



News Release

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The Missouri Catholic Conference's Response to Attorney General Koster's Refusal to Appeal Judge Fleissig's Order

April 11, 2013 JEFFERSON CITY, MO – The Missouri Catholic Conference is gravely disappointed with Attorney General Chris Koster's decision not to appeal St. Louis Federal Judge Audrey Fleissig's ruling striking down the conscience protections in SB 749, the law protecting the religious liberty of all Missouri citizens passed last fall overwhelmingly by the Missouri General Assembly.

While the Missouri Catholic Conference is heartened by AG Koster's decision to seek a clarification of Judge Fleissig's ruling on behalf of churches, it believes his decision represents a failure to exercise his constitutional duty to protect the conscience rights and religious liberties of all Missouri citizens, including religiously-affiliated institutions like hospitals, universities and charity organizations, as well as those of Missouri business owners with moral, ethical, and religious objections to the HHS contraceptive and abortion drug mandate.

Over the last six months, there have been four federal court decisions in cases brought by Missouri business owners blocking enforcement of the HHS contraceptive and abortion drug mandate. These decisions were largely ignored by Judge Fleissig, and now are being overlooked by AG Koster. A direct appeal of Judge Fleissig's order would have been the best way to defend Missouri law and the religious liberty of Missouri citizens.

Persons of faith should not be compelled to participate in acts which violate their conscience. As Pope John Paul II stated in the *Gospel of Life*, "[t]o refuse to take part in an injustice is not only a moral duty; it is also a basic human right." (No. 74) This idea has been a basic tenet of U.S. law and is enshrined in the free exercise clause of the 1st Amendment and is recognized in the Religious Freedom Restoration Act of 1993.

The Missouri Catholic Conference is confident that the ongoing litigation challenging the HHS mandate will ultimately vindicate the conscience protections in Missouri law that were struck down.