

HATE CRIMES BILL UPDATE

On June 16, we issued a statement examining the contention of *Factcheck.org* that the Congressional hate crimes bill does not jeopardize religious speech and does not include pedophilia as a protected class.

In 2007, when the hate crimes bill was being considered, Rep. Louis Gohmert asked Rep. Art Davis whether a minister who preached against sexual relations outside marriage could be held liable for the violent actions of someone who attributed his behavior to the clergyman; Davis did not deny that this could happen. This is what gave rise to the concerns of religious conservatives, something never mentioned by *Factcheck.org*. Moreover, while there is language in the Senate version of the bill that does afford the kind of constitutional protections that religious conservatives have asked for, it is not certain whether these caveats will be included in the final version.

Factcheck.org was correct to say that the “plain meaning” of the term sexual orientation does not include pedophilia, but it was disingenuous to imply that the fears of religious conservatives are therefore without merit. When this subject came up in April in the House Judiciary Committee, an amendment to the hate crimes bill that would have excluded pedophilia from the definition of sexual orientation was defeated by the Democrats along party lines. So why would the Democrats insist on protecting child molesters, treating them as indistinguishable from homosexuals? *Factcheck.org* did not address this issue.

In other words, *Factcheck.org* skewed the discussion, the effect of which was to make light of the concerns of religious conservatives. Those concerns are rooted in experience and are not the product of conjecture, something a check of the facts easily confirms.

The day after our statement on *Factcheck.org*, we issued another one; this time we went after U.S. Attorney General Eric Holder. The reason we came out against Holder is because he remarked that a new hate crimes bill is needed because of the recent killings in Wichita, Kansas and Washington, D.C.

Holder said, "We will not tolerate murder, or the threat of violence, masquerading as political activism." It would be more accurate to say that the U.S. doesn't need a political activist masquerading as Attorney General.

The wife of Scott Roeder, the ex-convict who killed abortionist George Tiller, said that while Roeder himself didn't think he was mentally ill, "everyone else did." Roeder's brother David agreed with this assessment.

Virginia Gerker, cousin of James von Brunn, the ex-con who killed a security guard during a shootout at the United States Holocaust Memorial Museum, said that her entire family believed he was mentally ill.

Roeder was never involved in any pro-life organization, and von Brunn is an old man who is as much anti-Christian as he is anti-Semitic. In other words, it is nothing if not demagogic for Holder to exploit these two recent tragedies—committed by madmen, not political activists—as a rationale to promote this highly politicized piece of legislation.

The reason why we continue to be concerned about this bill is due to the fact that we still don't have assurances that religious speech won't be punished if it passes. While it is true that the Senate version has language protecting religious speech, the House version does not. Holder should be spending his time endorsing the Senate version instead of stoking the primordial fears of Obama activists.