

EXHIBIT 1

DO NOT FALL PREY TO "GAY" HERESY

Not a single Biblical passage portrays homosexuality positively (though "Gay" heretics twist a few verses to create a false impression e.g. *David was an enthusiastic heterosexual... notwithstanding his brotherly love for Jonathan* [1 SAMUEL 18:1, 2 SAMUEL 11]).

Jesus unequivocally condemned ALL sexual immorality including homosexuality by affirming the "one flesh" paradigm of Genesis [MATT 19:4-6].

Condemnation of homosexuality predates the Mosaic code and is reaffirmed in the New Testament, so it bears no relation to the ban on eating oysters" or other supposedly "repealed" laws of the Bible.

"Eunuch" is not a synonym for "homosexual" in the Bible but means any man who has been castrated or who practices strict celibacy [LEUT 23:1, MATT 19:12].

Defend earnestly for the faith which was once for all handed down to the saints.

JUDE 1:3

JOIN US TODAY

- 1 ▶ Our goal is to put this brochure into the hands of every pastor and Christian leader in America and around the world. Help us accomplish our goal by distributing copies to Christian leaders in your community or by making a tax deductible donation.
- 2 ▶ Join our global campaign to reclaim the symbol of the rainbow by displaying it in conjunction with key scriptural passages (e.g. EZK 1:28, REV. 4:3, OR GEN. 6-9 & 19) or text such as "The Rainbow Belongs to God."
- 3 ▶ Pray for the church to remain faithful to God's Truth in matters of sexuality, and for deliverance and healing to those who struggle with homosexuality and other sexual sins.



DEFEND the FAMILY
INTERNATIONAL

Defend the Family International is an arm of Abiding Truth Ministries. To assist in this project with a tax-deductible donation or to obtain copies in bulk please contact us by mail at:

**ABIDING TRUTH MINISTRIES,
PO Box 2373, Springfield, MA 01101**

Donations and inquiries may also be made through our website at:

DefendtheFamily.com

NOT just another sin

A Biblical answer to the question of homosexuality and the rise of "gay theology" in today's church.



DEFEND the FAMILY
INTERNATIONAL

*Defending the Natural Family,
Marriage & Family Values*

A dangerous modern heresy called "gay theology" is infiltrating the Christian church at an alarming pace. Many believers, fearful of being called "haters," are trivializing the threat by calling homosexuality "just another sin."

But from Genesis to Revelation, the Bible teaches that homosexuality is **NOT** "just another sin." It is a symbol of extreme rebellion against God and harbinger of His wrath.

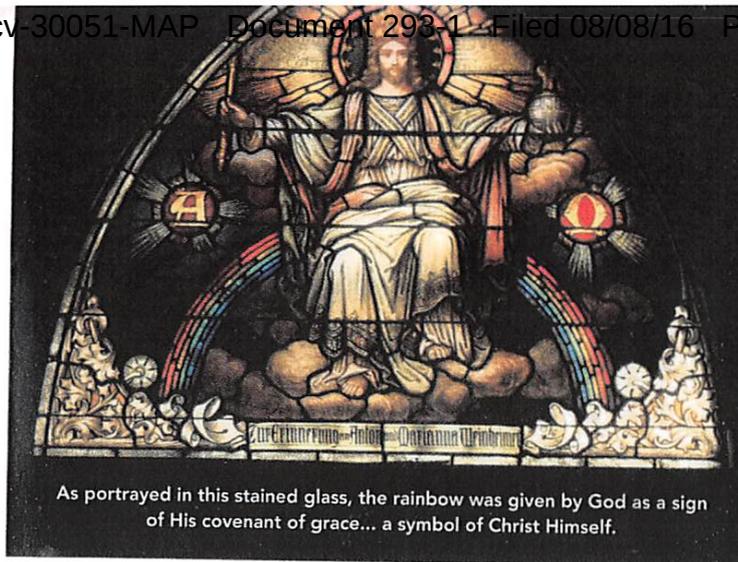
GENESIS 1:27, 2:24 God sets forth the exclusive "one flesh" paradigm for human sexuality: the lifelong, faithful union of one man and one woman created in His image for procreation.

GENESIS, 6-9; TALMUD, GENESIS RABBAH 26:5:4 After 1000 years of increasing sin, God pours out His wrath in the form of a global flood which the ancient Hebrew rabbis taught was triggered by homosexual and bestial "marriages."

GENESIS 9:13 After the flood, God creates the "bow" (rainbow) as the symbol of His authority over the earth. It is not mere "coincidence" that the "gay" movement hijacked this symbol.

GENESIS 9:24-25 Corrupted by the pre-flood homosexual culture, Noah's son Ham passes it to his son Canaan, who sexually molests his grandfather. "And Noah awoke from his wine, and knew what his younger son had done unto him. And he said, Cursed be Canaan."

GENESIS 10:19-20 Banished, Canaan and his descendants then brazenly colonize the Holy Land and introduce ritual demon worship involving child sacrifice and sexual perversion **SEE ALSO LEV 18:22-24**. They also establish the cities of Sodom and Gomorrah.



As portrayed in this stained glass, the rainbow was given by God as a sign of His covenant of grace... a symbol of Christ Himself.

GENESIS 19 God destroys Sodom and Gomorrah with fire and brimstone, foreshadowing the last-days destruction of the earth **SEE ALSO PETER 2:1-7**. The final insult to God is the attempted homosexual rape of the two angelic witnesses whom He sent to Sodom to confirm its wickedness **v.4-5**.

LEVITICUS 18 God identifies incest, homosexuality and bestiality as the sins which cause the land to "vomit out its inhabitants" **v.26**. Even in this dark context homosexuality is singled out for special condemnation as "an abomination" **v.22**.

JUDGES 19:15-30 **ESP v.22** At Sodom, the attempted homosexual rape of a Levite by the Benjamites of Gibeah leads to civil war among the Hebrew tribes.

1 KINGS 11 Solomon's reintroduction of Canaanite ritual child sacrifice and sexual perversion, including homosexuality, causes God to take the Kingdom of Israel away from him and divide it in two **v.5-13**.

House of the Kings **v.25** in part because he "broke down the houses of the Sodomites who were in the House of the Lord" **v.7** - ending what Solomon had begun 300 years before.

DANIEL 11:21-39 The Antichrist figure Antiochus IV Epiphanes uses homosexuality to corrupt Hebrew male youth in his plan to turn the Jews away from God **SEE ALSO 1 MACCABEES 1, ESP v.14-17**

ROMANS 1 Homosexuality is singularly condemned as the sin associated with the "reprobate mind" and apostasy **v.24-32**.

1 CORINTHIANS 6 The apostle Paul warns that homosexuals cannot inherit the Kingdom of Heaven, but they can be saved and healed of homosexuality by Christ **v.9-11**.

1 TIMOTHY 1:9-10 Homosexuals are equated with murderers, slavers and perjurers.

2 PETER 2 Noah's flood and Sodom's incineration are invoked to warn against "destructive heresies" in the last days which are defined by "sensuality" and "the lust of defiling passions" **v.10** - a clear reference to homosexuality.

JUDE 1:7 Jude reaffirms that the purpose of Sodom's destruction was to warn of the consequences of unrighteousness, exemplified by "going after strange flesh."

REVELATION 6 God warns that the end-times Antichrist (a counterfeit version of the Messiah in Rev. 19:11-16) will ride forth on a white horse "conquering and to conquer" holding aloft a "bow" (likely God's symbol of authority, the rainbow) **v.2**.

REVELATION 11 Jerusalem is identified under the reign of the Antichrist as "symbolically... called Sodom and Egypt" **v.7-8** meaning that it is known for homosexuality and pantheism.

EXHIBIT 2

Scott Lively Ministries

For such a time as this...

Is Homosexuality Worse than Mass Murder in the Bible?

Posted on [December 9, 2014](#) by [Pastor Scott](#)

The Marxist media is inflamed with outrage again and my inbox is littered with hate mail and death threats based on comments I made recently on Trunews Radio that the Bible treats homosexuality as a form of rebellion against God even worse (from God's perspective) than mass murder. In the tradition of the timid modern church, this is the point at which I'm supposed to "walk-back" my comments and apologize for offending the enlightened sensibilities of the ruling elites.

But I am not ashamed of the Gospel of Jesus Christ, or any aspect of His Word, the Bible, which I hold to be literally true. I stand by my comments in the context in which I made them.

First, as always when I am talking about "homosexuality," I'm talking about the voluntary practice of sodomy, which the Bible defines as "a man lying with a man as with a woman" (Leviticus 18:22), or a woman who "exchanges natural sexual relations for unnatural ones...in the same way that men also abandoned natural relations with women and were inflamed with lust for one another" (Romans 1:26-27). In the above Leviticus passage, God calls this conduct *toevah*, an abomination, or detestable practice. That's His determination to make, I'm just the messenger.

Second, nothing of what I say about homosexuality is intended to condone any form of hatred or violence against homosexuals. I am speaking to fellow Christians, who, like myself, are under the new covenant by which Christ has instituted an era of grace for those who belong to Him (John 1:17; Romans 11:25). In that grace, believers are freed from the law of sin and death (Romans 8:2), instructed to love the lost, even our enemies (Matthew 5:44) and leave vengeance to Him (Romans 12:19). Our weapons are not physical, but spiritual (2 Corinthians 10:3-5). Every true Christian knows this, because the Spirit of God dwells in him (Romans 8:9). We want people to be healed, not harmed.

Under the old covenant God would sometimes use His people to execute punishment on His enemies (Deuteronomy 20:16-18), but under the new covenant it is Christ Himself who "judges and makes war" against the wicked (Revelation 19:11-16).

Those who are not members of the new covenant remain subject to the old, under which sodomy is punishable by death (Leviticus 20:13). However, it will never be Christians who carry out that sentence, nor do we applaud it! Our instruction from Christ is to lead sinners to Him (Matthew 28:19-20) so that they may be spared the terrible consequence of their sin — both in this life and in eternity — through the acceptance of His sacrifice on the cross (Romans 10:9-10). If they reject Christ their blood is upon their own heads but we have done our job (Ezekiel 3:18-19).

Jesus summarized the laws of the old covenant into two commands:

AMAZING! SHALL I CALL THEE LORD YOUR GOD WITH ALL YOUR HEART, AND WITH ALL YOUR SOUL, AND WITH ALL YOUR MIND, AND WITH ALL YOUR STRENGTH. "The second is this, 'YOU SHALL LOVE YOUR NEIGHBOR AS YOURSELF.'"

Humans tend to measure the gravity of sins based on the second commandment, and thus we think of murder, or perhaps genocide, as the worst of sins. From that human standpoint especially as related to public policy, mass murder is certainly worse than homosexuality. A serial abortionist, for example, is a far greater threat to humanity than a person who simply engages in sodomy. The comparison is not even close (unless you count those who intentionally or negligently spread AIDS or other deadly venereal diseases).

But from God's perspective, the worst human sins are violations of the first commandment. "You shall have no other gods before me" tops the Decalogue, and its violation is certainly the greatest of all possible sins (a sobering thought for a society that has since the mid-20th century embraced the Antichrist doctrine of "religious pluralism" as its preeminent religious value).

Sexual perversion, especially homosexuality, violates both the first and second commandments simultaneously. The first because God created us "male and female" "in His image" (Genesis 1:27) and designed us to "cleave" together as "one flesh" (Genesis 2:24), thus homosexuality represents a defilement of His very image and an act of extreme rebellion both against His will and the order of His Creation. The second because each person in a illicit sexual act sins against himself (1 Corinthians 6:18), against the other party (Luke 17:1), and against the community (1 Corinthians 5:1-6).

This is why Sodom was incinerated by fire and brimstone — the only such incident of the Bible (Genesis 19, Jude 1:7), and why homosexuality alone is singled out in Romans 1:24-32 to exemplify the end-times culture of apostasy and the "reprobate mind." The ancient scholars of Hebrew who wrote the Talmud blamed Noah's Flood on "homosexual marriage" (Genesis Rabbah 26:5:4), stating expressly what Jesus Himself hinted at when He warned that in the time leading to His return, wicked people would be "marrying and giving in marriage" "like in the days of Noah" Matthew 24:38, when "every intent of the thoughts of [their] heart was only evil continually" (Genesis 6:5).

Indeed, from Genesis to Revelation homosexuality is uniquely identified in scripture a harbinger of God's wrath.

So, is homosexuality worse than mass murder from God's standpoint? Read it for yourself. God's justification of the genocide of the Canaanites by the hand of the Hebrews is found in Leviticus 18. It is a list of sexual sins, including incest, bestiality and, of course, homosexuality (which — even in this context — is singled out as "an abomination"), ending with the admonition: "Do not defile yourselves by any of these things; for by all these the nations which I am casting out before you have become defiled. 'For the land has become defiled, therefore I have brought its punishment upon it, so the land has spewed out its inhabitants.'"

God Himself employed mass killing to punish sexual perversion. Very harsh in human estimation, but who are we to judge God? (Importantly, killings by God are not technically murder since He is always justified in His actions.)

Thank God for the covenant of grace that He delivered to us by His Son, Jesus Christ! But woe to those who remain under the penalty for their own sin.

The hard truths of the Bible send weak Christians scrambling for cover and embolden atheists to attack its credibility. But for those of us who believe the Bible is the Living Word of God, there is no retreat, no compromise and no embarrassment. These hard truths are what motivate us to continue working to warn the wicked from their sin.

To the world, religions are just beliefs that people choose like football teams. Faith is perceived as akin to brand loyalty, but in the end all the teams are pretty much the same. But true Christianity is not a religion. It is the indwelling of God in each person who belongs to Him through Christ (Romans 8:9). We know the truth and it/He has set us free from control or intimidation by those who hate Him and therefore us.

Yes, from God's perspective as revealed in His Word, homosexuality is worse than mass murder.

###

Note: The radio conversation which prompted this article regarded a new resource published by Defend the Family International, titled *NOT Just Another Sin: A Biblical answer to the question of homosexuality and the rise of "gay theology" in today's church*. This succinct but thorough tri-fold brochure is designed for distribution to pastors and other Christian leaders and may be viewed here: <http://www.scottlively.net/2014/08/19/an-open-letter-to-christian-leaders-in-america/>

Limited quantities of this brochure are available for the cost of postage only by request to sdllaw@gmail.com.

This entry was posted in [Preaching and Teaching](#). Bookmark the [permalink](#).

Scott Lively Ministries

Proudly powered by WordPress.

EXHIBIT 3



Scott Lively <sdllaw@gmail.com>

Letter to the Russian People

1 message

DefendTheFamily.com <abidingtruth@defendthefamily.com>
To: Scott Lively <scottlively@defendthefamily.com>

Sun, Oct 14, 2007 at 8:46 PM



DefendTheFamily.com Alert

This letter will be posted in the Resource Section of www.defendthefamily.com. I authorize this letter to be translated into Russian and published in newspapers, magazines and Internet sites.

Letter to the Russian People

I am Dr. Scott Lively, President of Defend the Family International, a human-rights organization based near Los Angeles, California. I hold a Juris Doctor of Law from Trinity Law School, a Doctor of Theology from the School of Bible Theology (both of which schools are in California), and a certificate in human rights from the International Institute of Human Rights in Strasbourg, France. I am the author of the Riga Declaration on Religious Freedom, Family Values and Human Rights, and several books, including *The Pink Swastika: Homosexuality in the Nazi Party*, which is currently being translated into Russian for publication in 2008.

I have just completed a speaking tour through your beautiful country and have come to love your culture and your people. I had the privilege of visiting numerous Russian cities, from Vladivostok and Blagoveschensk in the Far East, to several cities in Siberia, and St. Petersburg in the West. I've been impressed by how much Russians are like Americans in many ways: both are intelligent, resourceful, competitive and entrepreneurial. These similarities are both good and bad. They are good in that our nations have a foundation for friendship, but they are bad in that they make Russia vulnerable to the same destructive forces that have harmed America.

The purpose of my visit was to bring a warning about the homosexual political movement which has done much damage to my country and which has now taken root in Russia. This is a very fast-growing social cancer that will destroy the family foundations of your society if you do not take immediate, effective action to stop it.

