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Pennsylvania Hate Speech Law Enacted 'Conservative' Republicans Led Way, Activist Says

12/3/2002

By [Martha Kleder](#)

Homosexuals in Pennsylvania now have a far-reaching "hate crimes" law with which to intimidate opponents. Republican Gov. Mark S. Schweiker on Tuesday signed House Bill 1439, which expands the law against ethnic intimidation.

Critics of the measure say the law's broad wording is a threat to pastors who preach on Biblical passages condemning homosexuality.

"We would strongly encourage pastors, churches and church leadership across Pennsylvania to obtain some very good liability insurance and contact an attorney if the pastor intends to continue faithfully preaching the Word," Urban Family Council Team Member Bill Devlin said in a press release.

"This bill is so broad, that if you have an attender at your church who feels offended or intimidated by what is said from the pulpit, you and your church leadership will be receiving certified letters inviting you to either a deposition or a court appearance," he added.

The legislative effort was spearheaded by self-proclaimed conservative Christian Republicans, Devlin said. House Majority Leader John Perzel, state Sen. Stewart Greanleaf (a former Presbyterian Church in America deacon), and Sen. Joe Conti all promoted language adding sexual orientation and gender identity to the Ethnic Intimidation law.

Some legal analysts say the law's enforcement could infringe on the free speech and religious freedom rights of Pennsylvanians.

"Those especially at risk are conservative religious people who may very well find themselves hauled into court unless they keep their mouths shut for being politically incorrect," Laurel Lynn Petolicchio, a constitutional activist, told *The Washington Times*.

"This legislation basically sets up for a lawsuit against any minister or religious leader ... who publicly states that certain sexual behavior is immoral or improper. That is a direct violation of the state Constitution," she added.

The legislation, passed by the Pennsylvania House by a vote of 118 to 79, adds the phrase, "ancestry, mental or physical disability, sexual orientation, gender or gender identity."

Those found to have attacked a person based on bias would face longer jail terms and stiffer fines than those found guilty of non-bias-related crimes.

Homosexual activists praised the law's enactment as a victory, noting that Pennsylvania now becomes the 28th state to enact a hate crimes law that includes sexual orientation, and the fifth state, as well as the District of Columbia, to include gender identity in the statute.

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