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Church fires photog over Scalia picture: Freelancer pays for 'right thing'

By Jessica Heslam
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A freelance photographer has been fired by the Archdiocese of Boston's newspaper for releasing a picture of U.S. Supreme Court Justice Antonin Scalia making a controversial gesture in the Cathedral of the Holy Cross on Sunday.

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Peter Smith, who had freelanced for The Pilot newspaper for a decade, lost the job yesterday after the Herald ran his photo on its front page. Smith said he has no regrets about releasing it.

"I did the right thing. I did the ethical thing," said Smith, 51, an assistant photojournalism professor at Boston University.

Smith snapped the photo of Scalia flicking his hand under his chin after a Herald reporter asked the conservative jurist his response to people who question his impartiality on matters of church and state.

Smith wouldn't give up the photo earlier this week but chose to release it when he learned Scalia said his gesture had been incorrectly characterized by the

Herald. Smith, who was standing in front of the judge, said the Herald "got the story right."

Smith said the Pilot had an obligation at that point "to bring some clarity to it."

"I felt that same obligation," Smith said. "I had to say what I knew and come forward with it.."

The weekly Catholic newspaper made a "journalistic decision" not to run or release the photo, said Archdiocese spokesman Terry Donilon. "Because he breached that trust with the editor, we will no longer engage his services as a freelance photographer," Donilon said.

"It's nothing personal," added Pilot editor Antonio Enrique. "I need to try and find people I can trust."

While news outlets from across the country sought Smith's photo yesterday, the archdiocese said there's no proof that Scalia uttered an obscenity in the church. Smith said Scalia said, "To my critics, I say, 'Vaffanculo,'" while making the gesture. That's Italian for (expletive) you. [\[continue\]](#)



Antonin Scalia gestures inside the Cathedral of the Holy Cross. (Herald exclusive photo by Peter A. Smith)

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