Homosexuality is a personality disorder that involves various, often dangerous sexual addictions and aggressive, anti-social impulses. This combination of factors causes homosexuals to have an intense loyalty to each other and a common goal to change any society in which they live in organized "gay and lesbian" communities. They have no acceptance in a society that restricts sex to heterosexual marriage, so they work to eliminate sexual morality and remove all limitations on sexual conduct. Importantly, their initial strategy is not promote homosexuality, but to spread sexual immorality among heterosexuals, especially the young people. Only later, when the culture has become sexually corrupt, do they openly step forward to take power as the natural leaders of such a society.

The process of change always begins with the institutions which shape the thinking and

behavior of young people. First comes the promotion of sexual promiscuity through mass media, then the introduction of high-profile "gay" celebrities such as Elton John and George Michael, then the development of "gay" political cells in the universities. Later comes the advocacy of "gay rights" by politicians and community leaders.

It is no accident that Hollywood promotes sexual immorality. The American entertainment media is heavily influenced, in some cases controlled, by professional homosexual activists who use television, movies and music as a tool of social engineering. Russian youths are being shaped in this way, just as American youths were, beginning in the late 1950s. However, the now wealthy and powerful global homosexual movement has perfected its tactics and can transform a society very rapidly.

Some Russian universities, especially in the larger cities, now have "gay and lesbian" clubs. Remember that their focus is always on the young people. The homosexuals know they can't change the values of the older people, but that young people, especially those who are sexually active or cohabiting, are easily persuaded to accept homosexuality as just another lifestyle. In fact, many young people become active defenders of homosexuality, because the "gay" movement portrays all homosexuals as helpless victims of societies who "just want to be left alone to love whom they please." The universities serve as recruitment centers for both homosexuals and their heterosexual allies and protectors.

The homosexual movement tries to win public sympathy by claiming that homosexuals are "born that way" and cannot change. This is not true. There is a large association of doctors and therapists in the United States who help homosexuals to recover (see www.narth.com) and many thousands of former homosexuals who now live normal lives. But unfortunately, there is an even larger network of homosexual activists and their allies (backed by the full power of the European Union, some US agencies and institutions, and numerous international NGOs), who insist that homosexuality is unchangeable and must be protected by government. Their goal is to pass a law prohibiting discrimination against homosexuals, which then serves as a legal foundation for the rest of their agenda: publicly funded and protected "gay pride" parades in every city, homosexual marriage or its equivalent, promotion of homosexuality to schoolchildren, full acceptance of homosexuality in every part of society, and punishment of people who disagree.

Unfortunately, many Russians believe this could never happen in their country. That's what we believed in the United States. But the change has already begun in Russia. Just talk to the university students in the major cities, or search on the Internet for "gay" activities in your own city. There was a "gay pride" parade this August in Omsk, the Novosibirsk newspapers are now printing "gay" dating ads, there are at least three "gay" Internet sites for teenagers in Krasnoyarsk, and Saint Petersburg already has a population of homosexual men who meet for sex in certain public parks. These examples may seem like a small threat considering the strong opposition to homosexuality in most of Russian society, but I beg you not to ignore these warning signs. They are like the smoke from a forest fire. If you wait until you can see the flames from your own house it will be too late.

What can be done to protect Russia from the "gay" movement?

First, begin an immediate campaign in every city to promote marriage and family values, and to discourage sexual promiscuity and cohabitation. Young people at every grade level should receive age-appropriate instruction on why sexual morality and family values are important to their future, and older students should learn how to prepare to be a good husband or wife. Every city should offer marriage seminars and counseling to help strengthen existing families. Cities should celebrate family life and offer many pro-family programs and activities.

Second, begin training doctors, psychologists and therapists in the techniques of helping homosexuals to recover, and offer this therapy as a public service. Promote recovery for homosexuals in public advertising and reach out to young people who may suffer from same-sex attraction. Catch it early and spare these youths a lifetime of pain and suffering. Importantly, if Russian authorities publicly promote recovery for homosexuals, the "gays" will not be able to deceive the public with their "born the way" propaganda.

Third, criminalize the public advocacy of homosexuality. My philosophy is to leave homosexuals alone if they keep their lifestyle private, and not to force them into therapy if they don't want it. However, homosexuality is destructive to individuals and to society and it

should never publicly promoted. The easiest way to discourage "gay pride" parades and other homosexual advocacy is to make such activity illegal in the interest of public health and morality.

Fourth, develop family-friendly media alternatives to the immoral products now being imported from the U.S. and Europe. Russian society is rich with talented people. Russian media companies should become competitors for the hearts and minds of the young people, and even set the example for how to produce good quality entertainment that uplifts, not degrades, the human spirit.

It is no secret that the Russian Federation is in competition with the nations of the West, but there is one area in which Russia could quickly take global leadership: family values. While the United States and Europe continue to alienate their family-oriented citizens by following the destructive path of "sexual freedom," Russia could become a model pro-family society. If this were to occur, I believe people from the West would begin to emigrate to Russia in the same way that Russians used to emigrate to the United States and Europe. Russia might even win back the sympathies of its former states, such as Poland, Latvia and Lithuania, which are now chafing under the pro-homosexual demands of the European Union.

In conclusion, all successful civilizations rest on the foundation of the natural family: men and women united in marriage, devoted to bearing and raising morally healthy children who will replace them in the next generation. This foundation will always be strong in nations which discourage sexual conduct outside of marriage. But wherever the "gay" philosophy of unlimited sexual freedom is accepted, the family structure disintegrates. The Russian people have an important choice before them: to promote marriage and family values, leading to social health or to allow the spread of sexual immorality, leading to social disorder. I pray you will choose the family.

This information is brought to you courtesy of DefendTheFamily.com, daily news updates and extensive free resources on the homosexual issue from a pro-family perspective. Please do not reply to this email; if you would like to contact us, visit our contact page.

If you would like to be removed from our mailing list, please use our unsubscribe page.

Donations to Abiding Truth Ministries are tax deductible—and necessary for the continuation of our work. Please donate here.

EXHIBIT 4

Abiding Truth Ministries

PO Box 2373, Springfield, MA 01101, www.defendthefamily.com, www.redemptiongate.org, sdllaw@gmail.com,

August 1, 2014

FROM OUTRAGE TO ACTION

Dear

All across America there is a rising discontent with the state of the nation and the radical leftist policies of the current administration. Nowhere is that radicalism more clearly displayed than with the “gay” agenda. The “immigration” fiasco has gotten a lot of attention but on that front Obama is still *hiding* his globalist goal to eliminate the borders and create a North American Union. *On the homosexual front he’s not hiding any more. It’s all out front and in-your-face!!*

Obama has turned the entire federal government into an arm of the LGBT movement! Not just here but all over the world. And now he has implemented a federal “sexual orientation” anti-discrimination policy with no exemption even for a right of conscience for people of faith.

I’ve been working overtime to capitalize on the emerging outrage of the people, which is now (finally) spreading into the churches, and to turn their outrage into action. Our NOT JUST ANOTHER SIN brochure is almost ready for distribution. I’ve included a sample of the front side so you can see our progress, but this is such an important project that I’m taking extra time to get it as perfect as we can make it -- because once it goes into distribution we will be sending it around the world to every pastor and Christian leader we can find. The final brochure will be a tri-fold for ease of mailing.

I’m also hoping we can raise more money for printing and mailing costs to launch it on a bigger scale. The design costs are covered but we have just \$5250 in the distribution budget right now and that’s not enough to make a very big splash.

The enclosed sample is undersized, but the finished brochure will be slightly bigger and the print will be larger and more readable. I’ve also asked the design company to create an image for our campaign “THE RAINBOW BELONGS TO GOD.” We will use that image in the brochure and as the logo for the “Rainbow” Project. This week a group in Michigan will be distributing 9,000 postcard-sized flyers with the Rainbow Project message on them along with their own rainbow design. If you are on our email list you’ve had a chance to view the beautiful *The Rainbow Belongs to God* music video by a Danish singer and composer. I hope you watched it.

Anne and I will be in Europe for part of August to speak at a pro-family Bible conference, which will include the composer of that video. There is an emerging resistance movement in Europe and we will be looking for ways to help it grow as we study the Word. This is especially on my mind this week because my friend and ministry partner Marian Vitalie of Moldova was just fined the equivalent of \$300 (a lot in that very poor country) for allegedly equating homosexuality with pedophilia (which he didn’t, though it is a fair comparison) and posting a list of people who are pushing the “gay” agenda there.

As you may recall, in March of 2011 I took a short mission trip to Moldova to conduct a seminar for the country’s fledgling pro-family movement. While I was on my day-long flight to that tiny Eastern European country the Moldovan government initiated a stealth effort to pass a homosexual anti-discrimination law. They were under intense pressure from the European Union to pass that law despite Moldova’s overwhelmingly morally conservative population -- over 90% of the people are either Russian or Romanian Orthodox believers, and another 3% are Catholic or Protestant.

The plan was to push through the law secretly in time for a pre-set congratulatory visit by US VP Joe Biden about two weeks later. But a young pro-family leader discovered the plot by monitoring Moldovan “gay” activist websites. That pro-family leader was Marian Vitalie.

When Marian picked me up from the airport he told me what had transpired and we immediately scrapped the pro-family conference and instead launched an emergency national mobilization of Christians to kill the anti-discrimination bill, which we accomplished in just 4 days! On a whirlwind media tour I warned the Moldovans that these antidiscrimination laws are the seed that contains the entire tree of the homosexual agenda with all of its poisonous fruit. Wherever it takes root, such as in the United States, every aspect of the homosexual agenda systematically follows. The people rose up against the bill and the government retreated. It was a great victory orchestrated by divine providence.

Unfortunately, a couple of years later when the public was again not paying attention they passed a version of the same law, with an exemption for churches only (which, of course, provides no protection at all to individuals like Marian Vitalie). The Moldovan politicians had been lured into moral compromise by EU bribery, and as their “reward” Moldova was recently allowed to join the EU. From a moral standpoint they would have been far better off to remain independent or to join the Russians.

I have since begun characterizing these anti-discrimination laws as “Gay Fascism” bills, because the real effect of them is to empower homosexual activists to use the legal system to persecute Christians. It has become almost axiomatic in the US, that when a “Gay Fascism” bill passes the next thing to happen is lawsuits against Christian businesses: cake bakers, printers, bed and breakfast hotels, and on and on. As you know I have drafted and promoted a counter-measure to these laws in America called the First Amendment Supremacy Clause, but so far no-one has used it. The people in power on “our side” seems entirely incapable of acting offensively or pro-actively. It is very frustrating. But we keep doing what we can in our small way and watching God magnify it.

I was attacked on June 29th by “comedian” John Oliver on This Week Tonight on HBO over Uganda and I called him out as a liar and a fraud and issued a debate challenge, which got national coverage. The local newspaper, *The Republican*, hounded HBO about their response to the challenge till they finally gave an official “NO.” In the follow-up story I said: "HBO is like a bully who has lots of bravado when he's with his gang, but is too cowardly to actually climb into the boxing ring for a fair fight. I pity them for their lack of honor and integrity. It must feel very degrading to know that you can only win an argument by cheating." That entire statement made the paper.

That’s all I can fit in this letter. Thank you for your faithful support and prayer.

In Him,

Dr. Scott Lively

PS. Special needs this month include travel costs for the Europe conference and distribution of the NJAS brochure.

YES, I WANT TO SUPPORT DR. LIVELY WITH A TAX-DEDUCTIBLE GIFT :

Enclosed is my donation of \$ _____ for: ___ATM OR ___ Redemption Gate Mission Society
 (If ATM, Please designate gift for ___ Lively Family Support; ___ Travel Expenses;
 ___ Re-establishing a California office; ___ **NJAS Brochure** ___ Where needed most)

Name _____ Phone _____

Street Address _____

City, State Zip _____ e-mail _____

Credit-card/PayPal donations: www.defendthefamily.com (by the donor only – we cannot process them for you)

Only provide your email address if you aren’t already getting our email alerts

EXHIBIT 5

Scott Lively Ministries

For such a time as this...

Redeeming the Rainbow

Posted on April 29, 2012 by Pastor Scott



Today I gave a three hour seminar in Oklahoma City based on my 2009 textbook *Redeeming the Rainbow: A Christian Response to the "Gay" Agenda*. This is the book I wrote to equip Christians to understand and effectively respond to the homosexual agenda. It may be downloaded in PDF form without charge at <http://www.defendthefamily.com/rtr/>. The file is small enough to send as an e-mail attachment and I encourage people to send it to all of their pro-family friends.

This is the book I was finalizing during my 2009 Uganda conference (and the basis of my lectures there) which subsequently brought the wrath of the radical left upon me and has led to the outrageous SMUG lawsuit filed against me (for "Crimes Against Humanity" no less) last month in federal court in Springfield, MA where I now live. I will address that lawsuit in a separate post at a later date.

My seminar today was attended by none other than Wayne Besen of Truth Will Out, a prominent "gay" blogger. He was civil and polite for the most part, but visibly quite agitated and finally left the seminar after being criticized by another man for interrupting me. There were two women in the audience as well whom I suspect, based upon their questions, were lesbians.

I do not vary my presentations based on the presence of opponents. I seek always to teach forthrightly what I know and believe to whomever wants to listen.

Redeeming the Rainbow is the only book of its kind, filled with straightforward explanations of the the history, methods, strategies and goals of the homosexual movement, and practical, user-friendly guidelines on how to respond to it. If every Christian in America were to read this book it would, I believe, dramatically change the national debate in our favor.

This entry was posted in [Uncategorized](#). Bookmark the [permalink](#).

Scott Lively Ministries

EXHIBIT 6



Scott Lively <sdllaw@gmail.com>

RE: FINAL INFORMATION & INSTRUCTIONS

3 messages

Stephen Langa <stephenlanga@yahoo.com> Sat, Feb 28, 2009 at 5:06 AM
To: Scott Lively <sdllaw@gmail.com>, Caleb Lee Brundidge <cbrundidge@xpmedia.com>, Don Schmierer <dschmier@inreach.com>

Dear Scott, Don and Caleb,

This is to let you all know that we are ready to receive you in Uganda and it is "all systems" go for the week of meetings and seminar on homosexuality.

This seminar is the talk of town not only in the general society but the homosexual community as well. The seminar has raised interest from both local and international homosexual groups. Some of the known homosexual activists in Uganda are coming for the seminar, including a former Bishop who is sympathetic to the homosexual agenda and was excommunicated from the Anglican Church in Uganda. He is being funded by homosexual groups from USA. Homosexuality is still illegal in Uganda according to Ugandan law.

We believe that next week is going to be a landmark week in the purposes of God not only in Uganda but beyond.

Please find attached the proposed timetable for the seminar and series of meetings that have been planned. Please therefore prepare your selves accordingly. We will meet in Kampala after you have all arrived for briefing and to discuss the program. There is going to be room for changes that you deem necessary.

Meetings are open: The 3-day seminar is open to all faiths. Some Moslems have also booked. The meeting with the Members of Parliament and the lawyers are also open to all faiths. The only Christian meetings are the two evening meetings on March 5&6, 2009 at Kampala Pentecostal Church and the two meetings on Sunday morning with Watoto school students.

Dressing Code: In most cases during the seminar and meetings, you can dress in casual clothes, but smart. For the meeting with members of parliament, please put on official dressing i.e. a tie and jacket or suit.

Weather: The temperatures are hot at this time of the year, average about 25-30 degrees C, with occasional rain

Airport Pick Up: You will all be picked from the airport. Someone will have a placard with your names.

Contact Person: The two contact people are myself, Stephen Langa, Cell Phone +256-772-476071 and my wife, Beatrice Langa, cell phone +256-752-642529

Flight Schedule: You have all sent your arrival and departure time. The one for Scott is clear and it includes the airline and flight numbers. Don and Caleb, to avoid any ambiguity, please send the airline in your flight itinerary and send it urgently.

Power Point Projector: Is available if needed.

Handouts: We have received handout materials from Don. There is provision to make copies of handouts at this end if we can have them after arrival.

Security: We are taking precautions and will have police protection where necessary.

Prayer Cover: We have mobilized prayer at this end. We are planning to have some intercessors on sight at the seminar and meetings. Please also do mobilize prayer in your different constituencies.

Once more, thank you for your willingness to be used of God next week in Uganda, Africa. May "His will be done here on earth as it is in heaven"

God bless.

Stephen Langa

 **Proposed Program for Seminar & Meetings (Feb 27, 09).doc**
54K

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Mon, Mar 2, 2009 at 3:59 PM

Hi Stephen,

Remember that I arrive on the 3rd at 9PM, not the 4th as your invitation letter states.

