

Compassion on Trial in Buena Park

Jury Convicts Baptist Minister of Crimes for Offering Homeless Sanctuary

“It is a sad day when a judge and jury can sentence a church. It is a sad day when our nation has said it’s a crime to help people.” — Rev. Wiley Drake

by Robert Norse

Reverend Wiley Drake of the First Southern Baptist Church has become an unlikely champion of the rights of homeless people in the heart of conservative Orange County’s Buena Park. Police raids and the criminal prosecution of Drake’s sanctuary have put the minister in the news.

In a two-week trial that went to the jury on July 25, Buena Park prosecutors charged Rev. Drake with one count of letting homeless people camp on church property, one count of allowing people to sleep in their vehicles, and three counts of violating zoning codes by letting homeless people sleep in a patio building.

Judge Prickett refused to allow televised proceedings of the trial and denied Drake the “necessity defense,” where breaking a lesser law is allowed to prevent a greater imminent evil — even though two women testified that Buena Park police themselves sent them to Drake’s church when they were found sleeping in their vehicles on the street.

On July 28, the jury came in with a verdict: guilty on four counts for Drake, guilty on four counts for his Baptist Church, innocent on the question of allowing vehicles on the property. (Drake suggested that the jurors might have acquitted him on the latter charge because they wanted to protect an Elks Lodge near his

church that has numerous expensive 30-foot motorhomes hooked up.)

Despite the guilty verdicts, Drake reports, four jurors came up to him afterwards, three of them in tears, saying: “We had no choice; the judge told us we had to follow the law. It was the hardest thing we’ve done in our lives.”

“It is a sad day when a judge and jury can sentence a church,” commented Drake. “It is a sad day when our nation has said it’s a crime to help people.” The unrepentant minister now faces a maximum 30 months in jail and \$6000 in fines; the First Southern Baptist Church as a corporation faces a similar penalty.

In a second blow, the judge has threatened to simultaneously eject homeless people from a disputed church patio building under a civil injunction that has been promised and drawn up, but not signed at press time.

Drake and the First Southern Baptist Church of Buena Park face sentencing on August 22. Drake reports mushrooming support in the community and says he will not turn the homeless out voluntarily, even though he expects the court will order their eviction very soon.

Drake began to shelter homeless people to help them rejoin mainstream society when he found himself unable to turn away the needy showing up nightly on his doorstep six years ago. The city of 70,000 has a homeless population Drake estimates to be at least 500. Already serving more than 400 housed families in a poor, mostly Latino neighborhood with 15,000 pounds of bread each week, Drake is also a high-profile political figure who ran for mayor of Buena Park several years ago, losing by less than 50 votes.

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St. Benedict, 1526-1589

Icon by Robert Lentz © Bridge Building Images

Shown here with the abundance of bread he gave to the poor, St. Benedict was renowned for caring for the sick and hungry. He was a superior in the Franciscan Order in Sicily. On July 28, 1997, in California, Rev. Wiley Drake was found guilty for the “crimes” of feeding and sheltering the poor — the same sacred cause to which St. Benedict devoted his life.