

TESTIMONY REGARDING HB 1400  
SUBMITTED  
By Diane Gramley,  
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TO THE  
HOUSE STATE GOVERNMENT COMMITTEE  
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Chairman Josephs, members of the House State Government Committee, thank you for this opportunity to address this very important issue.

The American Family Association of Pennsylvania is the Pennsylvania affiliate of the American Family Association, headquartered in Tupelo, MS.

**CIVIL RIGHTS**

Civil right protections have long been fought for by disenfranchised groups of people. African Americans led the fight for civil rights – seeking the right to vote, to not have to drink from separate water fountains and to no longer be required to sit at the back of the bus. Historically and according to the U.S. Supreme Court, civil rights protections have been extended to groups that meet these three requirements:

- 1.) Immutable characteristics like race and gender – these are clearly identified by unchangeable physical characteristics such as skin color or gender that defines them as an insular and discreet group.
- 2.) Financial discrimination – the group must have suffered a history of discrimination resulting in the lack of ability to earn an average mean income, obtain an adequate education, or enjoy cultural opportunities.
- 3.) Political weakness – the inability to effectively become engaged in the political process

The PA Human Relations Act currently says, “An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin by employers, employment agencies, labor organizations and others,” it goes on further to discuss “freedom from discrimination in employment, housing and public accommodation.”

As you know HB 1400 seeks to amend the PA Human Relations Act to add the words “sexual orientation, gender identity or expression.” Additionally making this “declared to be a civil right.” As mentioned previously, historically civil rights protections have been extended to those that meet three requirements: unchangeable characteristics, financial discrimination and political weakness.

There has not been one study that has produced a so-called ‘gay’ gene that has been successfully repeated. Causes tend to point to the environment in which one was raised or possible sexual assault at a young age. Thousands have walked away from the

lifestyle. Homosexuals can change, but a person's skin color or national origin is unchangeable. Two prominent homosexual leaders recently announced they no longer identified as homosexual – Michael Glatz, the producer of Philadelphia-based Equality Forum's documentary 'Jim in Bold' and editor of *Young Gay America Magazine*; also Charlene Cothran, editor of *Venus* magazine which has now changed the mission of the magazine from an activist lesbian magazine to "The new mission of Venus Magazine is to encourage, educate and assist those who desire to leave a life of homosexuality. Our ultimate mission is to win souls for Christ, and to do so by showing love to all God's people. We believe that homosexuality is outside of the will of God."

Financial discrimination – if homosexuals face financial discrimination, then why is the City of Philadelphia and other large cities in America specifically targeting the homosexual tourists? Commonsense says it's because of their disposable income.

Political weakness is also not a factor. On Monday October 1<sup>st</sup> over 90 national and state homosexual organizations signed a letter delivered to Congress asking them to keep "gender identity" in the Employment Non-Discrimination Act ( ENDA ). Shortly after that, almost one hundred homosexual organizations and individuals signed onto a letter to their own Human Rights Campaign asking that organization to change its position and publicly support the original ENDA which included 'gender identity' language. Within hours HRC made such a public statement. One must realize that the original ENDA endorsed by these organizations and individuals will require all American businesses with 15 or more employees to allow men who think they are women to use the women's restroom, locker room and shower in workplace situations.

Currently in Harrisburg there is not only this effort in the House to add 'sexual orientation and gender identity or expression' to the PA Human Relations Act, but there is also its companion bill in the Senate -- SB 761. Additionally there is an effort to add 'sexual orientation' to laws dealing with foster care (HB 302) and another effort to give the PA Human Relations Commission \$1,000,000 to create a 'Prevention of Hate Activity Fund' to fight hate groups (HB 51) – which are not defined in the bill.

There are many open homosexuals holding political positions not only here in Pennsylvania, but around the country . . . . again political weakness is not a factor.

According to statistics presented in a PA Human Relations Commission Annual Report for July 1, 2005 through June 30, 2006, there were 273 bias related incidences in Pennsylvania during that time period. Of those 19 were classified "lesbian, gay, bisexual, transgendered." This number is a decrease from the 300 'Reported Bias-Related Incidents,' of which 27 were classified "lesbian, gay, bisexual, transgendered" from the previous year. This report is delivered annually "to the Governor and General Assembly on the caseload statistics and details of the Commission's work on discrimination investigation and its response to bias-related incidents. The data contained in this annual report is based on case investigations and community outreach and technical assistance."

## **POPULATION**

The Human Rights Campaign, which claims to be the nation's largest homosexual activist group, testified under oath in a 2003 legal brief to the U.S. Supreme Court that only "2.8 percent of the male...population identify themselves as gay...or bisexual."

In 2005 a new survey on sexuality by the National Center for Health Statistics confirms that homosexuals are still a very tiny segment of American society. The survey found that only 2.3 percent of men and 1.3 percent of women identify as homosexual.

A demographic study of Philadelphia's LGBT residents was prepared by the nonprofit Philadelphia Health Management Corporation. The Philadelphia LGBT Community Assessment was released April 12, 2007 after a 15-month review process. The 68-page report was based on data collected from the 2000 U.S. Census and PHMC's 2004 Household Health Survey. It found that homosexuals and bisexuals made up about 5 percent of the population of the City of Philadelphia.

