

Praying in Park called ‘Disorderly Conduct’

Conviction ‘ridiculous,’ says attorney. ‘This never should have happened.’

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Note from Pastor Kevin Lea: These verses from our current study in the book of Amos came to mind as I read this article:

Thus says the LORD: “For three transgressions of Judah, and for four, I will not turn away its punishment, because they have despised the law of the LORD, and have not kept His commandments. Their lies lead them astray, lies which their fathers followed. But I will send a fire upon Judah, and it shall devour the palaces of Jerusalem.”

(Amos 2:4-5NKJ)

They hate the one who rebukes in the gate, and they abhor the one who speaks uprightly. *(Amos 5:10 NKJ)*



Wisner Park in Elmira, N.Y.

A New York man is appealing a “disorderly conduct” conviction for praying in a public park.

Julian Raven, defended by the [Alliance Defense Fund](#), was arrested while praying in an Elmira public park during a 2007 “gay pride” event.

“It’s ridiculous to consider the act of peacefully exercising one’s faith in a public park to be ‘disorderly conduct,’” said ADF Senior Legal Counsel Joel Oster. “The county court was correct in dismissing three of the convictions. They never should have happened. We are hopeful that the New York Court of Appeals will dismiss the fourth.”

The [WND reported when the original convictions of four people were appealed](#). Three of the convictions already have been overturned.

Originally, seven people were arrested for praying during the June 23, 2007, homosexual festival in Elmira’s Wisner Park that was promoted by city officials. Three defendants were removed from the case almost immediately, leaving four to be convicted by Elmira city judge Thomas Ramich of “disorderly conduct.”

The convictions for three – Gloria Raven, Maurice Kienenberger and Walter Quick – later were overturned in the Chemung County Court.

The legal team defending the Christians reported the event was advertised by the city as open to the public.

The Christians “made their way to an area in front of the stage and began to pray silently while lying prostrate in the grass. A police sergeant had earlier informed Julian Raven that he could not enter the public park, walk through the park, or talk to anyone in the park about his religion. After the group

began to pray silently on their faces, all were arrested and charged with disorderly conduct,” the organization reported.

Court records show that a Sgt. Sharon Moyer told Raven he could not disrupt the event.

So, the ADF reported, he and the others “entered the event to pray silently for event participants and to share the Gospel with them.”

“There was plenty of room in the park. No one was being turned away. They walked in silence. Neither the defendant nor anyone from the group bumped into anyone as they entered and they did not force others out of the way,” ADF said.

They walked to a grassy area near the front, kneeled down or laid down, and prayed.

“They chose this posture in order to be as non-threatening as possible,” ADF said.

Moyer reported she made the arrests because she was concerned that the “pridefest’ participants might react with hostility to the Christians.”

ADF argues that under the First and Fourteenth amendments to the U.S. Constitution, “peaceful speakers may not be arrested simply because others in the forum may react to their message in a hostile manner.”

“The lower courts in this case ruled that the arrests were proper because the defendant must have known that other event participants would respond with hostility. This, however, is precisely what the ... cases prohibit,” the ADF asserts.

[When the Christians were arrested](#), officials with [Elmira](#) justified their actions to WND.

Assistant Police Chief Mike Robertson told WND at the time that the members were accused of a “combination” of allegations, including the “intent” to cause a public inconvenience, a “disturbance” of a meeting of persons and obstructing vehicular or pedestrian traffic.

He also said at the time that the accusations would include taking part in “any act that serves no legitimate purpose.”

The prosecutor, Robert Siglin, said the city was concerned for public safety, and that’s why the Christians were arrested while exercising their First Amendment rights.