

IN THE PROTESTANT EPISCOPAL CHURCH  
IN THE UNITED STATES OF AMERICA

In the Title IV Disciplinary Matter  
Involving the Rt. Rev. S. Johnson Howard  
(Discrimination Matter)

Response of Bishop Howard

The Statement of Alleged Offenses prepared by the Church Attorney, Craig Thomas Merritt, dated June 27, 2024, acknowledges that the Episcopal Church's views on homosexuality, generally, including the ordination and functioning of gay clergy, have "evolved . . . over decades." (Statement, para. 11).

The Statement also recognizes that there remain individuals within the Church who in good faith cannot, and should not be required to, square homosexual behavior with their deeply held theological views:

12. Individuals, in the genuine exercise of their faith, have the full right, recognized by the Church, to maintain their deeply held theological or scriptural views about same-sex marriage. Within the Church, despite the shifting of the consensus on homosexual identity and conduct, there remain individuals who in good faith cannot square homosexual behavior generally, or same-sex marriage specifically, with their religious principles. Respondent, who expresses his genuine care for all persons, is one of those individuals. He cannot and should not be compelled to square his religious principles with the consensus that has emerged in the larger Church....

As observed by the Church Attorney, Bishop Howard is among the many clergy in the Church whose views on homosexuality and same-sex marriage have not shifted over time.

The issue before the Panel, however, is not to pass judgment on Bishop Howard's personal theological perspective on these matters. The narrow issue before the Panel, as stated in the Statement's charges (Statement, paras. 47-50), is whether Bishop Howard violated Canon law by

discriminating against the Complainant, [REDACTED], *because* of her sexual orientation. Bishop Howard did not do so.

Resolution B012.

Although the offenses charged in the Statement relate only to the Bishop's alleged discriminatory actions toward the Complainant, the Statement gratuitously offers a predicate observation regarding Bishop Howard's implementation of the Church's 2018 Resolution B012 (providing for alternative oversight for priests wishing to perform same-sex marriages). The Statement accurately reports that Bishop Howard, upon the Church's adoption of Resolution B012, met with the Clergy of the Diocese to explain the manner in which the Diocese would implement the Resolution. The Bishop informed the Clergy that he would request any Priest wishing to perform same-sex marriages to meet together with him and the Priest's wardens to discuss the implementation of alternative Episcopal oversight. The Bishop's request for such meetings was for the purpose of clear communication between the Bishop and his Clergy regarding the Bishop's own theological views as the Diocesan Ecclesiastical Authority and the Clergy's need for alternative Episcopal oversight pursuant to Resolution B012.

Bishop Howard's approach to and implementation of Resolution B012 received the full public commendation and support of Presiding Bishop Michael Curry. On February 4, 2019, during a town hall gathering at St. John's Cathedral in Jacksonville, Bishop Curry was specifically asked about Bishop Howard's request that Priests and Wardens meet together with him when seeking to implement Resolution B012. In his response to this question, Bishop Curry told the Clergy and other members of the Diocese that they should be grateful that the Diocese had a Bishop who had strong convictions and who wanted to talk openly with his Clergy and Wardens regarding these issues.

Contrary to the Statement's allegations that Bishop Howard "emphasized disobedience" to his authority (Statement, para. 19), Bishop Howard told his Clergy that he would comply with Resolution B012. Bishop Howard did so repeatedly throughout the Diocese, including with his own Cathedral's Clergy.

Bishop Howard successfully implemented Resolution B012, achieving the Church's intent and purpose in its adoption, and facilitating clerical access to the sacramental rite provisionally approved by the Church.

#### The Court of Review Report.

Again, although the Statement alleges offenses only relating to the Complainant, the Statement gratuitously offers a predicate reference to the Church's January 31, 2023 Court of Review Report sustaining objections to the Diocese's November 18, 2022 election of a Bishop Coadjutor (the "Report").

The Report contained findings that there was a "pattern and practice" in the Diocese of Florida of disparate treatment of clergy based on their sexual orientation. The Report did not identify the timing of the alleged disparate treatment, including whether it was before or after the Church's 2018 General Convention. Moreover, the Report premised its sustaining of the objections to the election on the grounds that there were three clergy persons (including the Complainant) who were not allowed to vote "due to disparate treatment in granting canonical residence." (Report, p. 14).

The Report acknowledges, however, that none of these three clergy had presented to Bishop Howard their Letters Dimissory requesting canonical residence because they "felt" it would be

futile (Report, p. 14; that is, the Report based its finding on the “feelings” of the three clergy rather than any action or inaction of Bishop Howard). The Report contained no finding that Bishop Howard had denied canonical residence because of sexual orientation to a clergy member who had presented Letters Dimissory to Bishop Howard.

The Complainant.

It is undisputed that the Complainant never presented to or requested acceptance by Bishop Howard of her Letters Dimissory (Statement, para. 35). Rather, the Statement alleges that the Bishop’s denial of “more than a limited license” to the Complainant in March of 2020 was discriminatory based on her sexual orientation.


To the contrary, the Bishop’s grant of a limited license for the Complainant in 2020 was made with full knowledge that she was in a current lesbian relationship with a partner to whom she was not married. Canon 21, Section 4, of the Canons of the Diocese of Florida expressly requires Diocesan Clergy to abstain “from sexual relations outside of Holy Matrimony.” Other than this instance, Bishop Howard had never permitted any exception to this canon.

Mindful of the Diocesan Canon, but nevertheless willing to accommodate the Complainant’s wish to assist [REDACTED], Bishop Howard granted the Complainant the limited license as reported in the Statement. The Bishop’s grant of the license was within his pastoral discretion as the Ecclesiastical Authority in the Diocese, was in response to the Complainant’s request and was an act of grace, compliant with applicable Canon law.

Accordingly, the Hearing Panel should dismiss these proceedings pursuant to Canon IV.13.13

Respectfully submitted this \_\_\_\_ day of September 2024.

  
The Rt. Rev. S. Johnson Howard

  
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