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Abbott Solicits Houston City Attorney to Withdraw Subpoenas to Pastors



HOUSTON, Texas -- Texas Attorney General Greg Abbott sent a [letter](#) to Houston City Attorney David Feldman today asking him to immediately withdraw subpoenas sent last month to several Houston-area ministers. The [subpoenas](#) sought the production of sermons, private notes, and other information. Abbott called the action a “direct assault on the religious liberty guaranteed by the First Amendment.”

Breitbart Texas [reported today](#) that a group of pastors in Houston were fighting efforts by the city to subpoena their sermons and their private communications with church members. The subpoenas are related to litigation from a petition to repeal Mayor Annise Parker’s controversial Houston Equal Rights Ordinance (“HERO”). The law was passed

last June. Breitbart Texas [reported](#) that among other concerns, the ordinance was criticized for allowing men in women's restrooms.

Opponents collected nearly [50,000 signatures](#) to repeal the measure. Although only 17,269 signatures were required, the City Attorney [invalidated](#) the signatures and opponents promised a legal battle. The subpoenas were issued as part of the litigation.

Abbott sent his letter warning City Attorney Feldman that the people of Houston and their religious leaders must be absolutely secure in the knowledge that their religious affairs are beyond the reach of the government." He wrote "Nothing short of an immediate reversal by your office will provide that security. I call on you to withdraw the subpoenas without further delay."

Abbott was clear that the discovery process "is not a license for government officials to inquire into religious affairs." He said that "government officials must exercise the utmost care when our work touches on religious matters. If we err, it must be on the side of preserving the autonomy of religious institutions and the liberty of religious believers."

Abbott chastised the City Attorney saying "Your aggressive and invasive subpoenas show no regard for the very serious First Amendment considerations at stake. He noted that a press release from the Mayor's Office disclaimed responsibility for the subpoenas and said they were prepared by a firm hired by the City of Houston.

The Texas Attorney General told Houston City Attorney Feldman that he was responsible for the law firm's actions and rebuked him for not safeguarding the trust of Houston-area religious institutions and their congregants.

Abbott urged the City Attorney "to demonstrate the City's commitment to religious liberty and to true diversity of belief by unilaterally withdrawing these subpoenas immediately."

The City Attorney and the Mayor received national media exposure and criticism today. The Mayor subsequently [backed away](#) from the issue telling reporters that "the subpoenas were too broad, and should not have included actual sermons." Parker said "It should have been clarified, it will be clarified."

Lana Shadwick is a contributing writer and legal analyst for Breitbart Texas. Follow her on Twitter [@LanaShadwick2](#).