I am at the airport in Hartford waiting for a delayed flight. Pray that the current heavy snowfall will not cancel my flight out of New Jersey to Amsterdam.

Looking forward to a time of powerful ministry in His name,

Scott

PS. I was not able to bring many materials so I am attaching a file that contains my pre-publication manuscript of my new book, which, if you can print copies, we can offer at the conference. Otherwise I will rely on my Internet-based resources, and accept orders for the new book when it is completed in e-book form (which should be by the 15th of this month, perhaps even during the conference depending on how much time I have to work on it in my hotel).

PPS. Please don't share this file.

[Quoted text hidden]

 **Redeeming the Rainbow ATM PrePub edition 2 28 09.wps**
1296K

Scott Lively <sdllaw@gmail.com>
To: Scott Lively <psalm37nasb@gmail.com>

Fri, Apr 11, 2014 at 12:09 AM

[Quoted text hidden]

 **Redeeming the Rainbow ATM PrePub edition 2 28 09.wps**
1296K

Proposed Timetable for 3-Day Seminar, March 5-7, 2009

Time	Thursday March 5, 2009	Friday March 6, 2009	Saturday March 7, 2009
8.30 - 9.00am	Arrival & Registration	Recap of previous day	Recap of previous day
9.00 – 10.30am	Expectations Introductions Survey Purpose of the Seminar FLN (Organizers)	Ten Personal Tips for Parenting Don Schmierer	The Gay Movement’s Agenda for Control of Society Dr. Scott Lively
10.30 – 11.00am	Break		
11.00 – 12.30	Youth & Sexual Behaviors I Don Schmierer	Healing Wounds of the past Don Schmierer	The Blueprint for Transforming a Nation Dr. Scott Lively
12.30 – 1.45	Lunch Break		
1.45 – 3.15	Youth & Sexual Behaviors II Don Schmierer	Celebrating God’s Design I Don Schmierer	Effective Response to the Gay Agenda Dr. Scott Lively
3.15 – 3.45	Break		
3.45 – 5.15	Case Studies Don Schmierer	Celebrating God’s Design II Don Schmierer	Way Forward & Official Closure of the Seminar FLN (Organizers)

EXHIBIT 7

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION**

SEXUAL MINORITIES UGANDA,	:	CIVIL ACTION
	:	
Plaintiff,	:	3:12-CV-30051-MAP
	:	
v.	:	JUDGE MICHAEL A. PONSOR
	:	
SCOTT LIVELY, individually and as	:	MAGISTRATE JUDGE NEIMAN
president of Abiding Truth Ministries,	:	
	:	
Defendant.	:	

**DEFENDANT SCOTT LIVELY’S RESPONSES AND OBJECTIONS
TO PLAINTIFF’S FIRST SET OF INTERROGATORIES**

Pursuant to Fed. R. Civ. P. 33 and Local Rules 26.5 and 33.1, Defendant Scott Lively (“Lively”) provides the following responses and objections to the First Set of Interrogatories propounded by Plaintiff Sexual Minorities Uganda (“SMUG”).

GENERAL OBJECTIONS

1) Lively objects to SMUG’s “Definitions” and “Instructions” to the extent they seek or purport to impose obligations greater than or inconsistent with the Federal Rules of Civil Procedure, the Local Rules of the United States District Court for the District of Massachusetts, or any discovery orders entered in this action. Lively responds pursuant to, and consistent with, the aforementioned authorities.

2) Lively objects to SMUG’s definition of “Defendant,” “you” and “your,” to the extent it purports to attribute conduct to Lively in his individual capacity. Unless otherwise specifically and expressly stated, each and every opinion, communication, writing, speech, act, omission or any other conduct of Lively described in these responses and objections was held or undertaken by Lively, if at all, solely in his capacity as an officer of Abiding Truth Ministries.

3) Lively's investigation and development of all facts and circumstances relating to this action is ongoing. Lively will supplement these responses and objections as new and additional information is discovered, and as required by applicable rules.

4) By providing these responses and objections, Lively does not waive, and hereby expressly reserves, the right to assert any and all objections as to the admissibility of such responses into evidence in this action, or in any other proceedings, on any and all grounds including, but not limited to, competency, relevancy, materiality, and privilege. Further, Lively provides these responses and objections without in any way implying that any interrogatory or objection or response is relevant or material to the subject matter of this action.

INTERROGATORIES

1) Describe your understanding of the causes of homosexuality or so-called homosexual behavior and the harm resulting from homosexuality or so-called homosexual behavior, and identify all sources upon which you rely as the basis for such description.

RESPONSE: In my view, homosexuality is a behavioral disorder defined by the practice of same-sex sexual relations. I believe there are three primary causes: 1) sexual trauma or abuse, especially in childhood or adolescence; 2) gender identity disorder, in which a child fails to identify with the parent of the same sex as a model of gender normalcy, resulting in a sexual orientation contrary to his or her physiology; and 3) personal choice as an act of rebellion against social conventions. I perceive homosexuality to be abnormal. In my experience, use of a thing contrary to its design is often harmful, and I perceive this to be true of the majority of people I have personally observed who employ their sexual systems abnormally.

The primary basis for my views is personal observation. Regarding matters of science I adhere to the Aristotelian natural law model of teleology: that all things have a purpose, and that the purpose can be discerned by observation of its design and function. For example, the purpose of the eye is to see. Aristotle was the originator of the "scientific method" whose first and second principles are observation and repetition.

Following this approach, I perceive the purpose of sexuality as procreative, given that, absent genital birth defects, all human beings are born with complimentary male or female reproductive systems and all aspects of sexuality emanate from and relate to these systems.

I have held this perspective intuitively since childhood but only learned in later life that it was taught formally as a scientific model by Aristotle.

I also adhere to the perspective of Dr. C. Daly King who said “Normal...is objectively and properly to be defined as *that which functions in accordance with its design*. Design and function are inseparably correlated in nature...and the term, normal, was originally invented and employed in recognition of that relationship.” *The Meaning of Normal*, Yale J Biol. Med. Jan 1945; 17(3): 493–501, p.494 (emphasis in original).

A secondary basis for my views is religious. I became a Christian in 1986 and began studying the Bible. I learned that the Aristotelian approach to science comports with the teachings of the Bible regarding family and sexuality. For example, Genesis 1:27 states “God created man in His own image, in the image of God He created him; male and female He created them.” Genesis 2:24 adds “For this reason a man shall leave his father and his mother, and be joined to his wife; and they shall become one flesh.” I perceive this “one flesh” paradigm as an exact spiritual expression of what I have observed in real life.

Further, I perceive the description of the harms of homosexuality in the Bible to comport with my observations as well. For example, the Letter of Paul to the Romans, Chapter 1, Verses 18-28 states:

The wrath of God is being revealed from heaven against all the godlessness and wickedness of people, who suppress the truth by their wickedness, since what may be known about God is plain to them, because God has made it plain to them. For since the creation of the world God’s invisible qualities—his eternal power and divine nature—have been clearly seen, being understood from what has been made, so that people are without excuse.

For although they knew God, they neither glorified him as God nor gave thanks to him, but their thinking became futile and their foolish hearts were darkened. Although they claimed to be wise, they became fools and exchanged the glory of the immortal God for images made to look like a mortal human being and birds and animals and reptiles.

Therefore God gave them over in the sinful desires of their hearts to sexual impurity for the degrading of their bodies with one another. They exchanged the truth about God for a lie, and worshiped and served created things rather than the Creator—who is forever praised. Amen.

Because of this, God gave them over to shameful lusts. Even their women exchanged natural sexual relations for unnatural ones. In the same way the men also abandoned natural relations with women and were inflamed with lust for one another. Men committed shameful acts with other men, and *received in themselves the due penalty for their error*.

Furthermore, just as they did not think it worthwhile to retain the knowledge of God, so *God gave them over to a depraved mind, so that they do what ought not to be done.*” [emphasis added].

A third basis for my views is personal testimony to me from former homosexual friends who have disclosed details of their lives and the inner-workings of the “gay community.” Foremost among these is Dennis “Sonny” Weaver who lived with my family in Portland, Oregon in 1992. Sonny was dying from AIDS and we nursed him through that process for about a year until he succumbed. Sonny had been very active in the homosexual lifestyle and culture. Another friend, also deceased, was Anthony Falzerano, founder of Parents and Friends of Gays and Ex-Gays (PFOX). Anthony explained to me the methods that “gay” men use to seduce teens, and shared his testimony of having been recruited into homosexuality by one of these methods. It was Anthony who described himself as having had, as a troubled youth from a broken home, a metaphorical “flashing red light” over his head that made him “easy pickings” for the man who befriended and picked him up in a department store as he was trying to buy a gift for his Dad. Another friend who is still alive is Richard Weller of Portland, Oregon. He was also seduced as a young teenager by an older homosexual man and lived with him as his houseboy and sexual partner for a number of years until the man kicked him out in favor of a younger boy.

A fourth basis for my views is a multitude of scientific reports and studies I have read over the years. I generally do not trust purportedly scientific studies published since the 1960s in America, when academia and the social sciences began to come under the control of cultural Marxists. Cultural Marxism is explained in my answer to Interrogatory 23. My mistrust of these studies is perhaps best validated by reference to an article by Dr. Jeffrey Satinover, titled “The ‘Trojan Couch’: How the Mental Health Associations Misrepresent Science.” Thus, in my lectures and writings I seldom reference statistics or other purportedly scientific findings, even those which agree with my views.

It is not possible for me to list all of the sources I have relied upon in my analysis of these questions over my 25 years of studying this issue. I have compiled a representative sample of documents detailing the harms and dangers posed by homosexual behavior, pederasty (male homosexual orientation toward boys), pathological behavior by homosexuals, harms to children and society posed by “gay marriage,” as well as causation, prevention and recovery from homosexuality. These documents, together with those specifically identified in the foregoing response, are being produced as LIVELY 0001 - 1243.

These topics are also discussed in my books, *The Pink Swastika: Homosexuality in the Nazi Party*, and *Redeeming the Rainbow*.

All of these documents, however, are only supplemental to my preexisting conclusions drawn from observation, deductive logic and the Bible. My beliefs would not alter in the absence of any of these documents, though the documents demonstrate that my views are supported by empirical evidence.

2) Identify all methods that you have advocated be used by governments or society to treat, discourage, or eliminate homosexuality, so-called homosexual behavior, the so-called promotion of homosexuality or homosexual behavior, or the “gay movement,” and identify all speeches or writings in which you have referenced or described each method.

OBJECTION: Lively objects to this interrogatory to the extent it purports to require identification of all speeches and writings ever given or authored by Lively on the subject of dealing with the personal and societal harms caused by homosexual conduct, on the ground that such request is unduly burdensome, oppressive, overbroad and neither relevant nor reasonably calculated to lead to discovery of admissible evidence. Lively has given or authored many thousands of such speeches and writings, and has not exhaustively catalogued, recorded or tracked them. Without waiving any objection, Lively will produce a representative sample of such speeches and writings, and provides the following response.

RESPONSE: I have never advocated nor do I believe that homosexuality can be eliminated from society. I have advocated four strategies in dealing with the personal and societal harms caused by homosexual conduct:

Prevention. I advocate the use the public education system to prepare children for eventual marriage through age-appropriate instruction in the qualities and characteristics of healthy families. Inculcate the expectation that they will eventually fall in love and have their own family, and teach values such as sexual self-control, personal responsibility and putting others’ needs ahead of one’s own. Children whose goals for the future include both being and finding the optimal spouse will be less susceptible to self-destructive sexual choices. I believe the first time I articulated this method was in Uganda. I included this strategy in my suggested modification to the Anti-Homosexuality Bill considered by the Ugandan Parliament.

Therapy. I advocate voluntary reparative therapy by professional counselors, and spiritual counseling by Bible-believing advisors. I have not advocated any specific therapies, only the general therapeutic model. References to such therapy appear throughout my writings. I included the therapeutic model in my suggested modification to the Anti-Homosexuality Bill considered by the Ugandan Parliament. I also discuss this model in *Redeeming the Rainbow*.

Discouragement. I believe that societies have an affirmative duty to protect and affirm the natural family and to discourage all sexual activity outside of authentic marriage, while preserving reasonable tolerance for those who choose to live discretely outside the mainstream. The most thorough articulation of this approach is in my *Letter to the Slovenian People*, followed by my *Letter to the Russian People* and *Letter to the Lithuanian People*.

Minimization of harm. In 2012 I began advocating a compromise policy in the United States regarding sexual orientation regulations, which I called the First Amendment Supremacy Clause. I authored a First Amendment Supremacy Clause Fact Sheet which details this strategy.

It is impossible to list each of the many thousands of speeches and writings I have given or authored on these subjects. A representative sample of such speeches and writings includes: *Redeeming the Rainbow*, *Letter to the Russian People*, *Letter to the Lithuanian People*, *First*

Amendment Supremacy Clause Fact Sheet, First Amendment Supremacy Clause Model Petition, Letter to the Ugandan Parliament and Reply, Letter to the Slovenian People, The Rainbow Belongs to God, An Open Letter to President Vladimir Putin, Don't Repeal "Don't Ask, Don't Tell, In Defense of Sodomy Laws, The Death Penalty in Uganda, and Defend the Family Activist Handbook.

Some of these documents, together with my suggested modification to the Anti-Homosexuality Bill considered by the Ugandan Parliament, are being produced as LIVELY 1244 - 1457. Additional writings and speeches on these subjects are available at www.defendthefamily.com and www.scottlively.net.

3) State the basis for your statements relating to the relationship or link between the Rwandan genocide and homosexuality or so-called homosexual behavior, for example, your statement in or around March 2009 in Kampala that "a mass murder, you know like ... the Rwandan stuff, probably involved these guys," as shown in "Scott Lively Fanning Anti-Gay Flames in Uganda" (Video), <http://www.youtube.com/watch?v=BTcI6YssQ1w> (last accessed March 24, 2014), and identify all speeches or writings in which you made statements relating to this relationship.

OBJECTION: Lively objects to this interrogatory as vague and ambiguous, to the extent it seeks information about any statement other than the one specifically identified therein. Without waiving any objection, Lively provides the following response.

RESPONSE: The video clip referenced in this interrogatory contains but a small and selective excerpt of my presentation in Kampala, in which I discussed sub-groups of the larger homosexual population on a continuum of gender imbalance. A written version of this analysis is included in *Redeeming the Rainbow*, Chapter 4. The video excerpt references a tiny subset of male homosexuals who appear not to have the benefit of any moderating feminine gender-balance in themselves. For American audiences I give the example of Jeffrey Dahmer as being representative of this profile.

Without advance planning and suddenly realizing that the Ugandans would not understand the Dahmer reference, I cast about in my mind for a substitute. The only thing I could think of that might be roughly analogous was the Rwandan reference. I specifically used the word "probably" in the sentence to indicate that I had no actual knowledge that homosexuals were involved at all in Rwanda, and that I was only speculating for the sake of illustrating my analogy. It is undeniable that those who carried out the Rwandan genocide engaged in similar brutality to those of this tiny subset of extremely gender-imbalanced men.

I did not state, nor did I imply, that all or even many of the Rwandan killers were homosexuals. During my presentation I stated clearly that "there are very few people like this." I also said that "I pity them...I don't want anybody to get the wrong idea...I don't want to dehumanize these people. They are human beings suffering with extreme forms of dysfunction."

Therefore, the accusation that I was inflaming my audience against the homosexual population as a whole by suggesting that they were collectively responsible for the Rwandan genocide is untrue.

4) State the basis for your statements in *Redeeming the Rainbow* referring to the “homosexual recruitment of children,” and identify all speeches or writings in which you made similar statements.

OBJECTION: Lively objects to this interrogatory as vague and ambiguous, because it fails to identify with reasonable specificity the statements as to which information is sought. Without waiving any objection, Lively provides the following response.

RESPONSE: The phrase “homosexual recruitment of children” appears only once in *Redeeming the Rainbow*, in reference to an article by Trayce Hansen, Ph.D. titled “Legalizing Same-Sex Marriage Will Increase Prevalence of Homosexuality: Research Provides Significant Evidence.” This article supports my independently established conclusion from deductive reasoning that children are more likely to experiment with homosexual conduct (and as a consequence to self-identify as “gay”) the more they are encouraged to view homosexuality as a normal variant of human sexuality. I analogize homosexual experimentation to the phenomenon of inserting bars of metal through one’s tongue, a harmful, voluntary act promoted by adult style-setters in the popular culture that has become a fad among young people. Children tend to copy the behavior of adults, especially when they see other children doing so.