## **RAMIFICATIONS**

In a February 4, 2004 *Scranton Times* article Stephen Glassman, chairman of the PA Human Relations Commission, agreed with the assertion made by the American Family Association of Pennsylvania that passage of laws with 'sexual orientation' would directly affect the Boy Scouts because of their policy prohibiting open homosexual leaders. The Cradle of Liberty Scout Council in Philadelphia is a perfect example as they continue the struggle to retain use of the headquarters they built and have maintained since 1929 on property the 1928 Philadelphia City Council gave them free use of 'in perpetuity' or forever. The current City Council has defined that as about 75 years. It does not matter that the U.S. Supreme Court has ruled that because they are a private organization they can choose who their leaders and members are.

Even though this bill defines "sexual orientation" as 'actual or perceived heterosexuality, homosexuality and bisexuality,' did you know there are 27 other recognized sexual orientations? Which one will be the next added to the list? (The list is in your packet.)

If H.B. 1400 or similar legislation passes, the message given to the children of Pennsylvania is that engaging in homosexual acts is a 'safe' choice. In a July 3, 2007 article, announcing he no longer identified as homosexual, Michael Glatz, the former editor of *Young Gay America* and producer of "Jim in Bold," wrote "Homosexuality, delivered to young minds, is by its very nature pornographic. It destroys impressionable minds and confuses their developing sexuality; I did not realize this, however, until I was 30 years old." As Michael Glatz left *Young Gay America Magazine* for the last time, he wrote on his office computer screen his thoughts, ending with the declaration: "Homosexuality is death, and I choose life."

The word 'health' is mentioned almost a half dozen times in this 20-page bill. The addition of "sexual orientation and gender identity or expression" would negate that word. Please find with my testimony a copy of Dr. John R. Diggs, Jr. "The Health Risks of Gay Sex." I encourage you to read this information concerning "Promiscuity," "Physical Health Risks" and "Mental Health Risks." One especially disturbing bit of information that Dr. Diggs presents is "An epidemiological study from Vancouver, Canada of data tabulated between 1987 and 1992 for AIDS-related deaths revealing that male homosexual or bisexual practitioners lost up to 20 years of life expectancy. The study concluded that if 3 percent of the population studied were gay or bisexual, the probability of a 20-year-old gay or bisexual man living to 65 years was only 32 percent, compared to 78 percent for men in general. The damaging effects of cigarette smoking pale in comparison -cigarette smokers lose on average about 13.5 years of life expectancy."

According to the CDC, in the United States, HIV infection and AIDS have had a tremendous effect on men who have sex with men. MSM accounted for 71% of all HIV infections among male adults and adolescents in 2005. The CDC also recognizes that bisexuals are the direct link for AIDS into the heterosexual community.

There have also been great increases of syphilis and gonorrhea infections among men who have sex with men. In the recent outbreaks of syphilis, high rates of HIV co-infection were documented, ranging from 20 percent to 70 percent.

The compassionate response is to be truthful about the dangers involved in any activity. Is it of state interest to misinform, mislead or misrepresent the facts concerning the health risks of any activity – smoking, drinking, drug abuse, homosexual activity? I think not. Passage of H.B. 1400 would do just that by ignoring the public health risks created by those involved in homosexual relationships.

In 2003 in Carbon County, a prison guard announced he was transitioning into a woman and expected to be accommodated. Security concerns prompted the prison to relieve the guard of duty. Because his union is headquartered in Allentown, which has an anti-discrimination ordinance with the 'sexual orientation and gender identity' language, he sued the prison and as a result was reinstated. Carbon County Prison then had a man dressed as a woman for a corrections officer. The obvious questions posed here are strip searches, restroom and locker room situations. How should the prison handle these daily situations?

If HB 1400 passes, the legislature is asking every Commonwealth employer with 4 or more employees to allow just what the Carbon County Prison was forced to do . . . proof that there are major safety issues involved with the passage of this bill.

Pennsylvanians are fair-minded, but the women in Pennsylvania do not want to be confronted with a man in a woman's workplace restroom, shower or dressing room. And

I'm sure their husbands, fathers and grandfathers would not appreciate that government-imposed scenario.

The question here is not about fairness, but common sense!

When the average Pennsylvanian is presented with ALL the facts about the ramifications of this bill, they will not support it.

Traditional values groups such as the American Family Association of Pennsylvania are ridiculed when we point out the 1972 Gay Rights Platform, the Platforms of the 1987 and 1993 March on Washington, and the 2000 Millennium March on Washington or quote from Marshall Kirk and Hunter Madsen's book After the Ball, "The Waging Peace media campaign will reach straights on an emotional level, casting gays as society's victims and inviting straights to be their protectors. . . . Thus, our campaign should not demand explicit support for homosexual practices, but should instead take anti-discrimination as its theme." (page 187). But you say that 1989 book is outdated. Well, what about an August 24, 2007 *Washington Blade* opinion article entitled, "Building a house from the roof down." The closing paragraphs read, "Through all of this, marriage and civil unions should remain silent issues — at least silent to the straight public. Tactics and strategies can be formed behind closed doors, while focusing our primary efforts on the passable issues.

When all the various above issues have been resolved, think of all the money that would be freed up to focus on marriage. We can lobby the president and Congress on repealing DOMA, while targeting the weakest states to repeal their "one man, one woman" amendments.

To further illustrate this, think about building a house. Hate crimes is the easiest bill to pass, so it's our foundation. Passing ENDA, repealing DADT, amending the Real ID Act and PPIA (Permanent Partners Immigration Act) are the walls. Ending discrimination against transgender veterans in the VA is the plumbing and wiring. Civil unions is the roof structure and marriage is the shingles. You don't build a house upside down." (A copy of that article is in your packet.)

That says it all – the end game plan is same-sex marriage. HB 1400 is another stepping stone.