SENATE JUDICIARY
EXHIBIT NO. 12
DATE 1/22/09
BILL NO. SB223

Beverly LaHaye
Chairman

Senate Bill 223

My name is Patti Kanduch and I am the State Director for Concerned Women for America of Montana. Concerned Women for America is the nation's largest public policy women's organization with over 500,000 members. Here in Montana we currently have over 1250 members.

I am here today regarding Senate Bill 223. If this bill passes, it will create a new class of citizens who will be specially protected based on their gender-related identity and their peculiar and often medically dangerous-sex acts. Equally as important is the impact that it will have upon the right of American citizens and places of worship. Businessmen and community leaders-and even churches- will now have to disregard their faith and religious teaching to embrace an irreligious and amoral mandate by government.

The intention of this "gay rights" bill is to force public acceptance of sexual behavior irrespective of state and federal constitutional safeguards of religious freedom. In states where sexual orientation and gender bills have passed, the American Civil Liberties Union (ACLU) continues to use the law to bully school districts and harass parents in order to brainwash their kids about the 'normalcy' of gender identity and homosexuality. In 2004 the ACLU achieved a $1.1 million settlement in a lawsuit against the Morgan Hill, California, school district for allegedly failing to protect six homosexual students from harassment. In 2005 the ACLU sued school districts in California and Kentucky in an attempt to force them to conduct mandatory homosexual appreciation sessions for students and staff. In 2006 the California State Assembly passed a bill to mandate "homosexual indoctrination" of schoolchildren as young as kindergarten. In San Diego, California, a tax- funded charter school forced elementary-age children to march in a Gay Pride Parade. These children were brought into the midst of pornography and nearly nude men and women in graphic sexualized demonstrations.

For years, conservative and Christian groups have warned that "hate crime" laws including "sexual orientation" would lead to the suppression of public criticism of homosexuality and eventually even to the criminalization of Christianity. Suppression did come. In Philadelphia in October of 2004, four men and a 17 year old girl were arrested and charged with three felonies and five misdemeanors stemming from the "hate crime" of attempting to preach at a homosexual street fair. They were in jail for almost four months before a second judge overturned the earlier ruling. This could very well happen in Montana if we pass Senate Bill 223.

One of the first victims of any "sexual orientation" law has been the Boy Scouts, who have good reason to keep their leadership free from men attracted sexually to males. Even though they won a U.S. Supreme Court case in June of 2000 that affirmed that the Boy Scouts of America have a right to set their own membership standards, the scouts have been under attack from California to Maine, for resisting homosexuals' demand for inclusion. In virtually all of these cases critics of the Scouts point to laws containing the

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term "sexual orientation", as a protected category.

Homosexuals are also putting pressure on America's corporations and businesses. A California software maker was forced to pay a settlement and legal fees totaling over $1 million because the company did not promote a man who had come to work dressed as a woman. It did not matter that the company did not even know the woman was a man. The "victim" sued under California's "sexual orientation" law.

The acceptance of "sexual orientation" and "gender identity" as a civil right is having profound effects on businesses and on American Society as a whole. As the drive for acceptance of homosexuality increases, societal support for marriage and family decreases, with predictable negative consequences. One of these consequences is a loss of freedom for people who believe in traditional morality. Another is a loss of stability in communities with a rise in crime and sexually transmitted diseases.

The stakes are very high. Absent a marriage-based culture, can America continue to function as a self-governing republic? History indicates that the chances are slim.

Please vote no on Senate Bill 223

Patti Kanduch, State Director for Concerned Women for America of Montana