I believe that children are primarily recruited into homosexuality through same-sex experimentation with peers. A secondary form of recruitment is through seduction by adult homosexuals.

I speak about recruitment infrequently, and do not recall any specific speeches in which I addressed this topic.

In addition to *Redeeming the Rainbow*, I recall writing about recruitment in four other places. One was an article titled “Satan Wins Back the Scouts” which I published sometime in 2013. The reference was to a passage in my book *The Pink Swastika: Homosexuality in the Nazi Party*, citing the writing of homosexual historian Richard Mills, to wit:

Wilhelm Jansen became an influential leader in the *Wandervoegel* [the pre-Nazi German Boy Scouts], but rumors of his homosexuality disturbed German society. In 1911, Jansen addressed the issue in a circular to *Wandervoegel* parents. Jansen told them, “As long as they conduct themselves properly with your sons, you will have to accustom yourselves to the presence of so-called homosexuals in your ranks” (Mills:167). Hans Blueher further substantiated the fact that the movement had become a vehicle for homosexual recruitment of boys with his publication of *The German Wandervoegel Movement as an Erotic Phenomenon* in 1914 Mills writes,

[T]he Wandervoegel offered youth the chance to escape bourgeois German society by retreating back to nature...But how was this accomplished? What made it possible for the lifestyle created within the Wandervoegel to differ significantly from its bourgeois parent? The answer is simple: the Wandervoegel was founded upon homosexual, as opposed to heterosexual sentiments ...In order to understand the success of the movement, one must acknowledge the homosexual component of its leaders...Just as the leaders were attracted to the boys, so were the boys attracted to their leaders. In both cases the attraction was sexually based (Mills 152-53).

[The Pink Swastika, 4th edition, p. 70-72].

Two additional writings in which I discussed “recruitment” are “The Danger of ‘Safe Schools,’” and “Youth Suicide Used a ‘Gay’ Recruitment Strategy,” both of which criticize ‘gay’ activism in public schools.

Lastly, I discuss homosexual recruitment in my book, “7 Steps to Recruit-Proof Your Child.”

The foregoing documents, along with others providing a basis for my opinions regarding homosexual recruitment, are being produced as LIVELY 1458 - 1506. See also the documents produced regarding pederasty, LIVELY 0125 – 0419.

5) State the basis for your statements in your lecture at the “Seminar on Exposing the Homosexual Agenda” in Uganda in March 2009 connecting homosexuality or so-called homosexual behavior with child abuse, and identify all speeches or writings in which you made similar statements.

OBJECTION: Lively objects to this interrogatory as vague and ambiguous, because it fails to identify with reasonable specificity the statements as to which information is sought. Without waiving any objection, Lively provides the following response.

RESPONSE: The connection between homosexuality and child abuse in my 2009 Kampala lecture was based upon reports from my hosts that incidents of homosexual abuse were on the rise in Uganda. They specifically asked me to address this issue in my talk. As I reported in my April 2009 “Report from Uganda,” paragraph 7:

We heard testimonies in our meetings from teachers, pastors and counselors that incidents of homosexuality are on the raise among the youth, including male-on-male rapes in boys boarding schools, and increasing lesbianism in several public schools. It was reported that in at least one of the schools two girls had actually been hired by the underground "gay" movement to recruit other girls at school, resulting in a total of thirteen girls self-identifying as lesbians by the end of the year. There is also a very high incidence of cross-generational relationships (i.e. pederasty), so much so that during my stay there was a public-service radio

campaign urging young people not to give in to ‘sugar-daddies.’ What happens, according to reports from the youths, is that wealthy white ‘gays’ are coming to Uganda from Europe and America using cash and gifts to lure teenage boys into homosexual relationships. These ‘rent boys’ then brag to their friends that they too can have money and material things if they offer the same services. Unfortunately, in a poor country like Uganda where many people live on less than \$5 per day, it isn’t very expensive to corrupt the young.

I probably included comments on homosexual abuse of children in other speeches but I do not recall any of them specifically. I have done a word search on “abuse of children” in my computer files and have found no examples in my writings. My comments on this theme are almost exclusively related to pederasty, meaning adult male sex with adolescent males and boys around the age of puberty. I have searched the term “pederasty” as well and found the following documents:

The Pink Swastika: Homosexuality in the Nazi Party, 4th edition, Chapter 9, in a sub-section titled Pederasty in the ‘Gay’ Movement, p 320-331.

Report from Uganda.

The Death Penalty in Uganda. Late 2009.

Satan Wins Back the Scouts. May 24, 2013

Pink Brick Award. April 7, 2014

My Comments on the Passage of the Uganda Anti-Homosexuality Law. February 25, 2014

Am I Nuts, or is Craziess Spreading? Feb 23, 2014

Schoolchildren to Drink “Gay” Koolaid in October. September 23, 1012

Hey SPLC, Take Me OFF Your Hate, I Mean Hit List! August 22, 2012

These documents are included with my other writings about Uganda, which are being produced as LIVELY 1507 - 1666. They are also available on the www.scottlively.net blog, the content of which is produced as LIVELY 1667 - 1915. See also my response, and the documents referenced in my response, to Interrogatory No. 4.

6) Identify all individuals with whom you had any communications relating to the Anti-Homosexuality Bill, and for each individual identify the communications you had with them.

OBJECTION: Lively objects to this interrogatory on the ground that it is unduly burdensome, oppressive and overbroad. Lively has had thousands of communications with people about the Anti-Homosexuality Bill, including numerous media interviews and innumerable conversations with friends, strangers and adversaries (including hate mail). It is impossible to identify all or even most of these individuals and communications. Without waiving any objection, Lively provides the following response.

RESPONSE: I have provided my opinion about the AHB – including my belief that it is overly harsh and my explanation that I did not advocate for it or support it – to countless individuals on countless separate occasions. I have not cataloged these communications and I cannot provide specifics about each communication with each person.

Narrowing the list to communications with those persons who had influence or potential influence on the drafting, revision or passage of the AHB, there are three primary persons with whom I communicated: Stephen Langa, Martin Ssempe and Charles Tuhaise. Most of these communications were by email. My written communications about the AHB with these persons and others are being produced in response to SMUG’s Request for Production Nos. 17 and 21.

I have had two or three telephone conversations with Martin Ssempe, which were mostly of a pastoral nature to see how I was holding up through this litigation and to pray together. To the extent I discussed the AHB with Pastor Ssempe during these phone conversations, it was to reiterate my opinion that the proposed law was too harsh and should be focused on prevention and therapy rather than punishment. I do not remember when these calls occurred except that they were after this lawsuit was filed.

I vaguely recall one phone conversation with Stephen Langa when he was in the U.S. for a speaking event or a conference but our communication was only to see if we could get together while he was in the U.S., which was not possible with our schedules. I don’t recall when this communication occurred.

A few of the email communications referenced above included other parties in the “copy” field, but I did not have direct communications with any of them. James Buturo made comments in a couple of emails. I have not had any other communication with James Buturo except for a casual conversation for about 30 minutes while we waited for members of the Parliament to arrive for my talk, during my March 2009 trip to Kampala.

One email message contained my open letter to the Ugandan Parliament, addressed jointly to the Speaker of the House and David Bahati. I have not had any direct communication with either of these individuals. I received a response to my open letter, authored by Charles Tuhaise. Both my letter and the response are included in the document production referenced above.

7) Identify the dates and locations of, and participants to, any communications or meetings relating to homosexuality, so-called homosexual behavior, the so-called promotion of homosexuality or homosexual behavior, the “gay agenda,” the “gay movement,” the promotion of “pro-family” values, and any related legislation or policies, involving you and any of the following: Stephen Langa, Martin Ssempe, James Buturo, David Bahati, and Simon Lokodo; employees and members of the Family Life Network in Uganda; employees and members of the Disciple Nations Alliance in Uganda; employees and members of the Ugandan National Parents Network; employees and members of the Uganda Coalition for Moral Values; employees and members of the Inter Faith, Culture and Family Coalition Against Homosexuality in Uganda; Kihumuro Apuuli; Fred Ruhindi; Kale Kayihura; Sydney Nsubuga Enoch; Paul Kagaba; George Oundo; Giles Muhame; employees, reporters, writers, or contributors of the *Rolling Stone* tabloid in Uganda; employees, reporters, writers, or contributors of the *Red Pepper* tabloid in Uganda; employees, reporters, writers, or contributors of the *New Vision* newspaper in Uganda; and members of the Ugandan Parliament or Government.

OBJECTION: Lively objects to this interrogatory on the ground that it is unduly burdensome, oppressive and overbroad, to the extent it requires Lively to recall and identify the specifics of every communication he has ever had with the listed individuals on the listed topics. Without waiving any objection, Lively provides the following response.

RESPONSE: See my response, and documents referenced in my response, to Interrogatory No. 6 for my written and telephonic communications regarding the AHB with Stephen Langa, Martin Ssempe, James Buturo and David Bahati.

I will produce any additional written communications with these individuals on the above-listed topics as part of my response to SMUG’s Request for Production No. 21.

I visited Uganda a total of three times: in March 2002, in June of 2002, and in March 2009. During these visits, I met and spoke with hundreds if not thousands of people. It is impossible for me to recall the identity of those individuals, and the specifics of our conversations. When I am on a speaking tour I view my role to be that of a servant to the hosting organization. They make all of the arrangements, and I meet a lot of people and shake a lot of hands. I try to be encouraging and helpful to whomever I meet. I do not keep notes. I do not take names or usually even ask who I am speaking with. I try to be polite and friendly with every person, even adversaries.

Sometimes, especially if it is the time of the month when I am ready to prepare a newsletter, I sit down immediately after or during an event and write a report. In these instances I may remember a meeting or conversation that is fresh in my mind. My written reports about my trips to Uganda are included within the documents produced as LIVELY 1507 – 1666. Additional reports about my trips to Uganda may be found within the documents posted on the scottlively.net blog (LIVELY 1667-1915), or among the defendthefamily.com email alerts and Abiding Truth Ministries newsletters which will be produced in response to SMUG’s Request for Production No. 21.

During my trips to Uganda, I met numerous members of Family Life Network, though I don't remember any of them by name except for Stephen Langa's wife Beatrice. I do not recall the specifics of my conversations with these individuals.

I do not know if any of the people I met in Uganda were employees or members of Disciple Nations Alliance, Uganda Parents Network, Uganda Coalition for Moral Values or Inter Faith, Culture and Family Coalition Against Homosexuality. I don't remember any of those organizations by name, though I might have known them at the time.

I do not believe I have ever met Simon Lokodo.

I heard reports that Mr. Bahati may have been at the Kampala seminar in 2009, but I do not remember meeting him or seeing him there.

I do not believe I ever met any of the other individuals listed in this interrogatory. If any of them attended any of my speaking events in Uganda, they might have been among the many people I shook hands with and greeted, but I do not recall having done so.

I had no communication with any media organizations in Uganda, except for public interviews that I gave while in Uganda. I gave numerous interviews, and I do not remember which media organizations interviewed me. That said, I do not believe I was interviewed by *Rolling Stone*, *Red Pepper* or *New Vision*.

8) Identify each instance in which you or Abiding Truth Ministries, the Pro-Family Resource Center, DefendtheFamily.com, Defend the Family International, Watchmen on the Walls, Coalition for Family Values, or their affiliates and subsidiaries have received payments or other things of value for work in Uganda, and for each instance, identify the person(s) or entity(ies) who paid or provided things of value, how much money was received, and the specific service(s) or work performed for the payment.

RESPONSE: Watchmen on the Walls and Coalition for Family Values have done no work in Uganda. The Pro-Family Resource Center, DefendtheFamily.com and Defend the Family International are divisions of Abiding Truth Ministries (ATM). Neither I nor ATM have received any payments for work in Uganda. ATM funded my trips to Uganda, with the exception of lodging and meals which were covered by my hosts. I do not know the value of lodging and meals, nor the identity of the specific organization(s) that covered those expenses.

9) Identify each instance in which you or Abiding Truth Ministries, the Pro-Family Resource Center, DefendtheFamily.com and Defend the Family International, Watchmen on the Walls, Coalition for Family Values, or their affiliates and subsidiaries have provided payments or other things of value for work in Uganda, and for each instance, identify the person(s) or entity(ies) who received the payments or things of value, how much money they received, and the specific service(s) or work they performed for the payment.

OBJECTION: To the extent “work” is defined to include investigation and support services provided in Uganda in connection with this litigation, Lively objects to this interrogatory on the basis of the work product privilege. Without waiving any objection, Lively provides the following response.

RESPONSE: Neither I, nor any of the listed entities, ever paid any money for work in Uganda by anyone. In 2002 I did reimburse Stephen Langa for automobile expenses he incurred in driving me from Uganda to Kenya. I do not recall the amount of those expenses.

10) List the dates of any and all trips you have made to Uganda; and for each trip, identify every individual who invited you on the trip, invited you to any event that took place during the trip, and/or assisted you in coordinating the trip or coordinating any event or appearance during the trip, including but not limited to the individual(s) who invited you to speak at the conference in Kampala, Uganda in March 2009 that you describe in Paragraph 75 of your Answer and the individual(s) who coordinated your meeting with James Buturo in March 2009, as described in Paragraph 143 of your Answer.

RESPONSE: I visited Uganda a total of three times: in March 2002, in June of 2002, and in March 2009. Stephen Langa invited me on all three trips and coordinated my schedule while there. To the extent any other individuals were marginally involved in the planning and coordination of my trips, they are identified in my written reports about my trips to Uganda produced as LIVELY 1507 – 1666, and in the documents produced in response to SMUG’s Request for Production No. 21.

11) Identify the individuals with whom you met during your trip to Uganda in 2009 described in Paragraph 36 of your Answer, including but not limited to the “influential leaders” with whom you “had private conversations” as referred to in your post at <http://www.defendthefamily.com/pfrc/archives.php?id=2345952> (last accessed March 31, 21014), and identify the times, duration, and locations of the aforementioned meetings or events.

OBJECTION/RESPONSE: See my objection and response to Interrogatory No. 7 regarding my inability to recall the specifics of every meeting with every individual and every conversation I had in Uganda. Without waiving any objection:

The “influential leaders” I referenced in my Report from Uganda were primarily pastors. I do not remember their individual names. One of them was either the senior or associate pastor of Kampala Pentecostal Church. Another was the pastor of a church called Praise Temple or Universal Praise Center (or a similar name), which is a mega-church, at least by Kampala standards. A third person was the head of the Wototo Orphan Cities, where I gave abstinence lectures to the kids. I don’t remember his name but I remember he was very involved in trying to rescue children from the streets and was extremely well respected in Uganda. There were probably several others, but I do not recall their names or what churches or ministries they headed.

Additional individuals with whom I met in Uganda in 2009 may be identified in my written reports about my trips to Uganda produced as LIVELY 1507 – 1666, and in the documents produced in response to SMUG’s Request for Production No. 21.

12) Identify the members of the Ugandan Parliament with whom you “exchanged conversational greetings” as described in Paragraph 36 of your Answer, and identify the times, duration, and location of the aforementioned conversations.

RESPONSE: The greetings referenced in Paragraph 36 of my Answer were exchanged briefly with a few members of the Ugandan Parliament who attended my address to Parliament on the morning of my second day in Uganda in 2009, and who chose to shake my hand either before or after that address. I spoke only for a few seconds with each person whom I greeted. Given the brevity of our interaction, I do not remember the names of the individual members of Parliament who chose to shake my hand. In fact, I don’t know the names of any member of the Ugandan Parliament other than David Bahati. I do not recall meeting Mr. Bahati in connection with my address or at any other time. I do not know whether he was in attendance at that address. I know his name because of his reputation as author of the AHB.

13) Identify the individuals who informed you of or invited you to the meetings and the events at which you “spoke publicly to other groups and gatherings” as described in Paragraph 36 of your Answer, and identify the times, duration, and locations of the aforementioned meetings and events.

RESPONSE: As discussed in my response to Interrogatory No. 10, my schedule during each of my trips to Uganda was managed by Stephen Langa. I did not personally receive any invitations or set any meetings of my own in Uganda during any of my trips there.

