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Will death threats by 'gays' convince judges?

Court case seeking protection for signers of pro-marriage petition

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By Bob Unruh
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Arguing death threats have a significant "chilling" effect on free speech, an [attorney](#) representing [supporters](#) of [Washington](#) state's traditional-[marriage](#) referendum says he's [confident](#) a lower court will decide to protect their names and addresses.

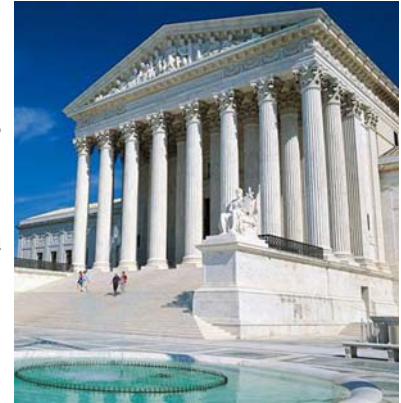
James Bopp Jr. of the [James Madison Center](#), who represents the [Protect Marriage Washington](#) campaign in the dispute, has been trying to protect the 138,000 people who signed Referendum 71 petitions from homosexuals who publicly have stated they want to post personal-contact information on the Internet so activists can find them for "uncomfortable conversations."

"We've got affidavits from more than 60 people who were targeted, harassed. There are newspaper reports of more cases. This seems to be a concerted campaign ... to attack and stifle the opposition through harassment," Bopp told WND today.

The U.S. Supreme Court ruled last week it would not issue a blanket ban on the release of signatures on [petition](#) documents. The high court, however, explained its decision did not prevent the Washington state petition signers from gaining an exemption from public disclosure at the lower court.

Bopp was successful at the [district](#)-court level, obtaining an injunction preventing the public disclosure of any petition signatures "because the court found there was a [First Amendment](#) right that protects signing these petitions."

(Story continues below)



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"The evidence of harassment that we submitted regarding the Washington initiative and [California's] Proposition 8 gave sufficient rise to concern that these rights were going to be violated, people chilled from signing petitions," he said.

Voters rejected the referendum last November to overturn the legislature's granting of marriage rights to homosexuals. The homosexual activists then demanded as part of "public records" the names and addresses of citizens who signed petitions to put the issue on the ballot.

The demand generated alarm because of the intimidation that already had occurred in Washington and in California, where some supporters of Proposition 8 suffered egregious attacks. The successful California voter initiative overturned the state Supreme Court's decision to establish same-sex marriage by amending the constitution to limit marriage to one man and one woman.

When the fight over marriage was raging in California, [WND](#) reported an angry mob of homosexual activists attacked an elderly bespectacled woman carrying a cross, then shouted her down during a live TV interview.

"We should fight! We should fight!" screamed one protester as the woman, identified as Phyllis Burgess, stood calmly with a reporter waiting to be interviewed.

Bopp said he's already documented death threats, vandalism, people losing their jobs and other "quite nasty attacks" on those who advocate for traditional marriage.

He noted that in California, traditional marriage supporters even were targeted on websites that posted maps directing people to their homes.

"Some of the same people that did that in California were the ones who wanted the petition signatures and addresses in Washington," Bopp said. "They were quite open they were going to post these on the Internet."

He said the "technique" of intimidation has been effective, causing supporters of traditional marriage to abandon their support.

Bopp said the U.S. Supreme Court did recognize that the First Amendment right to sign petitions could be undermined in certain circumstances by harassment and

intimidation.

He said the goal now is to demonstrate to the lower court again that there is a possibility of that kind of retaliation if the names are publicized.

"We believe that we have ample evidence that would justify protecting from disclosure the supporters," he said.

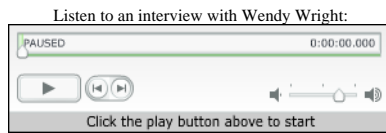
Rob McKenna, the Washington state attorney general who is fighting to release the names, disagreed, insisting there's no such evidence.

But Wendy Wright, [president](#) of [Concerned Women for America](#), earlier reported on the harassment and intimidation, including "near riots at churches" over the dispute.

"We are confident that the district court will agree that these tactics have no place in the discussion of marriage and will prevent the release of the personal information on those who support traditional marriage," Bopp said.

Wright's organization was one of many that filed friend-of-the-court briefs in the Washington state case. Other groups included Liberty Counsel, Cato Institute, Institute for Justice, Alliance Defense Fund, [American](#) Center for Law and Justice and the Justice and Freedom Fund.

Wright spoke about the issue in an online interview:



[Wright said the case](#) "is about whether the names of people who signed the petitions are public. Should they be put online."

She argued the First Amendment assures people the right to anonymous political speech.

Her group's brief dealt with voting issues.

"There's a reason why we have a secret ballot," she said.

The district judge hearing the case had ruled in favor of the First Amendment privacy of petition signers, but the 9th U.S. Circuit Court of Appeals overturned it, despite evidence from California's fight that saw an SUV painted with hate messages in front of a Mormon family's home.

In that dispute, the worst attacks [were online](#). A blog commentator known as "World O Jeff" wrote, "Burn their f---ing churches to the ground, and then tax the charred timbers."

Another contributor to the website said, "I supported the Vote No, and was vocal to everyone and anyone who would listen, [but] I have never considered being a violent radical extremist for our equal rights. But now I think maybe I should consider becoming one."

Added another at the time of the California fight, "I swear, I'd murder people with my bare hands this morning."

Matt Barber, director of cultural affairs for [Liberty Counsel](#), at the time called the statements "hate crimes" for their intent to create violence against someone based on their beliefs.

"This is not just a matter of some people blowing off steam because they're not happy with a political outcome. This is criminal activity," he said. "The homosexual lobby is always calling for 'tolerance' and 'diversity' and playing the role of victim. They claim to deplore violence and 'hate.' Here we have homosexuals inciting, and directly threatening, violence against [Christians](#)."

Two other comments from another homosexual website: "Can someone in CA please go burn down the Mormon temples there, PLEASE. I mean seriously. DO IT" and "I'm going to give them something to be f---ing scared of. ... I'm a radical who is now on a mission to make them all pay for what they've done."

And another: "Remember, I'm angry. And I'm strong from my years at the gym and really am ready to take my frustration out on someone or something."

Yet another listed the addresses of Mormon facilities: "I do not *openly* advocate firebombing or vandalism. What you do with the information is your own choice."

WND also has reported [homosexual activists in Maine targeted churches](#) with IRS complaints.