



Political Activity Guidelines for Catholic Entities in Virginia

(2009 Edition)



**Diocese of
Arlington**



**Diocese of
Richmond**

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Prepared by the Virginia Catholic Conference

Table of Contents

<i>The Right and Duty of Faithful Citizenship.....</i>	<i>4</i>
<i>General Guidelines</i>	<i>5</i>
<i>Do's</i>	<i>6</i>
<i>Don'ts</i>	<i>7</i>
<i>Guidelines for Parish/Diocesan Events That Address Public-Policy Initiatives.....</i>	<i>8</i>
<i>Guidelines for Use of Policy Alerts.....</i>	<i>10</i>
<i>Frequently Encountered Situations</i>	<i>11</i>
<i>Voter-Registration Drives</i>	<i>11</i>
<i>Candidate Appearances</i>	<i>12</i>
<i>Candidate Forums</i>	<i>13</i>
<i>Leafleting in Parking Lots</i>	<i>15</i>
<i>Outside Voter Guides</i>	<i>15</i>
<i>Signs on Church Property</i>	<i>16</i>

The Right and Duty of Faithful Citizenship

Some political commentators admonish people of faith to keep their beliefs inside their places of worship. They warn us that, once faith-motivated perspectives enter public discourse, the line of separation between church and state has been dangerously trampled. As a result of this common ideology, many individuals who regularly attend religious services are led to believe that faith really is a purely private matter, that love of neighbor has no application to the realm of government, and that the public square is no place for the discussion of Gospel values.

Our Catholic faith, of course, teaches otherwise, as the following excerpts make clear:

- “It is the duty of citizens to contribute . . . to the good of society in a spirit of truth, justice, solidarity, and freedom . . . [and] to fulfill their roles in the life of the political community.” *Catechism of the Catholic Church*, No. 2239
- “By fulfilling their civic duties, guided by a Christian conscience, in conformity with its values, the lay faithful exercise their proper task of infusing the temporal order with Christian values.” *Congregation for the Doctrine of the Faith, Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life*, No. 1
- “In the Catholic Tradition, responsible citizenship is a virtue, and participation in political life is a moral obligation. This obligation is rooted in our baptismal

commitment to follow Christ and to bear Christian witness in all we do.” *Forming Consciences for Faithful Citizenship*, U.S. Catholic Bishops (November 2007)

As Catholics in Virginia, we have much to bring to public discussions on critically important issues. We can offer our consistent moral framework as a compelling alternative to the often incoherent categories of “liberal and conservative,” “left and right,” and other political labels. We can share our lived experiences of serving those in need. And we can show by personal example that, just as we are concerned about much more than our own self-interests, governmental policies should put the needs of our society’s most vulnerable citizens first.

Through involvement in appropriate political activities, parishes and other Catholic organizations can play a vital role in helping their members respond to the baptismal call to faithful citizenship. This pamphlet offers guidelines to pastors and other community leaders as they discern how best to stimulate political responsibility in their communities in a manner that is principled and nonpartisan.

General Guidelines

Unlike individual citizens, churches and other institutions that qualify for tax-exempt status under the Internal Revenue Code (IRC) are not permitted to engage in *partisan* political activities. Impermissible activities include expressions of preference for a political party and direct or indirect support for or opposition to candidates. Officials and employees of Church and other

tax-exempt organizations may participate in partisan politics, but only while acting in their individual capacities. Such persons must make clear that they are not acting as representatives of the Church or Church organizations.

While partisan activities by Church institutions and organizations are prohibited, Church entities are free under the IRC to engage in *issue-oriented advocacy and educational activities*. From a legal perspective, these activities are permissible; from our moral perspective, they are vital to the Church's social mission. Support for policies that advance human rights, and opposition to proposals that violate them, are essential to who we are as members of the Body of Christ, each called to value the life and intrinsic dignity of all who are created in God's image and likeness.

Within this context, the following guidelines are intended to encourage and facilitate the appropriate participation of Catholic entities in political activities.

Do:

- Share Church teaching on human life, human rights, social justice, and peace.
- Apply Catholic moral and social teaching to public-policy issues.
- Urge parishioners to evaluate issues debated during campaigns and legislative sessions from the perspective of Church teaching.

- Educate voters in election years by distributing materials that have been prepared and distributed by the Virginia Catholic Conference or the U.S. Conference of Catholic Bishops, including responses to candidate questionnaires and background pieces on important election issues.
- Conduct a non-partisan voter-registration drive on Church property.
- Encourage parishioners to vote.

Please do not:

- Endorse or oppose candidates for political office.
- Distribute partisan campaign literature on Church property or through official Church channels.
- Assist in any candidate's campaign for public office (*e.g.*, by providing parishioner lists, making Church-owned facilities available to less than all of the candidates for a particular office, or distributing campaign literature).
- Invite less than all of the candidates for a particular office to address a Church-sponsored group.
- Conduct voter registration slanted toward one party.
- Distribute any voter-education materials not prepared and distributed by the Virginia Catholic Conference or the U.S. Conference of Catholic Bishops. Should any

other organization attempt to distribute such material, contact the Virginia Catholic Conference.