14) Identify the individuals with whom you met in Uganda in 2002 during your trips described in Paragraphs 47-52 of your Answer, the individuals who coordinated the meetings and gatherings at which you “spoke publicly to pastors, university students and the Kampala City Council,” and the duration and locations of the aforementioned meetings and gatherings.

OBJECTION/RESPONSE: See my objection and response to Interrogatory No. 7 regarding my inability to recall the specifics of every meeting with every individual and every conversation I had in Uganda. Without waiving any objection:

The individuals I met in Uganda in 2002 are identified in my booklet Witness to Revival in Africa (produced as LIVELY 1556 – 1577). I do not remember any others. The person who coordinated all of my meetings was Stephen Langa. The only specifics I remember about those meetings are those recounted in Witness to Revival in Africa.

See also my written reports about my trips to Uganda produced as LIVELY 1507 – 1666, and the documents produced in response to SMUG’s Request for Production No. 21.

15) Identify the individuals with whom you “spoke about the book [*The Pink Swastika*] in Uganda,” as described in Paragraph 54 of your Answer, and identify the times, duration, and locations of the aforementioned meetings and events.

OBJECTION/RESPONSE: See my objection and response to Interrogatory No. 7 regarding my inability to recall the specifics of every meeting with every individual and every conversation I had in Uganda. Without waiving any objection:

I frequently mention *The Pink Swastika* in my speeches and media interviews but I do not recall any specific occasions on which I referenced the book in Uganda, except for the Kampala conference in 2009. I don’t recall if I devoted an entire segment to this book or just referenced it during other segments.

16) Identify all individuals currently or formerly employed by, acting as agents of, or acting as consultants to Abiding Truth Ministries, the Pro-Family Resource Center, DefendtheFamily.com, Defendant the Family International, Watchmen on the Walls, the Coalition for Family Values, and their affiliates and subsidiaries, with whom you have communicated relating to homosexuality, so-called homosexual behavior, the so-called promotion of homosexuality or homosexual behavior, the “gay agenda,” the “gay movement,” the promotion of “pro-family” values, the Anti-Homosexuality Bill in Uganda, and/or similar legislation in Uganda, Latvia, or Russia.

OBJECTION: Lively objects to the portion of this interrogatory requesting information about “legislation in Latvia or Russia.” This lawsuit is brought solely by a Ugandan entity and is about Lively’s alleged activities in Uganda. Information regarding Latvia or Russia is beyond the scope of this litigation and therefore neither relevant nor likely to lead to the discovery of admissible evidence. Without waiving any objection, Lively provides the following response.

RESPONSE: The Pro-Family Resource Center, DefendtheFamily.com and Defend the Family International are divisions of Abiding Truth Ministries. I am the sole employee and agent of ATM. ATM does not use consultants. My wife was an employee at one time but served only as a part-time editor, office worker and personal assistant at speaking events.

Watchmen on the Walls (WOW) was a project of New Generation Church of Riga, Latvia, involving the performance of a rock opera of the same name written by the church’s pastor Alexey Ledyev, and performed in the Russian language by the music and drama team of that church in a few foreign venues (not including Uganda). WOW has done no work in Uganda. While there was an intention to create an international coalition under the Watchmen on the Walls banner, that coalition never came to fruition. Stephen Langa was willing to serve as coordinator for a WOW conference in Uganda, but such conference was never held and Stephen Langa undertook no activity on WOW’s behalf.

The Coalition for Family Values (CFV) is an ad-hoc committee formed in February 2014 to hold a pro-Russian press conference during the Sochi Olympics, to counter attacks on the Russian anti-propaganda law by “gay” activists and media. No formal organization has been created to date. CFV has done no work in Uganda.

17) Identify all persons in Uganda who served as an officer, director, employee, or agent of Abiding Truth Ministries, the Pro-Family Resource Center, DefendtheFamily.com, Defend the Family International, Watchmen on the Walls, Coalition for Family Values, or their affiliates and subsidiaries.

RESPONSE: There are not now nor have there ever been persons in Uganda serving as officers, directors, employees or agents of the listed entities. Stephen Langa was willing to serve as coordinator for a WOW conference in Uganda, but such conference was never held and Stephen Langa undertook no activity on WOW’s behalf.

18) Identify all sources of funding for Abiding Truth Ministries, the Pro-Family Resource Center, DefendtheFamily.com, Defend the Family International, Watchmen on the Walls, the Coalition for Family Values, and their affiliates and subsidiaries.

OBJECTION: Lively objects to this interrogatory on the grounds that it seeks information beyond the scope of this litigation which is neither relevant nor likely to lead to the discovery of admissible evidence. Watchmen on the Walls and the Coalition for Family Values have done no work and have had no involvement in Uganda. ATM is not a party to this lawsuit, and its sources of funding are confidential and irrelevant to the issues in suit. Lively further objects to this interrogatory because it infringes on the First Amendment right of individuals to belong to and to support issue organizations anonymously. Lively further objects to this interrogatory because requiring Lively to identify and disclose all sources of funding for the listed entities is oppressive and unduly burdensome. Without waiving any objection, Lively provides the following response.

RESPONSE: The Pro-Family Resource Center, DefendtheFamily.com and Defend the Family International are divisions of Abiding Truth Ministries. ATM is a 501(c)(3) religious non-profit entity funded by donations from the public. Until January 1, 2014 ATM also sold a small quantity of books annually (100-200) but the bookstore was closed on December 31st 2013 in keeping with my long-standing philosophical aversion to funding Christian ministry through commerce. See ATM’s Form 990 disclosures to the IRS, produced as LIVELY 2972 - 3174.

Watchmen on the Walls was funded by New generation Church, Riga, Latvia.

The Coalition for Family Values has no income.

19) List each trip you made outside the United States during which you spoke or wrote about homosexuality, so-called homosexual behavior, the so-called promotion of homosexual behavior, the “gay agenda,” the “gay movement,” related legislation or policies, anti-discrimination legislation, or the promotion of “pro-family” values, and for each such trip identify:

- a. the dates of the trip;
- b. the persons or groups with whom you met; and
- c. the source of funding for the trip.

OBJECTION: Lively objects to this interrogatory on the grounds that it seeks information beyond the scope of this litigation which is neither relevant nor likely to lead to the discovery of admissible evidence. This lawsuit is brought solely by a Ugandan entity and is about Lively’s alleged activities in Uganda. Lively’s trips to other countries is irrelevant to the issues in suit. Lively further objects to this interrogatory on the grounds that it is oppressive and unduly burdensome. Without waiving any objection, Lively provides the following response.

RESPONSE: See my responses, and documents identified in my responses, to Interrogatory Nos. 7, 10, 11, 12, 13, 14 and 15 for details regarding my trips to Uganda.

20) Identify the dates and locations of and the participants to any communications or meetings relating to homosexuality, so-called homosexual behavior, the so-called promotion of homosexuality or homosexual behavior, the “gay agenda,” the “gay movement,” the promotion of “pro-family” values, and any related legislation or policies, involving you and any of the following:

- a. Alexy Ledyayev (associated with New Generation Church and Watchmen on the Walls in Riga, Latvia),
- b. Don Schmierer (former board member of Exodus International),
- c. Caleb Brundidge (associated with International Healing Foundation),
- d. Ken Hutcherson (associated with Antioch Bible Church),
- e. Vlad Kusakin, or
- f. Vadim Privedenyuk.

OBJECTION: To the extent this interrogatory requests information about communications about homosexuality in countries other than Uganda, Lively objects on the ground that such information is beyond the scope of this litigation and is neither relevant nor likely to lead to the discovery of admissible evidence. This lawsuit is brought solely by a Ugandan entity and is about Lively’s alleged activities in Uganda. Lively’s communications with individuals in other countries about homosexuality in those other countries have no relevance to Uganda. Without waiving any objection, Lively provides the following response.

RESPONSE: Pastor Alexey Ledyaev does not speak English. My only attempt to discuss Uganda with him was through his business manager Igor, and were related to my effort to persuade him to co-sponsor a pro-family conference in Kampala. That effort was unsuccessful, and Pastor Alexey did not have any involvement with me in Uganda.

I had met Don Schmierer at a conference in Lodi, California sometime before 2008 and spoken with him briefly there. I communicated with him by email in 2008 and 2009 about travel arrangements and trip planning to Uganda. Our only meetings together were in Kampala during the March 2009 conference. We were all together as a team for most of the time: myself, Don Schmierer, Caleb Brundige and Stephen Langa.

My only communications with Caleb Brundidge were during the Kampala conference in 2009. I met him for the first time there and did not have any communications with him after the conference was over.

I do not recall ever communicating with Ken Hutcherson or Vlad Kusakin about Uganda.

Vadim Privedenyuk was Pastor Alexey's primary translator and translated for me numerous times in Eastern Europe and Russia. He is not himself a pro-family leader. I have spoken with him about Uganda in casual conversation, but only about the SMUG lawsuit. I do not recall any specific times or locations when we had these conversations.

Any written communications that I have had with these individuals about homosexuality in Uganda which are in my custody, possession and control are being produced in response to SMUG's Request for Production No. 21.

21) For any communication or meeting involving you and Alexy Ledyaev described in response to Interrogatory No. 20, identify any person who took notes, recorded, or otherwise memorialized the meeting or event.

OBJECTION/RESPONSE: See objection, response, and documents referenced in the response, to Interrogatory No. 20. Without waiving any objection, Lively provides this additional response:

I don't recall anyone taking notes, recording or otherwise memorializing any meeting or discussion I had with Pastor Alexey Ledyaev.

22) Identify all individuals who provided you with the information forming the basis for your contention in Paragraph 10 of your Answer that “David Kato is now dead because he was killed by a homosexual prostitute whom Kato hired for sexual services but refused to pay,” and:

- a. state the basis for this contention; and
- b. describe all steps taken by you to investigate this contention.

OBJECTION: Lively objects to this interrogatory because requiring him to disclose all steps he has taken to investigate one of SMUG’s essential claims in this case invades the work-product and attorney-client privileges. Without waiving any objection, Lively provides the following response.

RESPONSE: The fact that David Kato was murdered by a homosexual prostitute rather than an enraged homophobe has been widely reported by the mainstream media, as well as “gay” and conservative media outlets. A collection of these reports is being produced as LIVELY 1916 - 1938.

My discovery and investigation into Mr. Kato’s murder continue. I will supplement this response and disclose relevant witnesses with knowledge on this topic as required by the Rules of Civil Procedure and the Court’s scheduling orders.

23) Describe the gay agenda about which you wrote in “Report from Kampala” posted at <http://www.defendthefamily.com/pfrc/archives.php?id=2345952> (last accessed March 31, 2014), and identify all sources on which you rely for that description.

OBJECTION: In his lifetime Lively has reviewed countless thousands of writings, articles and other “sources” regarding the “gay” agenda. Requiring him to recall, identify and disclose all such sources is oppressive and unduly burdensome. Without waiving any objection, Lively provides the following response.

RESPONSE: An agenda is a plan or list of matters to be acted upon by a person or group related to a strategic goal to be achieved. The original goal of the “gay” movement was, in my view, best articulated by Dale Jennings of the Mattachine Society as “the right to be left alone.” *Before Stonewall: Activists for Gay and Lesbian Rights in Historical Context*, John Dececco, Phd, Vern L Bullough, RN, PhD, Haworth Press, 2002, p 88.

However, with the Stonewall Riot of 1969, the movement adopted a radical Marxist goal and agenda heavily influenced by Herbert Marcuse of the Frankfort School of “Cultural Marxists.” From *glbtq: An Encyclopedia of Gay, Lesbian, Bisexual, Transgender, and Queer Culture*:

Marcuse, Herbert (1898-1979). German-born philosopher Herbert Marcuse was one of the leading theorists of the New Left in Europe and the United States in the late 1960s. Much like Michel Foucault in a later generation, Marcuse had an enormous influence on theories of sexual liberation, particularly in the early post-Stonewall gay movement and on the left. Many young people in the 1960s adopted Marcuse-like sexual politics as the basis for the counter-culture's radical transformation of values."

http://www.glbtc.com/social-sciences/marcuse_h.html

Marcuse's advocacy of "the Great Refusal" (*i.e.*, civil disobedience and cultural warfare) as a strategy for breaking down the social order to make way for a Marxist utopian alternative was articulated in his books *Eros and Civilization* (1955) and *One-Dimensional Man* (1964), and was adopted by the Stonewall-era "gay" leaders.

Marcuse equated "the repressive order of procreative sexuality" with death and sexual perversion with life:

The Orphic-Narcissistic images are those of the Great Refusal: refusal to accept separation from the libidinous object (or subject). The refusal aims at liberation -- at the reunion of what has become separated. Orpheus is the archetype of the poet as *liberator* and *creator*: he establishes a higher order in the world -- an order without repression. In his person, art, freedom, and culture are eternally combined. He is the poet of redemption, the god who brings peace and salvation by pacifying man and nature, not through force but through song...Orpheus had shunned all love of womankind...The classical tradition associates Orpheus with the introduction of homosexuality. Like Narcissus, he rejects the normal Eros, not for an ascetic ideal, but for a fuller Eros. Like Narcissus, he protests against the repressive order of procreative sexuality. The Orphic and Narcissistic Eros is to the end the negation of this order -- the Great Refusal. In the world symbolized by the culture-hero Prometheus, it is the negation of *all* order; but in this negation Orpheus and Narcissus reveal a new reality, with an order of its own, governed by different principles. The Orphic Eros transforms being: he masters cruelty and death through liberation.

Eros and Civilization (170-171).

In his Preface to the 1966 2nd edition of *Eros and Civilization*, Marcuse said the goal of the book was "to break the fatal union of productivity and destruction, liberty and repression -- in other words, to learn the gay science (*gaya sciencia*) of how to use the social wealth for shaping man's world in accordance with his Life Instincts, in the concerted struggle against the purveyors of Death."

According to Marcuse: "Polymorphous sexuality' was the term which I used to indicate that the new direction of progress would depend completely on the opportunity to activate repressed or arrested *organic*, biological needs: to make the human body an instrument of

pleasure rather than labor....These conditions redefine the concept of Utopia.”

What Marcuse calls “polymorphous sexuality” I call sexual anarchy.

In this life or death struggle against “repression,” Marcuse taught that the chief enemy was the “patriarchal family.” He wrote: “[W]hile any form of the reality principle demands a considerable degree and scope of repressive control over the instincts...additional controls arising from the specific institutions of domination are what we denote as *surplus-repression*. For example, the modifications and deflections of instinctual energy necessitated by the perpetuation of the monogamic-patriarchal family.” (p.38).

Marcuse proposed the following solution: “No longer used as a fulltime instrument of labor, the body would be resexualized. The regression involved in this spread of the libido would first manifest itself in a reactivation of all erotogenic zones and, consequently, in a resurgence of pregenital polymorphous sexuality and in a decline of genital supremacy. The body in its entirety would become an object of cathexis, a thing to be enjoyed -- an instrument of pleasure. This change in the value and scope of libidinal relations would lead to *a disintegration of the institutions in which the private interpersonal relations have been organized, particularly the monogamic and patriarchal family.*” (p.201).

Emboldened by Stonewall, and filled with Marcusian inspiration, some 200 homosexual organizations met in Chicago in 1972 to adopt the following written agenda:

Platform created at the National Coalition of Gay Organizations Convention held in Chicago in 1972

FEDERAL LEVEL:

1. Amend all federal Civil Rights Acts, other legislation and government controls to prohibit discrimination in employment, housing, public accommodations and public services.
2. Issuance by the President of an executive order prohibiting the military from excluding for reasons of their sexual orientation, persons who of their own volition desire entrance into the Armed Services; and from issuing less-than-fully-honorable discharges for homosexuality; and the upgrading to fully honorable all such discharges previously issued, with retroactive benefits.
3. Issuance by the President of an executive order prohibiting discrimination in the federal civil service because of sexual orientation, in hiring and promoting; and prohibiting discriminations against homosexuals in security clearances.
4. Elimination of tax inequities victimizing single persons and same-sex couples.
5. Elimination of bars to the entry, immigration and naturalization of homosexual aliens.
6. Federal encouragement and support for sex education courses, prepared and taught by gay women and men, presenting homosexuality as a valid, healthy preference and lifestyle as a viable alternative to heterosexuality.
7. Appropriate executive orders, regulations and legislation banning the

compiling, maintenance and dissemination of information on an individual's sexual preferences, behavior, and social and political activities for dossiers and data banks.

