No. 8565

EMERGENCY RESOLUTION CONCERNING CLANDESTINE GOVERNMENT SURVEILLANCE OF CHURCH MEETINGS

ADOPTED by the General Assembly

WHEREAS, in the state of Arizona, beginning in 1984, paid informants employed by the Immigration and Naturalization Service of the government of the United States were used to spy secretly on church meetings, worship services and Bible study groups; and

WHEREAS, these informants were equipped with concealed electronic surveillance devices; and

WHEREAS, the information gathered in this clandestine fashion was used to obtain indictments against sixteen church workers and the arrest of sixty-four Central American refugees; and

WHEREAS, in the pre-trial hearings, in May and June, of those church workers indicted, a U.S. government witness, and the Director of the Immigration and Naturalization Service's undercover investigation of the church workers, testified that the church meetings they infiltrated were "political" and not religious meetings; and

WHEREAS, as was testified to by this witness, the government undertook this secret spying operation (which it called "Operation: Sojourner", in violation of its own guidelines, without first obtaining a warrant from a Court, and when it had several alternative methods available to gather the information it sought regarding the church workers and their activities with refugees; and

WHEREAS, in the pre-trial hearings the U.S. Federal District Court Judge, Earl Carroll of the district of Arizona, commented on May 23, 1985: "Undoubtedly, everything that was determined here could have been determined otherwise. It is unfortunate that the whole process was sullied by the informants and the recordings"; but nevertheless, the same judge on June 26, 1985, ruled the infiltration of churches though "not an acceptable practice,... it was not outrageous" government conduct, and that government informants "had a legal right to enter and be present on the occasions," thus increasing the possibility that the government of the United States will sanction future clandestine government surveillance of church meetings and ministry; and

WHEREAS, this surreptitious invasion of church property and religious confidentiality by government agents, and the acceptance of material gathered as admissible evidence in court, is unprecedented in United States history, and a serious violation of the principle of religious freedom, the separation of church and state, and the First Amendment to the Constitution of the United States;

THEREFORE, BE IT RESOLVED, that the General Assembly of the Christian Church (Disciples of Christ) meeting in Des Moines, Iowa, August 2-7, 1985, protests the unwarranted and clandestine eavesdropping of church meetings by undercover agents of the government of the United States as a serious threat to the constitutional guarantee of religious freedom and the separation of church and state; and

BE IT FURTHER RESOLVED, that the General Minister and President of the Christian Church (Disciples of Christ) communicate the protest to the U.S. President, the U.S. Secretary of State, and the Commissioner of the Immigration and Naturalization Service of the United States, requesting a full report on the surveillance activities of "Operation: Sojourner" in Arizona and seeking guarantees against any future such activities; and if necessary, to join others in pursuing a legal remedy to insure the protection of the church's religious liberty and constitutional rights.