



Written by [Dave Bohon](#) on October 16, 2014

Houston Mayor Backpedals on Subpoenas of Pastors' Sermons

In response to public condemnation over attempts to intimidate and silence Christian opponents of the city's pro-homosexual "Equal Rights" ordinance, Houston's lesbian mayor, Annise Parker, has backpedaled on demands by city attorneys that area pastors seeking a referendum on the ordinance turn over their sermons and other communications.



As reported by [The New American](#) on October 15, in their preparations for a January civil trial that will determine whether a public referendum will decide the fate of the unpopular "anti-discrimination" law, Houston's city attorneys had subpoenaed five local pastors who led the referendum petition campaign, demanding that they turn over "all speeches, presentations, or sermons related to [the ordinance], the petition, Mayor Annise Parker, homosexuality, or gender identity prepared by, delivered by, revised by, or approved by you or in your possession," according to the subpoena language.

But as news of the heavy-handed legal demands became public, Parker issued a statement insisting that she and her office had not been aware of the subpoena process and that she agreed the effort went overboard.

In a statement Parker's chief policy officer, Janice Evans, said that "Mayor Parker agrees with those who are concerned about the city legal department's subpoenas for pastors' sermons."

Evans explained that the subpoenas were not officially issued by the city attorney, but "by pro bono attorneys helping the city prepare for the trial regarding the petition to repeal the new Houston Equal Rights Ordinance (HERO) in January. Neither the mayor nor City Attorney David Feldman was aware the subpoenas had been issued until yesterday. Both agree the original documents were overly broad. The city will move to narrow the scope during an upcoming court hearing. Feldman says the focus should be only on communications related to the HERO petition process."

However, the statement appears to contradict what Evans and Feldman had previously said concerning the subpoenas. As the subpoena efforts became public, Evans, speaking on behalf of the mayor, confirmed that the subpoenas had been "issued to pastors who have been involved in the political campaign to organize a repeal of Houston's new equal rights ordinance."



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With obvious familiarity concerning the legal move, she said that the effort “is part of the discovery process in a lawsuit brought by opponents of the ordinance, a group that is tied to the pastors who have received the subpoenas.”

Similarly, Feldman’s insistence that he was not aware of the subpoenas prior to their delivery to the pastors flies in the face of his earlier statement to a local news station that his office was well within its bounds to co-opt the pastors’ communications. “We’re certainly entitled to inquire about the communications that took place in the churches regarding the ordinance and the petitions because that’s where they chose to do it,” Feldman said in an interview to KTRH. “It’s relevant to know what representations and instructions were given regarding these petitions.”

One of the pastors who has been subpoenaed said Parker’s insistence that she had no advance knowledge of the subpoenas is disingenuous at best. The Reverend Dave Welch, who heads up the Houston chapter of the U.S. Pastors Council, insisted that Parker has been closely involved in the efforts against her opponents.

“This was really initiated by Mayor Annise Parker, who is a ... poster child for the national gay and lesbian movement,” Welch told the [Christian Post](#). He added that “proposing this ordinance back in April [was] really a massive overreach ... to basically add sexual orientation and gender identity and expression to the city’s discrimination ordinance and impose those discrimination protections over the private sector in an unprecedented way.”

Welch told the *Post* that the subpoenas represent “an act of intimidation and harassment by the city ... in an attempt to shut us down, to try to run us out of time, will, or money to continue this lawsuit to its conclusion.” He argued that Parker and her team have “no legal defense for their action. We will win this in court.”

He warned that the mayor’s push to force homosexual rights on the city via the Houston Equal Rights Ordinance “represents the general attack against the foundational Judeo-Christian order of our culture. We are now at the point where we are arguing over what’s male and female. There’s a much bigger picture than the ordinance itself and what this is really about. It’s now morphed into a much bigger battle.”

Attorney Joe La Rue of [Alliance Defending Freedom](#) (ADF), which is representing the pastors against the city, called the mayor’s and city attorney’s supposed re-posturing about what they are seeking “wholly inadequate,” noting that the city is still demanding sermons and other communications to which they have no legal right. “These sermons, emails, and texts have nothing to do with whether the coalition gathered enough signatures to qualify for the ballot,” La Rue said, referring to the 50,000 petition signatures that were collected from residents calling for a city-wide referendum on the unpopular ordinance. While only a little over 17,000 signatures were needed, the Houston City Council rejected the collected signatures over what they charged were “irregularities.”

In response the group [No Unequal Rights Coalition](#), which has been at the head of the opposition to the ordinance, successfully sued to stop enforcement of the ordinance, and in August a state judge called for a January 19 civil trial that will determine whether or not the petition signatures in question will stand and the referendum can move forward.

ADF spokesman Greg Scott told the online [Huffington Post](#) that, despite the supposed toned-down demands the city has come up with following the initial subpoenas, its “intrusive demands are the same.”



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Scott noted that the city attorney's office is still demanding "access to no less than 17 categories of private communications (including things like text messages) between private citizens who are not even parties to the suit and other private parties. This is a naked attempt to intimidate private citizens who did nothing but disagree with the government over a policy matter. Do any of us really want to live in an America in which we can be threatened, silenced, and even punished for disagreeing with the government?"

Meanwhile, conservative Christian leaders continue to weigh in on the city's attempts to silence critics of the ordinance. "I am simply stunned by the sheer audacity of this," wrote Russell D. Moore of the Southern Baptist Convention's [Ethics and Religious Liberty Commission](#). "The preaching of sermons in the pulpits of churches is of no concern to any government bureaucrat at all. The country settled, a long time ago, with a First Amendment that the government would not supervise, license, or bully religious institutions."

Moore recommended that Houston pastors follow the New Testament example of defying overzealous government. "The pastors of Houston should tell the government that it will not trample over consciences, over the First Amendment, and over God-given natural rights," he wrote. "A government has no business using subpoena power to intimidate or bully the preaching and instruction of any church, any synagogue, any mosque, or any other place of worship."



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