

# DONOHUE CONTACTS SENATORS KENNEDY AND LEAHY

A copy of the same letter was sent to Senator Patrick Leahy.



**CATHOLIC  
LEAGUE**

*For Religious  
and  
Civil Rights*

May 6, 2009

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The Honorable Edward M. Kennedy  
317 Russell Senate Building  
Washington, D.C. 20510

Dear Sen. Kennedy:

The driving force behind the Matthew Shepherd Hate Crimes Prevention Act is the desire to provide additional penalties to criminals who assault homosexuals because of their sexual orientation. Without commenting on the propriety of hate crimes legislation in general, the central problem with this bill is its chilling effect on religious speech.

To be specific, the bill would criminalize religious speech that was critical of homosexuality if it were linked to a crime against a gay person. How do I know this? Because when the bill was considered in the House, that is exactly what Rep. Louie Gohmert was told when he raised this issue. While assaulting anyone, independent of sexual orientation, is rightly considered a criminal offense, the prospect of criminalizing religious speech that proscribes certain sexual practices is beyond worrisome—it is downright dangerous.

The First Amendment protects freedom of speech and religious liberty, both of which are jeopardized under this bill. The chilling effect this legislation could have on the right of the clergy to address sinful behavior flies in the face of the spirit of the First Amendment. Surely there are ways to protect homosexuals from being singled out by anti-gay thugs without trespassing on the constitutional rights of priests, ministers, rabbis, imams and others. Accordingly, language that would accomplish this end should be included as an amendment.

Thank you for your consideration.

Sincerely,

William A. Donohue, Ph.D.  
President