8. Federal funding of aid programs of gay men's and women's organizations designed to alleviate the problems encountered by Gay women and men which are engendered by an oppressive sexist society.

9. Immediate release of all Gay women and men now incarcerated in detention centers, prisons and mental institutions because of sexual offense charges relating to victimless crimes or sexual orientation; and that adequate compensation be made for the physical and mental duress encountered; and that all existing records relating to the incarceration be immediately expunged.

STATE LEVEL:

1. All federal legislation and programs enumerated in Demands 1, 6, 7, 8, and 9 above should be implemented at the State level where applicable.

2. Repeal of all state laws prohibiting private sexual acts involving consenting persons; equalization for homosexuals and heterosexuals for the enforcement of all laws.

3. Repeal all state laws prohibiting solicitation for private voluntary sexual liaisons; and laws prohibiting prostitution, both male and female.

4. Enactment of legislation prohibiting insurance companies and any other state-regulated enterprises from discriminating because of sexual orientation, in insurance and in bonding or any other prerequisite to employment or control of one's personal demesne.

5. Enactment of legislation so that child custody, adoption, visitation rights, foster parenting, and the like shall not be denied because of sexual orientation or marital status.

6. Repeal of all state laws prohibiting transvestism and cross-dressing.

7. Repeal of all laws governing the age of sexual consent.

8. Repeal of all legislative provisions that restrict the sex or number of persons entering into a marriage unit; and the extension of legal benefits to all persons who cohabit regardless of sex or numbers.

Source: *All Things Queer. GAY & LESBIAN ISSUES. coverage, commentary & community for people with brains *and* an attitude!*

http://www.rslevinson.com/gaylesissues/features/collect/onetime/bl_platform1972.htm.

To my knowledge, none of the organizations or their successors have ever repudiated this agenda, but in fact most of its items have been achieved in whole or in part.

In *Gay Community News*, Feb. 15-21, 1987, a writer named Michael Swift (which I assume to be an alias intended to evoke an association with the satirist Jonathan Swift), published the following essay which was later republished in *The Congressional Record*. While it purports to be satire, I recognize its sentiments as an accurate reflection of masculine-oriented male homosexual culture and goals, and I have observed that most of its elements have played

out in real life in various ways.

This essay is an *outré*, madness, a tragic, cruel fantasy, an eruption of inner rage, on how the oppressed desperately dream of being the oppressor.

We shall sodomize your sons, emblems of your feeble masculinity, of your shallow dreams and vulgar lies. We shall seduce them in your schools, in your dormitories, in your gymnasiums, in your locker rooms, in your sports arenas, in your seminaries, in your youth groups, in your movie theater bathrooms, in your army bunkhouses, in your truck stops, in your all male clubs, in your houses of Congress, wherever men are with men together. Your sons shall become our minions and do our bidding. They will be recast in our image. They will come to crave and adore us.

Women, you cry for freedom. You say you are no longer satisfied with men; they make you unhappy. We, connoisseurs of the masculine face, the masculine physique, shall take your men from you then. We will amuse them; we will instruct them; we will embrace them when they weep. Women, you say you wish to live with each other instead of with men. Then go and be with each other. We shall give your men pleasures they have never known because we are foremost men too, and only one man knows how to truly please another man; only one man can understand the depth and feeling, the mind and body of another man.

All laws banning homosexual activity will be revoked. Instead, legislation shall be passed which engenders love between men.

All homosexuals must stand together as brothers; we must be united artistically, philosophically, socially, politically and financially. We will triumph only when we present a common face to the vicious heterosexual enemy.

If you dare to cry faggot, fairy, queer, at us, we will stab you in your cowardly hearts and defile your dead, puny bodies.

We shall write poems of the love between men; we shall stage plays in which man openly caresses man; we shall make films about the love between heroic men which will replace the cheap, superficial, sentimental, insipid, juvenile, heterosexual infatuations presently dominating your cinema screens. We shall sculpt statues of beautiful young men, of bold athletes which will be placed in your parks, your squares, your plazas. The museums of the world will be filled only with paintings of graceful, naked lads.

Our writers and artists will make love between men fashionable and *de rigueur*, and we will succeed because we are adept at setting styles. We will eliminate heterosexual liaisons through usage of the devices of wit and ridicule, devices which we are skilled in employing.

We will unmask the powerful homosexuals who masquerade as heterosexuals.

You will be shocked and frightened when you find that your presidents and their sons, your industrialists, your senators, your mayors, your generals, your athletes, your film stars, your television personalities, your civic leaders, your priests are not the safe, familiar, bourgeois, heterosexual figures you assumed them to be. We are everywhere; we have infiltrated your ranks. Be careful when you speak of homosexuals because we are always among you; we may be sitting across the desk from you; we may be sleeping in the same bed with you.

There will be no compromises. We are not middle-class weaklings. Highly intelligent, we are the natural aristocrats of the human race, and steely-minded aristocrats never settle for less. Those who oppose us will be exiled.

We shall raise vast private armies, as Mishima did, to defeat you. We shall conquer the world because warriors inspired by and banded together by homosexual love and honor are invincible as were the ancient Greek soldiers.

The family unit-spawning ground of lies, betrayals, mediocrity, hypocrisy and violence--will be abolished. The family unit, which only dampens imagination and curbs free will, must be eliminated. Perfect boys will be conceived and grown in the genetic laboratory. They will be bonded together in communal setting, under the control and instruction of homosexual savants.

All churches who condemn us will be closed. Our only gods are handsome young men. We adhere to a cult of beauty, moral and esthetic. All that is ugly and vulgar and banal will be annihilated. Since we are alienated from middle-class heterosexual conventions, we are free to live our lives according to the dictates of the pure imagination. For us too much is not enough.

The exquisite society to emerge will be governed by an elite comprised of gay poets. One of the major requirements for a position of power in the new society of homoeroticism will be indulgence in the Greek passion. Any man contaminated with heterosexual lust will be automatically barred from a position of influence. All males who insist on remaining stupidly heterosexual will be tried in homosexual courts of justice and will become invisible men.

We shall rewrite history, history filled and debased with your heterosexual lies and distortions. We shall portray the homosexuality of the great leaders and thinkers who have shaped the world. We will demonstrate that homosexuality and intelligence and imagination are inextricably linked, and that homosexuality is a requirement for true nobility, true beauty in a man.

We shall be victorious because we are fueled with the ferocious bitterness of the oppressed who have been forced to play seemingly bit parts in your dumb, heterosexual shows throughout the ages. We too are capable of firing guns and manning the barricades of the ultimate revolution.

Tremble, hetero swine, when we appear before you without our masks.

Source: Fordham University. <http://www.fordham.edu/halsall/pwh/swift1.asp>

In November of 1987 two homosexual political strategists Marshall Kirk and Erastus Pill published a landmark article in *Guide Magazine*, titled, forthrightly, "The Overhauling of Straight America." The article in its entirety has been republished at GayHomeland.Org, here: http://library.gayhomeland.org/0018/EN/EN_Overhauling_Straight.htm.

The following quotations capture its cynical tone and goals in furtherance of the larger "gay" agenda:

The first order of business is desensitization of the American public concerning gays and gay rights.... And when we say talk about homosexuality, we mean just that. In the early stages of any campaign to reach straight America, the masses should not be shocked and repelled by premature exposure to homosexual behavior itself. Instead, the imagery of sex should be downplayed and gay rights should be reduced to an abstract social question as much as possible. First let the camel get his nose inside the tent--only later his unsightly derriere!...

...So far, gay Hollywood has provided our best covert weapon in the battle to desensitize the mainstream....

...gays must be cast as victims in need of protection so that straights will be inclined by reflex to assume the role of protector. If gays are presented, instead, as a strong and prideful tribe promoting a rigidly nonconformist and deviant lifestyle, they are more likely to be seen as a public menace that justifies resistance and oppression. For that reason, we must forego the temptation to strut our "gay pride" publicly when it conflicts with the Gay Victim image....

...the mainstream should be told that gays are victims of fate, in the sense that most never had a choice to accept or reject their sexual preference. The message must read: "As far as gays can tell, they were born gay, just as you were born heterosexual or white or black or bright or athletic..."

...Our campaign should not demand direct support for homosexual practices, should instead take anti-discrimination as its theme....

...the campaign should paint gays as superior pillars of society. Yes, yes, we know--this trick is so old it creaks...

...At a later stage of the media campaign for gay rights--long after other gay ads have become commonplace--it will be time to get tough with remaining opponents. To be blunt, they must be vilified....we intend to make the antigays look so nasty that average Americans will want to dissociate themselves from such types.

[Note by GayHomeland.org] “A few years later its authors did expand it into a book: *Marshall Kirk, Hunter Madsen: ‘After the Ball -- How America will conquer its fear and hatred of Gays in the 1990s.’* (Plume, 1990), ISBN: 0452264987.”

After the Ball has been the blueprint for advancing the “gay” agenda since its publication.

There are countless additional sources that represent the “gay” agenda. I can’t possibly list all of them here. The documents referenced above, and some additional documents representative of the “gay” agenda are being produced as LIVELY 1939 – 2127. See also LIVELY 0125 – 0419; LIVELY 1071 – 1190; LIVELY 1667-1915; and LIVELY 2128-2930.

24) Describe the promotional efforts and method of sales and distribution of *Defend the Family: Activist Handbook*, *Redeeming the Rainbow*, *The Pink Swastika: Homosexuality in the Nazi Party*, and *The Poisoned Stream* in Uganda, identify the persons or entities that have provided funding for the promotional efforts, sales, and distribution of those publications in Uganda, and list the amount of money received to date from the sales of those publications in Uganda.

RESPONSE: I initially planned to sell books in Uganda to cover the cost of my travels to the country. I tried to arrange this with Martin Ssempe, but we never finalized the plans. I decided to donate the materials instead, in keeping with my long-standing philosophical aversion to funding Christian ministry through commerce. ATM has therefore received no money from the sales of the listed publications in Uganda.

25) Identify the actions taken by Russian President Vladimir Putin that are “good for family values” as referenced in your post at <http://www.scottlively.net/2014/02/22/pro-russian-press-conference/> (last accessed March 31, 2014) on February 22, 2014 that stated in part:

Indeed, it seems pretty clear to me that Putin sees himself in the mold of the Czars, and not in the mold of the Soviets, and that is a good thing for family values in the Eastern Bloc, if not such a good thing for the Western Powers who are competing with him for lands and markets of the former soviet states, such as Ukraine. (Frankly, with the E.U having become a sort-of “gay” Soviet Union, fully embracing cultural Marxism and persecuting Christians, I think the Ukrainians would be better off in the Russian Federation.)

OBJECTION: Lively objects to this interrogatory on the grounds that it seeks information beyond the scope of this litigation which is neither relevant nor likely to lead to the discovery of admissible evidence. This lawsuit is brought solely by a Ugandan entity and is about Lively’s alleged activities in Uganda. Lively’s comments about the actions of the Russian President in Russia have nothing to do with Uganda and are therefore irrelevant to the issues in suit. Without waiving any objection, Lively provides the following response.

RESPONSE: The referenced statement is self-explanatory. In my opinion, Putin's casting himself in the mold of the Czars is a good thing for family values because the Czars generally respected the integrity and autonomy of the natural family, and certainly much more so than the Soviet rulers who followed.

26) Identify all individuals that prepared or assisted in preparation of these Interrogatories.

RESPONSE: I do not know who prepared or assisted in preparation of these Interrogatories. They were served by SMUG upon me through my counsel. I assume that they were prepared by SMUG's counsel, but have no personal knowledge.

VERIFICATION

I declare under penalty of perjury that the foregoing responses are true and correct.

Executed on June 11, 2014.



Scott Lively

As to Objections:

Philip D. Moran
(MA Bar # 353920)
265 Essex Street, Suite 202
Salem, Massachusetts 01970
Tel: (978) 745-6085
Fax: (978) 741-2572
Email: philipmoranesq@aol.com

/s/ Horatio G. Mihet

Mathew D. Staver
Admitted Pro Hac Vice
Stephen M. Crampton
Admitted Pro Hac Vice
Horatio G. Mihet
Admitted Pro Hac Vice
LIBERTY COUNSEL
P.O. Box 540774
Orlando, FL 32854-0774
800-671-1776 Telephone
407-875-0770 Facsimile
court@lc.org

Attorneys for Defendant Scott Lively

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via electronic mail this 12th day of June, 2014, upon:

Gina Spiegelman
Dorsey & Whitney LLP
51 West 52nd Street
New York, NY 10019-6119
spiegelman.gina@dorsey.com

Counsel for Plaintiff Sexual Minorities Uganda

/s/ Horatio G. Mihet
HORATIO G. MIHET
One of the attorneys for Defendant Scott Lively

EXHIBIT 8

Scott Lively Ministries

For such a time as this...

The Homosexual Roots of Fascism

Posted on [September 23, 2013](#) by [Pastor Scott](#)

We have finally completed the beta version of Chapter 3 of the 5th Edition of *The Pink Swastika: Homosexuality in the Nazi Party*. Even though we have nearly doubled the size of this chapter, with a great deal of new material interwoven into the existing text, this file is still small enough to download and send by email and I encourage you to do so. Chapters 1 and 2 are available on the *Pink Swastika* page of this blog.

This is a work-in-progress. Any help in proof-reading for typos and any other errors is welcomed. Send comments by email to sdllaw@gmail.com.

[The Pink Swastika Chapter 3 V 1.1 BETA](#)

This entry was posted in [Homo-Fascism](#), [Homosexual Agenda](#). Bookmark the [permalink](#).

Scott Lively Ministries

Proudly powered by WordPress.

EXHIBIT 9

Defend the Family

Activist Handbook

By Dr. Scott Lively
President, Defend the Family International
www.defendthefamily.com
Consultant, Defend the Family - Latvia
www.defendthefamily.lv

Our Purpose and Goal

The purpose of Defend the Family Latvia is to promote marriage and the natural family as the essential foundation of society; of such importance that it needs to be strongly supported and defended by the institutions of government, mass media, education, business and religion.

Our goals are

- to create such a high awareness and agreement about the importance of marriage and family in every area of society
- to motivate every citizen, especially the leaders of key institutions, to consider the impact on marriage and family of every decision
- to provide the best information to support decisions based on the criterion of what will best preserve and strengthen families and the values that sustain them.

The following plan shall be used to achieve this goal:

1. Identify and organize people who believe strongly in family values and train them to be effective advocates of these values.
2. Educate all the people of Latvia about the importance of marriage and family through advertising, seminars, public events, mass media, and the creation and distribution of educational materials.
3. Oppose, responsibly and through all legal means, individuals and organizations which promote sexual lifestyles outside of marriage or work against family values in society.

INTRODUCTION

This booklet is written as a guide to help pro-family people organize themselves into an effective social and political force. It outlines a simple and practical organizational model designed to focus the talents and resources of pro-family volunteers on a single goal: the creation of a healthy family-centered society.

The original motivation of some of us may be to stop the homosexual political and social agenda, but our strategy must look past the “gays” current tactics to see the bigger problem: the “gay”-sponsored philosophy of sexual promiscuity that is turning the whole society against marriage and family values.

Frankly, we have our own agenda to pursue. We don’t want just to stop the “gays.” We want to make our society a better place to live in, filled with strong and healthy marriages, secure and happy children and stable, prosperous, family-oriented communities.

The “gay” vision of a society with no restrictions on sexual conduct is an immature and self-centered fantasy. It promotes behavior that is non-procreational and highly associated with disease, addictions, psychopathology, abortion and shortened life span, in short, a “culture of death.” Our vision for a family-centered society creates a “culture of life” by promoting responsible procreation and raising of children, caring for family members, and financial responsibility. Such a society offers health, longevity, stability, security and prosperity to its members. But only hard work and perseverance will bring make our vision a reality. We must compete aggressively with our opponents so that our vision and not theirs will prevail. But our focus must be on achieving our vision, not defeating theirs. It’s an important difference. We could stop “gay” marriage and still have a disintegrating society full of broken families and perversion.

This guide provides only general advice about how to fulfill our vision. The specific goals, programs and tasks must come from the volunteers themselves and the leaders who arise from among them.

Each volunteer must work with others, offering personal experience, information, skills and resources to achieve the goals set by the organization. Differences of opinions and personality conflicts will, of course, arise, but if we all keep our eyes on the vision and not ourselves we will overcome these challenges. There are so many different projects which need to be done that all of us can be useful and creative in our work and fulfill our own priorities.