Guidelines for Parish/Diocesan Events That Address Public-Policy Initiatives

From time to time, individuals and groups may wish to organize events in parishes or other diocesan settings in Virginia that address public-policy initiatives that are or may be considered by state or federal lawmakers. The Virginia bishops encourage endeavors by parishes and other entities in their two dioceses that promote faithful citizenship and participation in the political process, provided that those endeavors are consistent with the bishops' policy agenda (promoted through the Virginia Catholic Conference). Those events must also comply with all IRS and diocesan political-activity guidelines as well as diocesan standards for invited speakers. To ensure such consistency and compliance, any individual or group seeking to plan

- 1) a candidate forum,
- 2) a “meet and greet” gathering for candidates or office-holders, or
- 3) an event at which parishioners would be invited to hear presentations from elected officials or other community leaders on legislative initiatives

on parish/diocesan property shall submit a written event proposal to the Virginia Catholic Conference. This proposal

must include (1) a brief description of the program for the proposed event, (2) the speaker(s) to be invited, and (3) the materials to be distributed.

The Conference shall forward the list of proposed speakers to the person(s) authorized to review and approve speakers in the Diocese in which the event would be held (hereafter “the reviewer”). After completing the speaker review under established diocesan policies, the reviewer shall inform the Conference in writing whether the proposed speakers are approved. The Conference shall then convey the reviewer’s decisions to the event organizer. No speakers are to be invited to events before receiving the reviewer’s approval.

The Conference shall also review the proposed event description and materials, and consult with the event organizer as necessary, to determine whether they (1) are consistent with formal policy positions that the Virginia bishops have adopted or have decided not to adopt, and (2) comply with all applicable political-activity guidelines. After reviewing the proposal, the Conference shall either (1) inform the event organizer that the proposed event is consistent with those two criteria or (2) recommend ways to restructure the proposal in a manner consistent with the criteria.

If, after dialogue with the event organizer, the Conference determines that proceeding with the event cannot be made compatible with the criteria, it will inform the organizer and the local Diocese of its determination in writing. The Diocese shall then provide further instruction to the Conference and the event organizer.

Guidelines for Use of Policy Alerts

Diocesan entities, including parishes and Catholic schools, are encouraged to distribute the following advocacy-related communications at their discretion and in ways they deem most suitable:

1) Alerts on state public-policy issues that have been either

- a) prepared and disseminated by the Virginia Catholic Conference, or
- b) prepared by the Conference and distributed by a diocesan office

2) Alerts on federal public-policy issues that reflect positions formally adopted by the U.S. Conference of Catholic Bishops (USCCB) and that have been

- a) prepared and disseminated by the USCCB,
- b) prepared and disseminated by a USCCB affiliate (*e.g.*, National Committee for a Human Life Amendment, Catholic Relief Services, or the Justice for Immigrants campaign) in collaboration with the USCCB, or
- c) prepared by the USCCB (or by one of its affiliates collaboratively) and disseminated by the Virginia Catholic Conference or by a diocesan office.

No other public-policy alerts are authorized for use by parishes, schools, or other diocesan organizations.

Frequently Encountered Situations

Voter-Registration Drives. Parishes provide an ideal setting for voter-registration efforts, which encourage citizens to embrace their right and duty to share in the political life of our Commonwealth and our country. Citizens who are *registered* to vote likely *will* vote and, in preparing to cast ballots, will become more aware of important policy issues, including those that impact the poorest and most vulnerable members of their communities. Parishes and other Catholic organizations are encouraged to sponsor voter-registration drives, provided that no bias for or against any candidate, political party, or voting position is evidenced. Such bias would be indicated by distribution of partisan literature or materials indicating the sponsoring organization's positions in connection with the registration drive, by targeting drives toward individuals who support the organization's positions or a particular candidate or party, or by coordinating the drive with candidates or their committees. Voter-registration efforts by Catholic entities should *not* be conducted: (1) in cooperation with any political campaign, (2) according to the identity of the candidates, (3) based upon a candidate's or party's agreement or disagreement with the sponsoring organization's positions, or (4) in a manner targeting members of a particular party. For more information about how to conduct a voter-registration drive, contact the Virginia Catholic Conference.

Candidate Appearances. In an election year, candidates for public office seek occasions to promote their campaigns before large audiences. Some candidates view parish gatherings as especially attractive opportunities. The following guidelines should be helpful to Church entities as they assess the appropriateness of candidates' requests to speak at Church events.

