

Good morning. My name is James Kephart. I am an attorney in Center City Philadelphia, a graduate of the Dickinson School of Law and the Temple University Graduate School of Law, and a lifelong Pennsylvanian. My people have been Pennsylvanians since before the Revolution, a war in which the first Kephart, Johannes, served bravely and proudly. I am also a lifelong and active Republican, the party my family has belonged to since its very inception, including serving as a Committee Person, Judge of Elections, and Co-Founder of the Philadelphia Chapter of the Log Cabin Republican Club.

I come to you today from a position of family dedication to the public good of our Commonwealth that started with Johannes' service in the Revolution, and continued through all the wars in our nation's. This background of public service has also included my great grandfather who served as a U.S. Congressman from upstate; my grandfather, who served a lifetime as a Pennsylvania judge, eventually becoming one of the finest Chief Justices of our Supreme Court in this century; and my beloved father, who served as a state senator for 16 years and who now, at 90, is (I believe) our oldest living former state senator. Though my own public service has so far been more modest in scope, I can state proudly, among other things, that I hold the record in Pennsylvania for settlements in Landlord-Tenant and Paternity cases, protecting some of the weakest and most vulnerable among us in each case. While I am proud to have been able to protect the persons involved in those cases, and many others over the years, today it is I who must seek protection.

I come before you as a concerned citizen from a proud old Pennsylvania family and as some one who happens to have been born gay. I also am one who knows sadly and first hand the horror and viciousness of the hate crimes you are considering additional penalties for. On the issue of sexuality, I can tell you plainly and simply that gays are born this way, and the only "choice" involved is in handling this reality with either dignity or tragedy. Because of this simple fact, I can also state unequivocally that gays are a definable percentage of your constituents, and cross all socio-economic lines: we are among your family, your professionals, your blue workers, your teachers, etc, etc. We are also, in a certain sense, among the more vulnerable in your large family of citizens, and are therefore at times in need of a bit extra of your protection, both legal and moral.

I have personally been the victim of a terrible hate crime - a deliberate hunt for blood sport really - and though I am grateful to God Almighty himself to have been spared worse, I nonetheless bear a permanent scar on my face from being literally "Mickey Finn'ed", hauled to the street, and then beaten senseless as part of a pathetic and ruthless "game" now being practiced across our state and our country with increasing frequency and viciousness. Unless you were somehow an Native American of 100 years ago or an African American of 50 years ago, you cannot imagine the horror of being born different, through no fault of your own, and then seeing society not only scorn you, but set you up as a permissible target for blood sport, anytime, any where. I can and do imagine this horror and fear every day, especially since the beating.

The sheer horror of these hate crimes does bear your extra attention today, as the words and actions of the legislature have a huge impact here. Mean spirited talk and bad laws lead directly to increased hate crimes. For example, look at Pennsylvania in the recent past and look at Texas today. On the contrary, fair talk and a firm stance by you all against such violence, including supporting this bill, will do just the opposite and will absolutely reduce the frequency and severity of these heinous crimes. This is not unnecessary "special treatment", as some would say. This is a necessary extra protection from a real and measurable extra risk of severe harm, and a necessary stand by you against such horrible and unnecessary acts of violence. Indeed, when I was at Dickinson studying criminal law, our professors regularly repeated that a major part of our criminal laws is to make a statement on behalf of society about certain conduct being unacceptable to the basic order of society. The situation before you now is a text book example of this need to make such a statement via our criminal laws.

I ask you, no I beg you, today, to make this strong statement and indicate clearly that these horrible crimes are unacceptable and abhorrent to you and to our society. Please support this bill.