This is an organization of sacrifice. We participate because we care about the health of our society and the future of our children and grandchildren. For it to succeed, we must give freely of our time, expertise and money. No one else can fulfill our individual responsibility. It is ours and we must accept it.

On a personal note, I am a soldier in this culture war because I am first a Christian. Years ago the Lord Jesus saved me and delivered me from a long-time bondage to drugs and alcohol, and I have ever since devoted my life to redeeming the society around me. However, you will notice that this guidebook is written in non-religious terms. As a practical matter, most of our volunteers will probably be Christians, because public service is a fundamental value taught in the Bible, and because marriage and family are so central to Christian life. But a person need not be a Christian to have family values, or to want a family-friendly society. We all need to work together toward that goal, always reminding ourselves and society that healthy family values make a better world for everyone (even the people who disagree).

I have written this guide for our first national affiliate, Defend the Family Latvia, but it may be adapted for use in other counties, states, provinces or regions. It is divided into two main sections. The first section outlines the philosophy and structure of the organization. The second section provides a set of basic resources that will be useful for our volunteers. The resources may be copied and distributed. Additional resources are available at www.defendthefamily.lv, in Russian and Latvian, and at www.defendthefamily.com, in English.

Scott Lively
Riga, Latvia, July 7, 2007

SECTION ONE

I. First Principles

This is a brief summary of the facts that are most fundamental to our strategy and our task.

1. The natural family, consisting of one man and one woman and their children by birth or adoption, is the foundation of civilization. This truth is acknowledged either expressly or implicitly by most nations, cultures and major religions throughout recorded history.
2. Heterosexuality is the common design of all physically normal human beings. We are each either male or female with a reproductive system that is perfectly complimentary to that of the opposite sex. There is no “third gender.”
3. Human sexual desire originates in and derives from one’s reproductive physiology and thus all human sexuality is innately based in heterosexuality.
4. The sexual impulse is one of the most powerful forces in human life. It can be either powerfully creative or destructive. The institution of marriage constructively contains and directs this power.
5. Marriage is the social and religious institution designed to harness the power of the sex drive for procreation and enrichment of life and prevent its potential harm to individuals, families and societies. Without marriage, natural families are prone to instability and breakdown because men and women are more easily lured away from their families into other sexual relationships. Sexual infidelity and promiscuity lead to broken families, the spread of sexual diseases, greater poverty for women and children, and emotional trauma among family members leading in some cases to violence and even murder and/or suicide.
6. Broken or single-parent families are more likely to produce emotionally damaged children, who in turn are less successful in forming their own families and more likely fall into pathological or anti-social behavior patterns: violence, drug and alcohol addiction, criminal behavior, failure to succeed in school, suicide and mental health problems.
7. A marriage-based society that encourages its people to abstain from sex until marriage and to stay faithful to their spouses within marriage reaps the benefit of greater family stability and fewer social problems. Experience and research confirm that respecting the design of the natural family produces positive results while rejection of the design produces negative results.

II Homosexuality and The “Gay” Movement

8. Homosexuality is the condition of being sexually attracted to persons of the same gender, in contradiction to the self-evident heterosexual design of the body. As with all people, a

homosexual's sexual impulse originates in the reproductive system, but is, through trauma or family dysfunction, directed toward the wrong gender. Thus it is an intrinsically disordered "sexual orientation." Therapists call this disorder Same Sex Attraction or SSA.

9. SSA is a treatable condition. Practitioners of "Reorientation Therapy" in the United States have helped thousands of homosexuals to be restored to a heterosexual orientation.

The largest association of doctors and therapists who treat SSA is The National Association for Research and Therapy of Homosexuality (NARTH), www.narth.com.

10. Many people who suffer from SSA become deeply addicted to "gay" sexual relationships and reject the option of recovery in favor of a lifestyle of unrestricted sexual license.

11. The "gay" movement is a global network of political activists made up of people with SSA who reject the notion that their behavior is wrong, but instead insist that all nations and cultures adopt their philosophy of sexual anarchy in place of the norms of the marriage-based society. It is not a random social force, but a highly organized army of social engineers with a single purpose.

12. The "gay" movement is the most dangerous social and political movement of our time because it threatens the very foundation of civilization by using every possible means to break down the walls that restrict sexual behavior to traditional marriage. It is also a purely self-interested movement, willing to advance its own goals at the expense of all other members of society. This single-mindedness can be seen in its claims to victim status, its many proposals for laws which advance only the interests of "gays," and its use of any access to power to silence and punish opposition.

III. The Homosexual Message

The disordered nature of homosexuality is self-evident; therefore any effort to normalize or legitimize homosexuality must use falsehood and deception to gain public support. The homosexual appeal for public support includes several standard lies that are repeated constantly by its spokespersons, and presented to the public as proven facts:

- "Homosexuality is innate and normal." (Often called the "born that way" argument.)
- "Homosexuality cannot be changed."
- "Heterosexual children cannot become homosexual."
- "Homosexuals and heterosexuals are separate but equal sexual types."
- "All disapproval of homosexuality is motivated by hate and fear."
- "Homosexuality is equivalent to race, and disapproval of homosexuality is like racism."
- "Homosexuals are helpless victims who need special legal protection."
- "Toleration of homosexuals requires approval of homosexual conduct."
- "Homosexual suicides and mental health problems are caused by social disapproval."

An essential goal of our organization is to expose the falsehood of these assertions. The people, especially social and political leaders, need to know the truth, and it is our job to inform them. Fortunately, there is a wealth of authoritative documentation to support the pro-family position on these topics. We will locate, translate and utilize these resources in the most efficient and effective manner. Section Two of this handbook contains several ready-to-use resources, and a list of websites where additional resources may be found.

IV. The Homosexual Strategy & Tactics

A strategy is a long-term plan of action designed to achieve a particular goal. Tactics are specific details or parts of a strategy which can be used to implement it.

The homosexual strategy is to organize and deploy an army of political activists to take effective control of every area of social influence and to use their power to produce a new society which can provide them with an unlimited number of sexual partners and which has no legal or social restrictions on sexual conduct. The strategy also provides for converting, silencing, discrediting and criminalizing those who oppose these goals.

1. How do they attract and recruit their activists?

Homosexuals cast themselves as a united coalition of sexual minorities (GLBT “gay,” lesbian, bisexual, transgendered) who must band together against a common oppressor or be killed or harmed. This oppressor is the “homophobic” majority which they characterize as made up of hate-filled religious fanatics and other bigots, and those who go along with “homophobic” attitudes out of ignorance.

The reason for accusing opponents of hating them is to put the opponents on the defensive, but also to preserve their own political unity by invoking fear.

This strategy is also used to create sympathy and gain allies among non-homosexuals.

This homosexual activist organizations aim to recruit young people in general as sympathizers, but also to recruit troubled young people into the homosexual lifestyle itself. It is common for many young people to have same-sex attractions during their teenage years. For most, these feelings go away naturally with maturity. But if a young person with these feelings happens to fall in with a GLBT activist group, he or she can easily be recruited into a homosexual relationship. However, getting out is not so easy when the whole “gay” world is divided into “us” vs. “them” and everyone who could help lead the young person in the right direction is accused of being a hate-filled bigot.

2. How do they organize into a political army?

Homosexuals have created their own alternate “community” which serves as a sort of network of available potential sexual partners for everyone with “gay“, lesbian, bisexual or transgender

inclinations or addictions. It mimics normal society in every way (bars, social clubs, bowling leagues, etc.) so that members of the community can limit their interaction with outsiders.

It is also different from normal society in that it operates like one large political party. All “gay” events are first about sex and second about politics. To be active in the “gay community” is to be a political operative at some level.

The members of the “gay” community (especially the men) want more than anything else to expand their universe of potential sexual partners, so naturally they are easily recruited into the grand scheme to “make the whole world gay” through social and political change.

The huge “Gay Pride” parades seen in major cities around the world are a perfect example. Every “Pride” parade accomplishes two things. First it provides an opportunity for sexual promiscuity with a large new pool of potential partners. Homosexual activists from around the world use the “Pride” events as vacation opportunities. This is why these parades have so many participants and are enthusiastically promoted by opportunistic backers.

Second, “Gay Pride” parades achieve a major political objective by using tourism dollars to break down resistance to homosexuality in business and government circles, and by getting massive publicity for an event that showcases the “gays” power and the public’s acceptance.

3. How do they deploy their army?

The homosexual goal is to take effective control of the seats of power and influence in the society. The key spheres of influence include mass media (news and entertainment), government, schools and colleges, businesses, churches and community organizations.

Having a relatively small number of activists, and a large number of targets, the “gays” seek to maximize their influence by taking and holding key positions in each sphere.

Certain tactics are common to multiple targets at the beginning of the takeover campaign.

For example, in media, schools and business, the most important position is the one that controls who is hired. Since homosexuals can easily hide their “gay” identity, it is easy, once the hiring position is in the hands of a “gay” activist, to hire only fellow “gays” as new positions become available. They will all stay “in the closet” until they have enough people to form a “gay” and lesbian employee association or similar pressure group, and then use their collective power to force policy changes within the organization.

In government, the key positions are not necessarily the elected political leaders, but the powerful *assistants* of decision-makers, for example, legislators’ aides or law clerks in the higher courts.

In churches and community organizations, the goal is to gain a majority among the voting

members. This has been easily accomplished in many small non-profit organizations and church congregations of the declining denominations of the US.

Most important to homosexual strategy is to hold the key positions and then to use that power to change the society, by marketing the homosexual message to the public while also attacking and marginalizing the pro-family leaders and organizations.

V. The Pro-Family Agenda

Our agenda is to create a more family-friendly world. Our strategy is to identify, train and organize pro-family activists to promote marriage and family as the most important and valued elements of society.

We work to promote and defend family values in four key spheres of influence:

- Education
- Business
- Government
- Media.

Our primary purpose is not to stop the homosexuals, but to change society to make it strongly pro-family. We want every sphere of society to promote and protect marriage and family values. The homosexual movement will be stopped automatically as we work toward our goal because their agenda is the opposite of ours. If we succeed in our pro-family campaign, their anti-family campaign must fail. Homosexuality itself will occur much less frequently if families are healthy and well-informed about children's development and emotional needs.

Four Teams:

We begin our strategy by organizing pro-family volunteers into four teams addressing the four spheres of influence (education, business, government and media) and hold separate training seminars and regular meetings for each team.

Each team

- is divided into two or more squads, each with a Squad Leader. The squads are project-oriented task groups.
- has a Team Director whose job is to hold meetings, to assign volunteers to squads, and to facilitate the work of the squads.
- follows a three-phase plan.

Three-Phase Plan:

The first phase is to organize task groups who will gather information and become fully

informed about their sphere of influence.

The second phase is to make a plan of action based on the research from phase one and divide the work of implementing the plan among the task groups.

The third phase is to implement the plan through the cooperation of the task groups, with regular meetings of the team to report, assess and modify the plan of action.

All teams will become specialists in teaching others how marriage and family benefit society and how sexual promiscuity, including homosexuality, harms society.

VI. The Education Team

Goal: To promote and defend the pro-family agenda in the field of education, especially in the schools and universities.

The homosexuals devote a lot of their time and resources to influence children and youths in the schools because they know that these young people will shape the future of the nation. If they can make these children homosexual or pro-homosexual, the future of Latvia will belong to the “gays.”

Education is controlled from four centers of power:

1. Teachers
2. Administrators, including specific political leaders and government bureaucrats
3. Producers of educational resources such as textbook manufacturers
4. Parents

Each center of control must be protected from infiltration by “gay” activists and persuaded to actively promote marriage and family values to students.

Our team must gain influence with each of the four centers of control, and they must be included in each part of the three phase plan.

The homosexuals always seek to gain control of the most strategic positions, but they will use any base of influence as a starting point. Sometimes it is a teacher, sometimes an administrator or a member of the educational bureaucracy.

The presence of “gay” activism can be recognized by the appearance of homosexual propaganda in the school or university, specifically any teaching that homosexuals are born “gay” and cannot change. This is always the first stage of propaganda.

The next stage is the teaching that homosexuals are victims who must be protected and that opposition to homosexuality is the equivalent of racism. The more advanced the “gay” influence

in an institution, the more openly hostile the propaganda will be against people who disagree. A strongly homosexual-controlled institution will forbid any open disapproval of homosexuality and punish those who speak against it.

Each member of the team must make it his or her personal mission to change the educational system to become strongly pro-family. This will not only protect the children from the danger of homosexuality, it will give them a happier future and create a healthier society for everyone to enjoy.

Each member of the team must take action to fulfill this vision by cooperating in an organized plan.

VII. Special Considerations for the Education Team

Information Gathering

Information gathering will be an essential and ongoing part of the Education Team. The team will need to find the answers to the following questions, among others:

- How does the educational system work, who controls it, how is it controlled?
- What is currently taught to students about marriage, family and sexuality at every grade level?
- What resources are used to teach these things, who produces them, and who decides what resources will be used?
- How far have the “gays” already infiltrated the school system, and who are the pro-homosexual activists?
- Which teachers, administrators and politicians are pro-family, and how dedicated are they to protecting family values?
- What are the teachers being taught about marriage, family and sexuality?
- What existing resources are available to use to teach about marriage and family?
- What are the social statistics in Latvia regarding family issues?

Goal Setting

The members of the Education Team must create an action plan with specific goals based on the information that is gathered in Phase One. Some possible actions include

- Creation of a Pro-Family Teacher’s Association to help organize teachers who value marriage and family values.
- Preparation and distribution of educational resources to help teachers and administrators understand why marriage and family are good for society and why homosexuality and sexual promiscuity are bad for society.
- Preparation and distribution of teaching materials for every grade level teaching about marriage and family values in age-appropriate ways.
- Creation of a list of key politicians and administrators who have substantial influence in the

educational system and a group of emissaries from the Education Team who will work to make friends with these individuals and provide them with a steady stream of pro-family resources.

- Identification of the “gay” activists in the school system and creation of a monitoring system to watch them carefully and to expose any manipulation of the students under their authority.
- Preparation of new policies and laws to be adopted by the schools and controlling government agencies which require schools to promote healthy family life and forbid teaching or condoning sexual promiscuity, including homosexuality.
- Preparation and public distribution of a report or series of reports on education in Latvia as it relates to marriage, family values and sexual promiscuity, including homosexuality.
- Creation of a public advertising campaign about the value of teaching marriage and family life skills to students.

Project Implementation

The Education Team must assign individuals and squads to work to achieve the goals set by the team. It should meet regularly to discuss the progress of the work and share new information and suggestions.

It is important to set realistic goals and to divide the work so that it is shared among the volunteers according to their skills, time and dedication.

Whenever a specific stages of a project or goal have been completed, the persons responsible should be honored by the team.

After each task or goal is achieved, the team must move on to the next one. New tasks and goals should be added as the organization grows and matures.

VIII. The Business Team

Goal: To promote and defend marriage and family values in the business world and to raise money to support all the teams.

The homosexual strategy for businesses is to force them to accept and promote the “gay” agenda. One of the first aims of pro-homosexual legislators regarding the business community is to forbid businesses to hire or fire on the basis of “sexual orientation.” Once such a law is in place, homosexual activists hunt for wealthy businesses to sue for breach of the law. Businessmen should always be careful not to use homosexuality as their reason for hiring and firing. Poor job performance is the best reason to cite for firing an employee.

In large companies “in the closet” homosexual activists work to get other activists into the hiring positions, from which they will then hire large numbers of homosexuals. When they have

enough activists inside the company, they form an employee group and demand political concessions, such as special company benefits for “domestic partners.” They also insist on mandatory “sensitivity training” for all employees. This consists of classes that force employees to accept and believe the standard “gay” propaganda. Any employees who show disapproval of homosexuality in these classes may be quietly targeted for removal, usually by carefully watching and building a case against them in their employee files until they can be plausibly fired on some work-related issue.

“Gay” employee groups work continuously and aggressively in a coordinated effort to take full control of the company, after which time they use all of the assets and power of the company to advance the homosexual agenda in the community, especially through the awarding of contracts, the placement and message of advertising, and the company’s charitable donations and sponsorship of events.

It is very important for the Business Team to oppose the homosexual agenda to prevent the nation’s businesses from being used as tools in the “gay” strategy.