- 1) Candidates should never be permitted to speak in connection with Mass or any other religious service. If a candidate seeks to do so, deny permission, citing Internal Revenue Service (IRS) regulations governing political activity of tax-exempt religious organizations. You might also advise that religious services are inappropriate occasions for partisan politics.
- 2) A candidate for a given office should not be permitted to address an event sponsored by a Church organization (*e.g.*, parish-committee meeting, Knights of Columbus gathering, or alumni Communion breakfast), unless all other candidates for that office have been invited to make a presentation at the same event.
- 3) A parish official may introduce a public-office holder to participants in an event sponsored by a Church organization, but not in that person's capacity as a candidate. Thus, a senator or congressman may be recognized as "Senator" or "Representative," but not as a candidate for reelection to the U.S. Senate or House of Representatives.
- 4) A public figure or expert in a given field who is also a candidate for public office may be allowed to speak as a public figure or expert without providing equal access

to other candidates. However, the following precautions must be taken in order not to violate IRS rules:

- a) the person must speak only in his or her capacity as expert or public figure;
- b) no mention may be made of his or her candidacy;
- c) no campaign activity may occur in connection with the appearance; and
- d) all communications, oral or written, should identify the other-than-candidate capacity in which the individual is appearing and should not mention his or her candidacy. The IRS has made clear that if the primary purpose of the invitation is to showcase an individual's candidacy, the organization may violate election rules *even if no campaign activity occurs*. Prior to any appearance, an invited speaker who is also a candidate for public office should be informed in writing of the sole purpose of the appearance (*viz.*, as an expert or public figure).

Candidate Forums. A candidate forum can be a very helpful source of information about candidates for parishioners and others in the community. They have been sponsored very successfully by dioceses, parishes, and other Catholic organizations throughout the country. However, it is important to understand the legal framework within which these activities must take place. Like

all Church-sponsored political activities, candidate forums must be completely non-partisan. Guidelines that must be followed include:

- 1) *Invite all candidates in a given race and treat them alike:* This includes invitation and follow-up, the information provided to them in advance, the questions they are asked, and the opportunities they have to respond.
- 2) *Do not intervene, directly or indirectly, in the campaign on behalf of or in opposition to a particular candidate or party:* Nothing done at the forum can show preference for one candidate over another. The moderator must be unbiased. Carefully worded questions should be prepared in advance. If questions are permitted from audience members, they should be written on index cards and screened before being read by the moderator.
- 3) *Cover a broad range of issues:* Focusing on one issue will create the appearance of endorsing some candidates over others. A broader focus will educate voters on the candidates' respective positions and avoid any appearance of bias.
- 4) *Do not allow candidates to distribute campaign material during the forum:* Campaign signs, placards, brochures, or other material supplied by candidates, their parties, their supporters, or their opponents should not be displayed or distributed on the property of the entity hosting the forum.

- 5) *Notify the Virginia Catholic Conference if you are planning to host a candidate forum:* Conference staff is experienced in planning these events, providing advice to parishes and other organizations on the procedures that should be followed, developing effective and appropriately worded questions, and serving as moderator.

Leaflating in Parking Lots. The parking lots of most Catholic churches and other Catholic entities are classified as private property. They do not qualify as public forums to which First Amendment free speech protections attach. Although there are court cases ruling that parking lots are public forums, these cases apply to the parking lots adjacent to commercial venues, such as shopping malls. Church parking lots are easily distinguished, in terms of purpose, use, and access, from commercial parking lots, community shopping centers, and malls. As such, Catholic organizations generally have the right to regulate access to their parking lots, including access for political leafleting. Catholic organizations should consult local legal counsel if questions arise about the proper classification of their parking lots. If a parking lot is classified as private property, a Catholic entity should not authorize the distribution of partisan campaign materials or biased voter-education materials in the lot. Parking lots are distinguishable from public streets and sidewalks adjacent to Church organizations. These spaces generally are classified as public property over which the organization lacks control over access.

Outside Voter Guides. Catholic entities should be wary of non-diocesan groups that seek to

distribute their own voter-education materials on Church property or through Church channels. The preparation, content, format, and presentation of these materials may not satisfy the legal requirements applicable to Catholic organizations. Often, the organizations preparing these materials may not even be subject to the same rules governing tax-exempt organizations. The fact that it may be permissible for the preparing organization to distribute a voter guide does not make it appropriate for Church entities to do so. *Parishes and other Catholic organizations should not distribute any voter guides not prepared and distributed by the Virginia Catholic Conference or the U.S. Conference of Catholic Bishops.*

Signs on Church Property. With the exception of polling places, political signs should not be placed on property owned by Catholic entities or rented by them for official business. The law does not prohibit the placement of political signs on the personally-owned property of Church officials or employees.



The Virginia Catholic Conference staff is available to assist you with questions regarding participation in political activities. Please call (804)225-8565 or send an e-mail message to office@vacatholic.org. Additional materials are also available on the U.S. Conference of Catholic Bishops' website at www.usccb.org/ogc/guidelines.shtml.