

Dallas Erickson Testimony  
Senate Bill 454  
Senate Judiciary Committee  
February 20, 2007

Mr. Chairman and Members of the Committee,

It is surprising that there are no headlines to bolster the proponent's argument for this bill. In sessions past where a "hate crimes bill" to include "sexual orientation" has been proposed there has always been some headline claim of a hate crime against a homosexual somewhere in Montana. These claims have almost always, if not always, proven fraudulent or contrived after the session is over.

Let's agree that we're all against hate and abuse of anybody. Nobody in America should live in fear. That is what the criminal law is for, and there is no evidence that it is not working. But "hate crime" laws are fraught with possibilities for abuse.

This bill is basically the same as every attempt in the past to give homosexuals special status in the law. Senator Juneau has added some proposed little changes to the present law but it does not hide the true intent of the bill.

We are opposed to adding the words "sexual orientation" to ANY bill. There is NO DEFINITION TO "SEXUAL ORIENTATION" in Montana law and so this bill would add those with the following sexual orientations to the hate crimes law. This is only a partial list:

[I am going to read a couple of them to give you a better understanding of what you will be doing if you pass this bill out of committee. This is uncomfortable for me and I know for you but it is important for you to know the consequences of this bill. These are sometimes called paraphilias meaning kinky or perverted. Certainly homosexuality fits under this classification.

If we were to grant special privileges to those who choose to participate in behavior peculiar to one's self-described 'sexual orientation' — homosexuality — would we not be obligated to grant the same privileges to those who choose to engage in the behaviors associated with any of the other known "sexual orientations?"

By simply placing the word "rights" behind each one of these sexual orientations listed below, we begin to see the problem posed by granting so-called "gay rights" based on sexual orientation.]

- ◆ Heterosexuality: the only one that is not a perversion and is a sexual orientation and universal norm: sexual interaction with the opposite sex.
- ◆ Homosexuality or "Gay": sexual interaction with persons of the same sex.
- ◆ Bisexuality: sexual interaction with both males and females.
- ◆ Pedophilia: "sexual activity with a prepubescent child (generally age 13 years or younger).
- ◆ Incest: Sexual orientation towards a sibling or parent.

- ◆ Gerontosexuality: Distinct preference or orientation for sexual relationships primarily or exclusively with an elderly partner
- ◆ Transgenderism: an umbrella term referring to and/or covering transvestitism, drag queen/kings, and transsexualism.
- ◆ Exhibitionism: the act of exposing one's genitals to an unwilling observer to obtain sexual gratification.
- ◆ Transsexuality: the condition in which a person's gender identity is different from his or her anatomical gender.
- ◆ Transvestitism: the condition in which a person is sexually stimulated or gratified by wearing the clothes of the other gender.
- ◆ Transvestic fetishism: for males, "intense sexually arousing fantasies, sexual urges, or behaviors involving cross-dressing."
- ◆ Autogynephilia: the sexual arousal of a man by his own perception of himself as a woman or dressed as a woman.
- ◆ Voyeurism: "obtaining sexual arousal through the act of observing unsuspecting individuals, usually strangers, who are naked, in the process of disrobing, or engaging in sexual activity."
- ◆ Partialism: Person is sexually attracted to a specific body part exclusive of the person.
- ◆ Fetishism or Sexual Fetishism: "intense sexually arousing fantasies, sexual urges, or behaviors involving the use of nonliving objects (e.g. female undergarments)."
- ◆ Zoophilia: becoming excited by and/or engaging in sexual activity with animals.
- ◆ Sexual Sadism: "recurrent, intense, sexually arousing fantasies, sexual urges, or behaviors involving acts (real, not simulated) in which the psychological or physical suffering (including humiliation) of the victim is sexually exciting to the person."
- ◆ Sexual Masochism: "recurrent, intense sexually arousing fantasies, sexual urges, or sexual orientation toward behaviors involving the act (real, not simulated) of being humiliated, beaten, bound, or otherwise made to suffer."
- ◆ Necrophilia: sexual arousal and/or orientation towards sexual activity with a corpse.
- ◆ Klismaphilia: erotic pleasure derived from enemas.  
Telephone Scatalogia: the compulsion to utter obscene topics over the phone.
- ◆ Urophilia: sexual arousal associated with urine.
- ◆ Apotemnophilia: sexual arousal associated with the stump(s) of an amputee.

- ◆ Coprophilia: sexual arousal associated with feces.
- ◆ Coprophagia: sexual gratification derived from eating feces.
- ◆ Toucherism: the strong desire to touch the breasts or genitals of an unknown woman without her consent. Often occurs in conjunction with other paraphilia.
- ◆ Partialism: "sexual arousal obtained through exclusive focus on part of the body."
- ◆ Gender Identity Disorder: "a strong and persistent cross-gender identification, which is the desire to be, or the insistence that one is, of the other sex," along with "persistent discomfort about one's assigned sex or a sense of the inappropriateness in the gender role of that sex."
- ◆ Frotteurism: "touching and rubbing against a nonconsenting person."
- ◆ Frattemism: approaching an unknown woman from the rear and pressing or rubbing the penis against her buttocks.
- ◆ Asphyxophilia -sexual gratification derived from activities that involve oxygen deprivation.

This is just a partial list of those who you will add to Montana law if this bill is passed. It is important to note that the word "gender" is added here to purposely protect all those listed above who have a problem with "gender identity."

Hate Crimes laws have resulted in the arrest of ministers and those opposed to homosexuality for health and other reasons in Canada and other places in the world. In Kamloops BC they have a hate crimes law like this. A man who circulated brochures stating the Biblical rejection of homosexuality as an "abomination" was charged with discrimination and had to pay a \$1000 fine for repeating a Biblical phrase and Scripture. This bill would open the door to that nonsense here and would endanger those who preach about the high and early death rate of homosexuals because of diseases as well as the other problems that follow that lifestyle.

With every category you add to this "hate crimes" law you will leave 20 out, thus making "special status" of the categories included.

This bill needs to be tabled permanently. On the alternative we would favor this bill if you amended it to remove ALL CLASSIFICATIONS and make it a bill that protects EVERYONE from bodily injury or property damage because of hate.

Thank you.

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