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Fighting Hate
Teaching Tolerance
Seeking Justice

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The Honorable Jefferson Beauregard Sessions III
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Attorney General:

At the Department of Justice’s Religious Liberty Summit last week, you stated, “We have gotten to the point ... where one group can actively target religious groups by labeling them a ‘hate group’ on the basis of their sincerely held religious beliefs.” Because we are the organization most closely associated with using the “hate group” label, we assume we are the “one group” to which you were referring. We write for two reasons – first, because we think you may have a misunderstanding about why we’ve designated as hate groups certain organizations that claim a religious mantle, and second, because we disagree with your implicit suggestion that positions taken in the name of “sincerely held religious beliefs” should not be open to criticism.

In a manner analogous to how the Department of Justice defines hate crimes,¹ we identify hate groups as those that vilify others because of their race, religion, ethnicity, sexual orientation, gender identity, or disability – prejudices that strike at the heart of our democratic values and fracture society along its most fragile fault lines. Just as sincerely held religious beliefs would not be a defense to a hate crime prosecution, vilifying others in the name of religion should not immunize a group from being designated as a hate group, in our view.

Perhaps the two most prominent organizations that claim we unfairly designate them as hate groups because of their religious beliefs are the Family Research Counsel (FRC) and the Alliance Defending Freedom (ADF). In our opinion – one that is protected by the First Amendment – both groups deserve the hate group label.

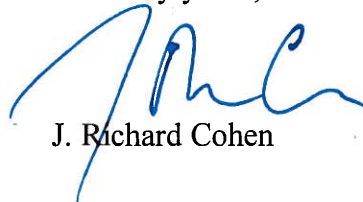
¹ See <https://www.justice.gov/crt/hate-crimes-0>.

We list FRC because it engages in baseless, incendiary name-calling and spreads demonizing lies about the LGBT community. It portrays gay people as sick, perverted, incestuous, and a danger to the nation. It insists that gay people are “fundamentally incapable” of providing good homes for children – a pernicious myth that has been rejected by the weight of scientific authority. It claims that pedophilia is a “homosexual problem” despite the fact that the weight of scientific authority has debunked the claim.

Like the FRC, the ADF demonizes the LGBT community and promotes the myth that there is a link between homosexuality and pedophilia. Since the 2003 decision in *Lawrence v. Texas*, the ADF has worked to support the criminalization abroad of sexual relations between consenting adults of the same sex. It has argued that the American Convention on Human Rights should not prohibit discrimination on the basis of sexual orientation. It opposes anti-bullying policies that specifically provide protections on the basis of sexual orientation and gender identity, not because the ADF denies that anti-gay bullying in our nation’s schools is a serious problem, but rather because such policies, in its view, “open the door to the advancement of the political agenda of homosexual activist groups.”

Linking the LGBT community to pedophilia as the FRC and the ADF have done is not an expression of a religious belief. It is simply a dangerous and ugly falsehood. As you know, FBI hate crime data show that the LGBT community is the minority group most likely targeted for violent hate crimes. We applaud the special attention that the Justice Department has paid, under your leadership, to the rash of murders of transgender individuals around the country in recent years. We would point out, however, that demonizing the LGBT community and portraying it as a danger to children is likely to exacerbate the hate crime epidemic that the LGBT community is facing.

Sincerely yours,



J. Richard Cohen