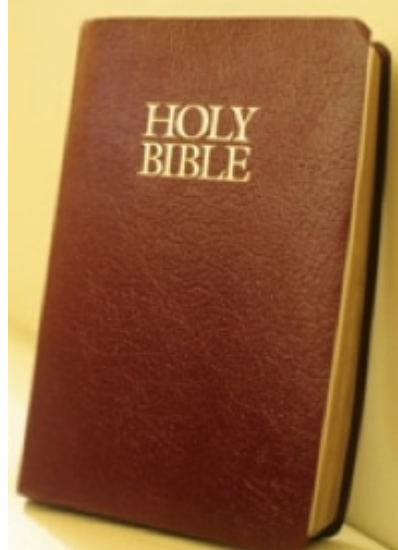




Written by [Dave Bohon](#) on November 29, 2011

Calif. Community Backs Down on Action Against Couple Holding Home Bible Study

As reported by [The New American](#), the couple hosted a mid-week Bible study that drew some 20 participants, as well as a Sunday service with an attendance of around 50. According to the code, institutions needing a permit included “churches, temples, synagogues, monasteries, religious retreats, and other places of religious worship and other fraternal and community service organizations.”



Attorneys for the Pacific Justice Institute (PJI), the legal advocacy group that represented the couple in the case, said that when Chuck Fromm appealed the fine to the city, he was informed that meetings of more than three people required a conditional-use permit, and that “further religious gatherings in the home would be subject to a \$500 fine per meeting.”

Ironically, noted *The New American*, “the community was founded as a Christian mission in the 1700s, and is home to the oldest building still in use in California — a Catholic chapel where the mission’s founder, Father Junipero Serra, celebrated Mass.”

According to the *Capistrano Dispatch* newspaper, after issuing the couple a verbal warning in May, the city sent the Fromms a citation the next month, the result of a complaint by an unnamed neighbor. “Capistrano’s code-enforcement department is reactive, meaning officers only respond to complaints,” reported the *Dispatch*. “Stephanie Fromm said most residents in the neighborhood ... are supportive of them, although at least one neighbor has voiced concerns.”

Stephanie insisted that the meetings had never been intrusive to neighbors. According to the *Dispatch*, “the Fromms live in a 4,700-square-foot home on a parcel that also has a corral, barn, pool, and huge back lawn — Stephanie Fromm said parking was never a problem. Neither was noise, she said. ‘There’s no singing or music,’ she said. ‘It’s meditative.’”

As the case unfolded, PJI attorneys questioned why the community required “religious, fraternal, or nonprofit” groups to seek permits for home meetings, while individuals hosting other types of private gatherings, such as parties or sporting events, were apparently exempt. According to Focus on Family’s [CitizenLink](#), the city’s planning commission is considering a revision to the measure that “would put ‘religious, fraternal and nonprofit organizations’ under the heading of ‘routine assembly’ use,” meaning that groups of 25 people or less gathering less than once a week wouldn’t need permits.

After PJI initiated legal proceedings on behalf of the Fromms, the city backed down from its position,



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refunding the couple \$300 in fines they had paid and promising to reevaluate the ordinance requiring residents to get a permit for religious services. In response, the Fromms agreed to drop their lawsuit against the city, which had been in process since August.

“The city has now rescinded those fines, completely reversed its direction, and made a commitment to no longer be oppressive toward families having bible studies in their homes,” PJI President Brad Dacus told CitizenLink. “The good news is that whether a family is meeting in their homes to study and worship on Wednesday night, versus Sunday morning, it really doesn’t matter ... as long as we’re not creating a nuisance or a health or safety issue for those around us.”

Dacus said that resolution of the conflict represented a reaffirmation of America’s core religious values. “From the landing of the Mayflower at Plymouth Rock, through the founding of San Juan Capistrano as a mission, the freedom to worship God has been a bedrock American principle,” he said. “This victory is an important reminder of that principle.”

PJI attorney Michael Peffer, who handled the case, added that their group “will continue fighting to ensure that San Juan Capistrano and other cities put freedom first — especially when it comes to informal gatherings in private homes.”



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