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Judge drops 'Hate Crimes' Charge against 'Philly 5' for Preaching at Gay Festival

Cases show how 'hate crime' laws can easily be abused by overzealous liberal authorities

PHILADELPHIA, February 18, 2005 (LifeSiteNews.com) – A Philadelphia judge dismissed all criminal charges Thursday against four Christians who were arrested after walking a public street and quoting the Bible during Outfest, a celebration of homosexual behavior, on October 10 of last year.

Judge Pamela Dembe of the Philadelphia County Court of Common Pleas dismissed the charges, saying that she found no basis whatsoever for any of them. Dembe said that the First Amendment protects unpopular speech as much as popular speech and is the controlling issue in this case.

"We are one of the very few countries that protects unpopular speech," Dembe said, according to a WorldNetDaily report. "And that means that Nazis can March in Skokie, Illinois ... That means that the Ku Klux Klan can march where they wish to. We cannot stifle speech because we don't want to hear it, or we don't want to hear it now."

Four adults and one juvenile were arrested on felony and misdemeanor charges of ethnic intimidation, riot, criminal conspiracy, reckless endangerment, possessing an instrument of crime, highway obstruction, failure to disperse, and disorderly conduct. Today's decision applies only to the four adults, but charges against the juvenile are expected to be dropped Friday.

"The judge saw this case for what it is," said Alliance Defense Fund Senior Counsel Joe Infranco, who defended the four men. "This was the right response to an outrageous abuse of power to silence speech that some people didn't like."

"What took place here was a government crackdown on disfavored speech," Infranco continued. "The Outfest participants staged a national coming-out day on a public street using public funds, and then they tried to say it's a private event. That didn't make any sense, and neither did the actions of the police who arrested our clients."

The three felonies grew out of Pennsylvania's Ethnic Intimidation Law, which adds penalties to criminal acts if authorities determine that a "hate crime" has been committed.

"When Pennsylvania lawmakers added 'sexual orientation' to the law in 2003, pro-family leaders warned that it could be used against Christians to suppress freedom of speech, religion and assembly," said Robert Knight, director of Concerned Women for America's Culture & Family Institute in a release. "Their fears came to life last October, when prosecutors threw the book at a group of Christians from Repent America who were peacefully sharing the Gospel in a public area. Now, we hope lawmakers will take a second look and pass a bill removing that portion of the hate crimes act."

"...These cases show how 'hate crime' laws can easily be abused by overzealous liberal authorities," Knight emphasized.

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