you take advantage of the offer made by Fr. Berschied at our last meeting to give you information we may have. We have considerable history on many of these people, much of which is not available to you as a newcomer to the diocese. We certainly do not presume to act in a veto role of your authority, but simply suggest that we have information that you might find valuable, thereby avoiding an embarrassment to yourself, to the diocese, and to the local Pro-Life movement.

A case in point is a recent nomination by you.

We enclose herewith NKRTL newsletters of December 1996, March 1997, and April 1998. Synoptically, they tell the important saga of the defeat — primarily through the efforts of NKRTL — of Kenton County State Senator Joe Meyer (D) of Covington, a Catholic, who always claimed to be Pro-Life, but who actively supported the aggressively pro-abort Democratic leadership in the Kentucky State Senate, to the extent of voting against a Pro-Life bill of which he was the chief sponsor — at the behest and direction of the pro-abort leadership in the State Senate. As we pointed out, "It was clear that you can't say you're for us, and then vote against us." Meyer cast 4 pro-abortion votes, against the Pro-Life efforts to discharge these Pro-Life bills from the Senate Judiciary Committee (of which he was a member).

NKRTL exposed his hypocrisy, resulting in a significant defeat for Meyer in the November 1996 election. At the organizational session of the General Assembly in January of 1997, there had been put together, as a result of Meyer's defeat, a coalition of a minority of Pro-Life Democrats, plus the Republicans in the Senate, which then took the unheard of action of discharging the President of the Senate, pro-abort Sen. Eck

Rose (D) of Winchester, KY, and of the reorganizing of the Senate.

At the immediate ensuing full session of the General Assembly in January, 1998, there were passed three major pieces of Pro-Life legislation, including the Informed Consent Bill, under which women are required to be given full facts as to prenatal development, dangers of abortion, and alternatives of abortion, and are required to wait for 24 hours after the dissemination of this information before an abortion. This was the bill that Meyer had sponsored in the previous session and opposed.

Obviously, actions have consequences: the election of Pro-Life legislators results in the passage of Pro-Life bills.

Now to the current point. Mr. Meyer's campaign manager in his unsuccessful campaign for reelection in 1996 was Mark Guilfoyle, whom you just named as head of the diocesan fund raising efforts. Mr. Guilfoyle is active with the law firm of Deters, Benzinger and LaVelle, which has a long history of active support for pro-abortion candidates, including our current pro-abort governor, Paul Patton (D). Guilfoyle actively supported Patton and his predecessor, pro-abortion governor Brereton Jones (D), who took Guilfoyle into his administration in a high position. Patton vetoed the Informed Consent Bill, although we were successful in getting the legislature to override his veto. Guilfoyle nonetheless supported Patton's successful reelection effort three years ago!

Guilfoyle's conduct is best typified by the statement made in a recent Supreme Court decision by Justice Antonin Scalia who, in upholding the discharge of a policeman who had publicly exulted in the killing of a police officer by a criminal, stated: "You can't ride with the cops, and root for the robbers!"

Guilfoyle's diocesan appointment sends a strong message to the community — that one can morally support for public office those who actively advance the pro-abortion cause and at the same time remain "a good Catholic," acceptable for appointment by the Bishop.

The details of the Joe Meyer story are indeed verifiable by both Fr. Berschied and Fr. Saner. Fr. Saner was the celebrant at Meyer's wedding, and his support was solicited by Meyer during the campaign reelection effort. So also was Fr. Berschied's support solicited. Both of them, knowing the clear facts, decisively rejected Meyer's overtures for support.

6. We would respectfully suggest that appropriate pastoral concern for these offenders would be their removal from their positions, in order to demonstrate clearly to them the importance of the issues, and the severity of their transgressions. There is also the responsibility of the Shepherd for the rest of the flock, to protect them from such scandal, by the public correction of erroneous teaching.
7. At the last meeting, we requested that you move urgently on these public teachings and official actions, in light of the very narrow window of opportunity which we may have to seek a successful rehearing before the Northern Kentucky Independent District Health Department Board this Summer for it to reject Title X, which authorizes and requires the distribution of abortifacients and contraceptives to children with public funds. The confrontation with several "Catholic" pro-abort voting members of that Board, with the public teaching by the Shepherd of the diocese, is our only chance for success.

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April 16, 2003

Page 5

We submit these observations and requests with appropriate humility, but simultaneously with recognition of our own individual obligations in these respects.

For the Northern Kentucky Right To Life Board of Directors,
by its Executive Committee

Respectfully,

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Enclosure

cc: Fr. Paul L. Berschied
Fr. Daniel J. Saner
NKRTL Board of Directors