

Exhibit 2

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHARONELL FULTON, CECELIA
PAUL, TONI LYNN SIMMS-BUSCH,
and CATHOLIC SOCIAL SERVICES,

Plaintiffs,

v.

CITY OF PHILADELPHIA,
DEPARTMENT OF HUMAN
SERVICES FOR THE CITY OF
PHILADELPHIA, and
PHILADELPHIA COMMISSION ON
HUMAN RELATIONS,

Defendants.

Civil Action No. 18-cv-2075

Assigned to the Honorable
Judge Tucker

DECLARATION OF BISHOP JOHN MCINTYRE

1. My name is Bishop John McIntyre. I am over the age of 21 and am capable of making this declaration pursuant to 28 U.S.C. § 1746. I have not been convicted of a felony or been convicted of a crime of dishonesty. I have personal knowledge of all of the contents of this declaration.

2. I attended St. Alphonsus Seminary in Suffield, CT and earned a Bachelor of Arts degree in Philosophy in 1986, and I earned a Master of Divinity degree in 1991 from Saint Charles Borromeo Seminary in Overbrook, PA. I was appointed an Auxiliary bishop of the Archdiocese of Philadelphia by Pope Benedict XVI on June 8, 2010. In that role, I serve as chairman of the Board of Catholic Social Services. I also act as a liaison for the broader organization, Catholic Human

Services, and in that role, I provide spiritual guidance and supervision for the agency's operations.

3. For over 100 years, the Archdiocese of Philadelphia has worked with the City to provide loving foster homes for needy children. In 1916, the Catholic Children's Bureau was established and staffed by Missionary Sisters of the Blessed Trinity, early Catholic pioneers in social work. Their work continues today through the dedicated efforts of Catholic Social Services' foster care program. This ongoing religious mission motivates Catholic Social Services and its staff to provide exemplary services to children and families in Philadelphia.

4. Catholic Social Services' mission is to transform lives and bring about a just and compassionate society where every individual is valued, families are healthy and strong, and communities are united in their commitment to the good of all. Catholic Social Services works towards a world touched by God's mercy: where poverty and need are alleviated and all people share justly in the blessings of creation. Catholic Social Services is dedicated to serving others in a spirit of humility and genuine concern for the well-being of its neighbors and affirms the God-given dignity and worth of every person.

5. As a Catholic organization, Catholic Social Services exercises its faith and carries out this mission through foster work. This is an integral, fundamental, and central part of Catholic Social Services' religious exercise. *See James 1:27*: "Religion that is pure and undefiled before God, the Father, is this: to visit orphans

and widows in their affliction, and to keep oneself unstained from the world.” Catholic faith and teaching inspire and guide this service.

6. Catholic Social Services is unwavering in its commitment to our Catholic identity and the social mission of the Catholic Church in all of our programs and services. As one of the largest social services providers in the Philadelphia area, we are committed to assisting all those entrusted to our care with the highest level of professionalism, efficiency and effectiveness. At the same time, the Church’s long history of charitable activity in this region also calls us to maintain and enrich the distinctive Christian character of our services to others. As a ministry of the Church, we serve in communion with Jesus of Nazareth who came to bring good news to the poor, proclaim liberty to captives, restore sight to the blind, and free the oppressed. (cf. Luke 4:18).

7. In all our efforts on behalf of the poor and hungry, homeless and neglected, disabled and disadvantaged members of our society, we endeavor to incorporate our work into the healing and saving mission of Jesus the Christ. Just as the earthly ministry of Jesus expressed a concern for the bodily and spiritual welfare of each person he encountered, so too our concern is for the whole person, including his or her spiritual and ethical well-being. Following in the footsteps of Jesus who welcomed everyone and called them to repentance and a change of heart, we serve people of all faiths, races, ages, ethnicities, and lifestyles across the whole continuum of human need, and strive to express the unconditional love of God the Father for all his children. Many of our clients and our staff are not Catholic, and we welcome this

rich diversity as a visible sign reminding us that in God's economy "everyone has a place at the table." (cf. *A Place at the Table: Pastoral Reflection of the U.S. Catholic Bishops*, 2002).

8. Catholic faith is incarnational, meaning that our love for God is "enfleshed" – made real and concrete – through the manner in which we care for our brothers and sisters in need. This tradition of faith-based human services has been passed on from religious congregations of men and women who founded many of our institutions, to the men and women of diverse faith backgrounds who today continue the good work of these wonderful institutions. Catholic Social Services strives to faithfully express and demonstrate our Catholic identity and mission in all that we do, and thereby "continue to be beacons of hope and centers of help for poor families and communities."

9. Catholic Social Services shares the religious beliefs and teachings of the Catholic Church regarding same-sex marriage. The Catholic Church teaches that marriage is a sacrament, initiated by God, joining a man and a woman. But Catholic Social Services would never stop a family from having the opportunity to foster a child by completing the application and home study process. If Catholic Social Services were ever unable to perform an in-depth home assessment and make a report and written certification to the State for any reason, including consistency with the religious beliefs and mission of Catholic Social Services, it would refer the potential foster parent(s) to one of the 26 nearby agencies who might better serve their needs. In fact, four such agencies are located within two miles of CSS's

downtown office. Catholic Social Services has never received a complaint for providing foster services consistent with its religious beliefs.

10. If the City makes it impossible for Catholic Social Services to continue contracting with the City for the provision of foster services, Catholic Social Services will be unable to continue providing foster services to the children of Philadelphia. This would end a longstanding religious exercise and practice. The City's demands have placed Catholic Social Services in an untenable position: either make statements and take actions which violate our faith, or end a religious practice of serving children in need that is inspired, motivated, and central to our faith.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 4, 2018.

+ *John Mc Intyre*

Bishop John McIntyre