

**Gregory D. Valiga
2944 West 6th Street
Apartment 4
Erie, PA 16505**

**Float Committee
c/o LGLV-Erie
P. O. Box 8083
Erie, PA 16505**

**Testimony on HB-903, amending the Ethnic Intimidation Act; and HB-904,
authorizing the PA State Police to collect related statistics**

**Submitted by Gregory D. Valiga, Spokesman
Erie Bicentennial Lesbian/Gay/Bisexual Float Committee
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Introduction

I am providing this testimony on behalf of the Float Committee, which organized the building of a small float for inclusion in the "Parade of the Century", one of many events planned to celebrate Erie's bicentennial. I will explain our motivation behind the project, the community reaction, vandalism to the float, and our comments.

Motivation

The float committee was comprised of four individuals who have been open and active in the Erie lesbian, gay, and bisexual (hereafter 'lesbigay') community. It was our opinion that lesbigays have been a dynamic, contributing segment of the Erie area for two-hundred years, and we were proud of that fact. The advertisements which sought units for the parade emphasized inclusion and diversity, encouraging our participation. Our intentions were twofold: to provide an important project in which our community could become involved with; and to celebrate this historic event as equals. This would afford lesbigays an opportunity to showcase their talents and present their efforts to the region in a non-sexual, non-threatening, non-aggressive manner.

Our plan submitted to the parade organizers was accepted in accordance to the Commission-established guidelines. This was a significant step considering a major stipulation of the guidelines prohibited any political statements. Controversy at this point was non-existent because the fact was not publicized until the weekend before the parade. Fundraising, organizing, and building proceeded without any problems.

Community Reaction

An uproar ensued after the list of parade participants was published in the *Erie Times News*. The issue quickly became topic one in the media. However, one local conservative talk show host exhibited particular mean-spiritedness by angrily misrepresenting facts and preying upon listener ignorance and fear. Choosing to boost ratings at the expense of individual safety, his incendiary speech provided a catalyst for misinformed listeners. Threats of violence began to filter through to the offices and homes of both Commission members and civic leaders. Those of us working on the float braced ourselves for more verbal assaults, and speculated about an increase in violence surely to be directed toward our community.

The float committee decided to counter the arguments in the media; to explain our plans and show pictures of the actual work done to dispel rumors of sexual displays and condom handouts. A member of the Commission viewed the float and deemed it appropriate and in good taste. Despite these tactics, a vocal minority continued to complain and threaten violence to stop the float.

Float Vandalism

After days of constant verbal attacks, the float itself was vandalized a day before the parade. Tarps covering the main display were shredded, and fluorescent orange paint was sprayed over the surface, destroying weeks of work and costing hundreds of dollars. Some of the legible obscenities included "fags", "fuck you", and "never assholes".

The committee was forced to publicize the experience to illustrate the results of bigotry, ignorance, and constant hate speech. We had clearly been attacked because of hatred towards our community. Worse yet, we were now encumbered with concern that more attacks were forthcoming, both to committee members and to individuals who ventured into known lesbigay areas of the county.

Let me point out here that my experience with lesbigay violence is not based on rumor or secondhand information. I have been an active member of the League of Gay and Lesbian Voters since its Erie inception in 1991. This organization collects hate-crime statistics, and although many are fearful of reporting victimization to any agency (be it anonymously or otherwise), I have heard of many instances of violence and vandalism perpetrated against members of the community. I have also witnessed and been the victim of other lesbigay bashing. The League is currently conducting a study on violence and discrimination in the northwestern Pennsylvania area. Of the surveys received, fifty-seven percent of the lesbigay population has experienced some type of physical violence or vandalism, but the study is still in its early stages and total results are not yet available.

Comments

Members of the Judiciary Committee should be well aware of the extent of criminal acts against the lesbigay community. The Ethnic Intimidation Act recognizes that bias crimes exist and will not be tolerated. Hate crimes are even more prevalent toward lesbigays, by virtue of the stigma attached to us. We are targets, and by allowing these crimes to continue unabated, lawmakers are sending a chilling message to Pennsylvanians. Our community suffers not only physically and financially from these heinous acts; the constant hatred and intimidation exact a mental toll which limits our ability to live productive, healthy lives.

During the discussion about the float, citizens in the Erie area had the chance to experience our situation firsthand. The threats, intimidation, and hatred that Mayor Joyce Savocchio, Bicentennial Commission Director Dr. William Garvey, and many other leaders endured mirrored our experience. Yet these individuals only had to deal with this as a single event in their lives. Imagine coping with the specter of violence on a daily basis, with no legal recourse.

Violence against an individual or class of people is intolerable in our democracy, no matter how vehemently you may disagree with their views or beliefs. We are a law-abiding and productive segment of the population. We are also "probably the most frequent victims" of hate violence, according to the US Department of Justice. This legislation is a good first step in resolving this egregious situation.

Another problem associated with lesbigay bashing is the victim's reluctance to report the assault. Reasons given most often are the perception that police are unsympathetic to and often perpetrators of lesbigay violence, punishment will be less severe, and the additional burden of being 'outed'. If passed, these bills may increase participation in the justice system by conveying the sense that Pennsylvania is serious about ending senseless violence and victimization.

Conclusion

Our experience here in Erie indicates how far individuals will go to act upon their hatred toward gays, lesbians, and bisexuals. This committee feels fortunate that we and others in the community were not physically abused for publicly speaking our views. Unfortunately, the vicious attacks continue on talk radio and we are certain that violence is forthcoming.

This legislative package not only shows the Commonwealth that it seriously intends to reduce crime, it also serves to document the extent of the problem by collecting statistics. It is imperative that this Legislature provide the means for its lesbigay citizens to seek redress when victimized by perpetrators of bias-related crimes.