

Dallas Erickson Testimony  
House Judiciary Committee  
SB 199 "Sexual Orientation"  
March 16, 2005

EXHIBIT 17  
DATE 3/16/05  
SB 199

Madam Chair and Members of the Committee,

My name is Dallas Erickson and I am a lobbyist for and represent the 4000 supporters of Montana Citizens for Decency through Law. We oppose this bill.

Let's agree that we're all against hate and abuse of anybody. But I hope that we can all agree that a business, Church, youth group or for that matter anyone should be able to decide whether they want to support people with "sexual orientations" that they do not agree with and feel are unhealthy and unsafe.

We are opposed to adding the words "sexual orientation" to ANY bill. There is NO DEFINITION TO "SEXUAL ORIENTATION" in Montana law. Because of testimony in the previous committee of all the perversions that fall under this term the sponsor tried to limit the definition. This bill tries to define what is meant by "sexual orientation" with these words: "FOR PURPOSES OF THIS TITLE, "SEXUAL ORIENTATION" MEANS HAVING A PREFERENCE FOR HETEROSEXUALITY, HOMOSEXUALITY, OR BISEXUALITY, HAVING A HISTORY OF ANY ONE OR MORE OF THESE PREFERENCES, OR BEING IDENTIFIED WITH ANY ONE OR MORE OF THESE PREFERENCES. THE USE OF THE TERM IN THIS TITLE MAY NOT BE CONSTRUED TO PROTECT OR RENDER LAWFUL ANY CONDUCT OTHERWISE PROHIBITED BY LAW." Can anyone explain to me what this definition means? I have talked with some of my lawyer friends and they can't figure it out. That is what you run into when you try to make a law based on perverse ways that people use their sex organs.

This definition is tempered by the words, "THE USE OF THE TERM [sexual orientation] IN THIS TITLE MAY NOT BE CONSTRUED TO PROTECT OR RENDER LAWFUL ANY CONDUCT OTHERWISE PROHIBITED BY LAW." These are interesting words but a close look at this attempt to limit the term "sexual orientation" shows that these words in no way exempt the many other perversions or fetishes or paraphilias from the intent of the law and that is to protect them from **discrimination**. Sure, these words indicate these other perverted activities are not legal but they do not exempt them from the discrimination laws

Heterosexuality of course is the only sexual orientation that is not a perversion and is the universal norm: sexual interaction with the opposite sex.

Using "homosexuality" and "bisexuality" in the definition STILL includes several fetishes or paraphilias that are illegal. Example:

Pedophilia: sexual orientation towards a prepubescent child (generally age 13 years or younger). Now yes that is illegal activity and it is plain that this definition attempts to say it is not legal but I propose to you that this attack on a child would be classified as a "homosexual" attack or a "bisexual" attack or a "heterosexual" attack according to how they used their genitals in the attack and what their personal preferences were in the attack. Pedophiles would still be included in this bill and it would be illegal to "discriminate" against them.

Partialism: Person is sexually oriented to a specific body part exclusive of the person. This could be considered a "homosexual" perversion or a "bisexual" perversion and orientation.

Incest: Sexual orientation towards a sibling or parent. This could be a "homosexual," or a "bisexual" issue. Again, according to their orientation.

Necrophilia: sexual arousal and/or orientation towards sexual activity with a corpse. Again, the same. This person could be included in the definition in the law according to the sexual preference or orientation.

This is just a partial list of those who you will add to Montana law if this bill is passed.

This bill makes it so the Boy Scouts would be forced to hire a pedophile or a pederast or a homosexual or be charged with discrimination.

Local governments and the state would also be precluded from allowing the Boy Scouts, or any individual or group that are opposed to homosexual lifestyle, from using government facilities or lands.

A known person whose "sexual orientation" was any of the perversions mentioned above could not be discriminated against for rental of an apartment as another example.

Further more "Unless based on reasonable grounds" is found throughout the bill. That, in relation to the term "sexual orientation" and the goofy definition, would be interpreted by the courts and the drafter knows that is where the pro-homosexual issues are won. Never, as yet, in the legislature. The court is where the sponsor and others would like this issue because they are their friends and they like to legislate these issues from the bench and this bill would help them get that chance.

This bill needs to be tabled permanently. It is a terrible bill that in itself is discriminatory against those who feel homosexuality and other sexual orientations are unsafe and destructive.

Thank you.

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