The Business Team will follow a two-track approach to influencing the business community: a positive track and a negative track.

The Positive Track

The Business Team has created a campaign called Business for Family; B4FA. Business for Family is an association of pro-family businesses which will receive free advertising in a special family advertising directory that will be mass-produced and distributed to churches and public venues that cater to families. Any pro-family business can be in the directory if it accepts our Pro-Family Statement of Principles for Business. These businesses will also have the right to display the Business for Family logo in their place of business and any advertising they may do in the community.

The directory will be funded by the sale of ads in the directory that are more prominent than those that are given for free.

The Negative Track

A special squad of the Business Team will focus on anti-family businesses and try to get them to change their business practices. This campaign is called Standing for Truth.

The Standing for Truth squad will identify businesses that cooperate in promoting the homosexual agenda in the community, either directly through their own business activities or indirectly through donations to homosexual projects or organizations. It will then use boycotts, picketing and other legal means to try to persuade these businesses to become pro-family or at least neutral.

IX. Special Considerations for the Business Team

Information Gathering

Information gathering for the Business Team should be quite simple. It involves identifying which businesses are pro-family, which are anti-family and which are neutral.

The Standing for Truth squad must also determine what tactics are legally allowed in Latvia relating to boycotts and pickets of private businesses.

Goal Setting

The Business Team's initial goal and tactics are set by the two-track approach stated above.

The Business for Family Group must

- Establish a Statement of Principles that define what it means to be a pro-family business.
- Design a Business for Family logo
- Design a Business Directory that will
 1. List the pro-family businesses in some logical order
 2. Be visually appealing to the people who will use it in their shopping decisions
 3. Include a variety of advertising options for purchase
- Organize a group of volunteers and/or salesmen to personally visit business owners, present them with the Statement of Principles, and invite the pro-family businesses to join the association and/or buy advertising in the directory.
- Print and distribute the business directory

The Standing for Truth squad must

- Determine which businesses are anti-family
- Organize a group of volunteers to visit the business owners and attempt to persuade them to become pro-family or at least neutral
- Create and distribute a boycott list of businesses that refuse to stop supporting the homosexual agenda.
- Organize public demonstrations and/or pickets of businesses that are the most harmful to the cause of protecting family values -- but only after the legal right to do so has been determined.

Project Implementation

The Business Team must meet regularly to allow all the members of the team to be updated on the status of the projects and to invite additional volunteers to participate.

The Team should develop additional projects which will help promote family values in the

business community.

The Team should work continually to educate the business community about the importance of marriage and family values.

The Team should ask the pro-family businesses to help to fund the work of Defend the Family - Latvia by donating to the organization.

X. The Government Team

Goal: To promote and defend marriage and family values in and through national and local government.

Homosexual activists work diligently to gain power in government in order to change the laws to provide special status and benefits for themselves, to eliminate special status and benefits for married people and families, and to silence or punish people who disagree with them. Government protections for marriage and family are appropriate and necessary because of the importance of family to the overall health of society. But protections for homosexuality are destructive because they condone behavior that is harmful to the people who practice it and to society. Most people know these facts, so why have certain politicians embraced the homosexual agenda?

Most politicians respect only power. Political power in a democracy comes from four sources

1. The will of the masses
2. Individuals or groups with lots of money
3. Organized social/political activists
4. Mass Media

The majority of the people of Latvia are strongly anti-homosexual, but the homosexual movement has lots of money and a highly organized group of activists. They strategically focus their energy on convincing a few key political leaders that “gay“ money and activism are powerful enough to protect their political allies from the anger of the pro-family majority. “If you advance our agenda,” promise the homosexual leaders, “we will use all of our power to support and protect you.” Unfortunately, until pro-family citizens get organized, the “gay” strategy usually works.

However, when the people who care about family values actively compete for influence in the political process they can easily win, because there are so many more people who support family values than who support the “gay” agenda. But pro-family people cannot delay, because the longer that the “gays” work without challenge from the pro-family side, the more citizens will become pro-”gay” through propaganda and other social manipulation.

The Government Team is divided into five squads:

- Lobby Squad A, which seeks to influence the legislative branch of government: (Parliament)
- Lobby Squad B, which seeks to influence the executive branch of government (Ministries)
- Elections Squad, which works to build a database of pro-family voters and volunteers and educate them about the political process and the issues
- Issues Squad, which identifies all laws and policies being addressed by government that have an impact on the family
- Victory Fund Squad, which raises money to help elect pro-family candidates

XI. Special Considerations for the Government Team

Information Gathering

The government teams needs to have a complete understanding of the political process in Latvia. It must consider at least the following questions:

- What are the political offices of the country and who holds these offices?
- Which officials are pro-family and which are anti-family?
- Which are the most important political offices?
- Which are the political offices that control how the money is spent?
- How does the voting process work?

Project Implementation

Lobby Squads. It will be necessary to develop a file on each office and each person who holds office, so that the lobby teams can have enough information to effectively influence each official. The members of the squads should work to make friends with the political figures, and should recruit volunteers to the squad who are especially good at this task. The squads should provide a steady supply of pro-family information to the politicians and seek to help the politicians in any way they can, even serving as volunteer staff members for pro-family politicians. It is especially important to provide simple, well-documented, authoritative pro-family information to officials who are being pressured to adopt anti-family policies or legislation. Defend the Family will provide such information in the form of fact sheets (see attachments); new fact sheets will be produced on request and made available to all chapters.

Elections Squad. The squad has the primary duty of identifying and making a database of all the pro-family voters of the nation. The database should be accessible by political district and other helpful criteria. The best way to build a database is to circulate a petition that only pro-family citizens will want to sign. The squad can recruit volunteers to help circulate the petition.

Issues Squad. The squad has the duty to educate the people (including those in the data-base created by the Elections Squad) about the pro-family issues, by finding and circulating important pro-family news and resources. It should also keep the team and pro-family voters informed about any proposed laws and policies affecting families which are currently being considered by

the government.

Victory Fund Squad. The squad has the duty to raise money to put in the victory fund. It can use every legal means of raising money, but should emphasize the solicitation of money from wealthy people who share our values. It must also research the laws regarding spending money on elections.

XII. The Media Team

The goal of the media team is to

- Make the Latvia media pro-family.
- Create our own pro-family resources in various forms (literature, films, etc.) to serve the nation.
- Create strong (secular, not religious) competitors to the anti-family media (or buy them) if we cannot make the existing media pro-family.

The mass media may be the most important sphere of influence in society. It has the power to shape public opinion, lionize or demonize public figures, focus public attention on specific people or issues at strategic moments, and, over time, to define reality for the people who rely upon it for information.

The homosexual activists always target the media first in their campaign to change society. It is thus essential that our organization begin immediately to compete for influence in the mass media.

The Media Team is divided into four squads.

- Squad 1 is focused on print media: newspapers, magazines.
- Squad 2 is focused on broadcast media: television, radio, cable.
- Squad 3 is focused on Internet media (excluding online divisions of print and broadcast media companies)
- Squad 4 is focused on producing and conducting a survey to determine how pro-family or anti-family the media is.

XIII. Special Considerations for the Media Team

Information Gathering

The media team will need to do a lot of research, including

- Identifying all of the media outlets in the country
- Categorizing them by numerous criteria: type of media company, market in which they operate, their target audience, size of their audience, and other important factors.

- Identifying the decision-makers in the media companies
- Identifying the reporters in the media companies
- Deciding who are friends and who are foes of family values

Goal Setting

The Media Team has adopted a plan to prepare a comprehensive report on the state of the national media. This will involve all squads, and utilize the research described above in a practical way. The report can be prepared in any of several forms (print, film, radio) or any combination. The act of carrying out this project will help the squads achieve their information gathering goals.

Project Implementation

After the publication of the report there are a number of projects which may help the team gain influence in the media:

- Formation of a pro-family news agency to gather pro-family news from around the world and customize it for use by the local media.
- Creation of an outreach program to help news reporters and editors learn the value of promoting the pro-family perspective.
- Creation of a journalist training and/or employment service to help pro-family journalists get jobs in the media.
- Creation of a for-profit business corporation to raise capital to start or buy and operate secular media companies.
- Development of a pro-family journalists association.
- Production of pro-family products for mass media: documentary films, literature, etc.
- Establishment of an awards program to honor pro-family journalists.

These are just a few possibilities. The Media Team will choose among these and other projects.

XIV. Conclusion

This booklet is not intended to be a complete guide to every aspect of starting and growing a pro-family movement. It provides some basic, logical first steps toward this goal. The key to success will be the rise of leaders from the ranks of our volunteers. These motivated and creative men and women will make the vision of Defend the Family their own, and will build upon the foundation we have described here.

All volunteers should always be encouraged to use this organization as a place to exercise their own skills and talents. The organization should always try to be a source of support for everyone who steps forward with a plan or idea that can advance our agenda. However, it is also important that no one moves forward with any project in the name of the organization unless that project is approved by the board. If we keep good order, and stay focused on our goals, we will

accomplish much.

SECTION TWO

Resources:

I. The following articles support the assertions made in Parts I & II of Section One, roughly in the order in which the assertions are made. However, most of the articles support multiple points in Section One and are thus not presented in traditional "footnote" format, but as documentation of the entire thesis.

- (1) Brown, Susan & Booth, Alan (1996), "Cohabitation Versus Marriage: A Comparison of Relationship Quality," *Journal of Marriage and the Family*, 58 (3) 668-78.
- (2) Binstock, Georgina & Thornton, Arland (2003), "Separations, Reconciliations, and Living Apart in Cohabiting and Marital Unions," *Journal of Marriage and Family*, 65 (2) 432-443.
- (3) Treas, Judith & Giesen, Deirdre (2000), "Sexual Infidelity Among Married and Cohabiting Americans," *Journal of Marriage and the Family*, 62 (1) 48-60.
- (4) Jeffrey Satinover (2005), "The Trojan Couch: How the Mental Health Associations Misrepresent Science." Narth.com.
- (5) Fagan, Patrick, Johnson, Kirk A. and Butcher, Jonathan (1996), *A Portrait of Family and Religion in America*, based on data from the National Longitudinal Study of Adolescent Health; Charts 2,3,4,5,6 and 8 illustrate the strength of the two types of natural intact families, married and cohabiting natural parents, over all other child raising configurations in preventing destructive behavior by their adolescent children.
- (6) Irving Bieber, et al. (1962). *Homosexuality: A Psychoanalytic Study of Male Homosexuals*, NY: Basic Books, 276; Robert Spitzer, (2003). "Can some gay men and lesbians change their sexual orientation? 200 participants reporting a change from homosexual to heterosexual orientation," *Archives of Sexual Behavior*, 32 (5) 403-417; Glenn Wyler (April, 2004). "Anything but Straight: A Book Review," *NARTH Bulletin*, 32- 45.

(7) Ariel Shidlo & Michael Schroeder, (2002). "Changing Sexual Orientation: A Consumer's Report," *Professional Psychology: Research and Practice*, 33 (3), 249-259.

(8) David Fergusson, L. Horwood & A. Beautrais, (1999). "Is sexual orientation related to mental health problems and suicidality in young people?" *Archives of General Psychiatry*. 56 (10), 876-888.

(9) Theo Sandfort, et al (2001). "Same-sex Sexual Behavior and Psychiatric Disorders: Findings from the Netherlands Mental Health Survey and Incidence Study (Nemesis)." *Archives of General Psychiatry*, 58, 85-91.

II. Links to Pro-Family Resources

For all teams:

www.narth.com

<http://www.exodus-international.org>

<http://exodusbooks.org/Books/>

<http://www.pfox.org>

<http://www.afa.net/>

<http://www.familyresearchinst.org/>

<http://www.frc.org>

<http://www.worldcongress.org/>

For the Business Team

<http://www.corporateresourcecouncil.org>

III. Resources to Copy and Distribute

Documentation of the Homosexual Agenda

- The Homosexual Manifesto
- 1972 Gay Rights Platform
- The Overhauling of Straight America

Documentation in Support of the Pro-Family Position

- Why Government Should Actively Promote Marriage and Family in Public Policy and Law
- Fact Sheet on Homosexuality and Mental Health
- Fact Sheet on Same Sex Attraction and Immutability
- The Falsification of Evidence on Homosexuality by the U.S. Mental Health Associations

EXHIBIT 10

Scott Lively Ministries

For such a time as this...

The Four Lawsuits

Posted on [August 26, 2014](#) by [Pastor Scott](#)

There has been a lot of interest in the current “Crimes Against Humanity” lawsuit against me by Sexual Minorities Uganda (SMUG) and the so-called Center for Constitutional Rights (CCR), but this is not the first time the LGBT movement has tried to silence me by use of the courts. In fact, the SMUG lawsuit is the 5th such attack I have suffered in my career. Following is an excerpt from my privately published book of testimonial stories about the Miracles that God has done in my life, titled *My Life in His Hands*. This excerpt is from Chapter 8, “The Four Lawsuits.” As you read it you will see why I am confident that God will turn what SMUG and CCR have intended for evil into something good for me (Romans 8:28).

“The Four Lawsuits,” from *My Life in His Hands* (2006)

“[We] have access by faith into this grace wherein we stand, and rejoice in hope of the glory of God. And not only so, but we glory in tribulations also: knowing that tribulation works patience; And patience, experience; and experience, hope.” Romans 5:2-4

Few things in life are more intimidating than lawsuits, which is why they were a favorite tool of the Oregon “gay” movement to try to drive me out of the political process. God had made me an effective spokesman for His standard regarding homosexuality, so I was a primary target of their attacks.

The first lawsuit was for battery and stemmed from one of the earliest campaign events of the 1992 election cycle. OCA had prepared an educational video called *The Gay Agenda*, which featured film footage from various “Gay Pride” parades with commentary by pro-family leaders. It was quite a shocking film and very effectively contradicted the benign but false public image that the homosexual community had cultivated in Oregon. I had scheduled the inaugural showing of the film at my church, Portland Foursquare, and advertised it as an “invitation only” affair.

One of the Portland “gay” newspapers had managed to infiltrate our mailing list and was notified of the event in our newsletter. They sent one of their reporters, a lesbian activist, with instructions to sneak into the meeting. Unfortunately, our volunteers who had been stationed at the front door to check invitations left their posts just after the film started, and she was able to walk right in. However, looking quite obviously like a Portland lesbian, she was immediately confronted and admitted she was with the “gay” press. After she refused to leave, I was called over to deal with the problem.

To make a long story short, after trying to reason with her for several minutes, I physically picked her up and put her out of the building. I didn’t use any more force than was necessary to get her out the door, and did not in any way hurt her, nor would I have. In retrospect, I shouldn’t have done it, even though I was well within my legal rights. Having been raised with three little sisters (who were often just as stubborn and belligerent), I just didn’t think twice about it.

The entire incident lasted less than a minute, but it was to influence the course of my life from that day forward. Frankly, these remain some of my most unpleasant memories, and it is uncomfortable even now to relive them, but I want to show how once again, God brought good from evil.

The lesbian activist tried to have me arrested, but the police refused. She then went to the District Attorney, who also refused. They both told her that I had the legal right to eject her. She was guilty of criminal trespass from the moment I told her that she was not welcome at the event. The Assistant District Attorney who interviewed her even wrote as much in his report. However, the "gay" community recognized the propaganda value of the incident (as they spun it) and within a few weeks I was served with a civil lawsuit for battery. Lon Mabon and OCA were also named in the suit.

I was not terribly worried about the lawsuit. In fact, I had absolute confidence that it would come to nothing. I trusted the Lord that He would deliver us (I was still immature enough as a Christian to believe that God's blessing always meant the fulfillment of my own perceived needs). I was so sure of the result that I made virtually no preparation for the trial, except what our attorney insisted upon. He, a brand new attorney fresh from law school, volunteered because he shared our Christian values. I believe that it was his very first trial. I do not fault him in any way for the result of our trial. He did his utmost for us in the face of what I believe was an inevitable result due to the political nature of the case and the power of our adversaries.

I am about to describe the circumstances surrounding the trial as I remember them, and as I believe they occurred. These are my personal perceptions and opinions, and I relate them from the perspective of a victim of what I believe was a carefully coordinated and orchestrated conspiracy. I cannot prove some of the things I believe about the actions or motives of my opponents during this time. Indeed, I cannot say that some of the things I will relate were not mere coincidence. I will simply tell the story as accurately as possible and let you decide for yourself.

The "gays" were very thorough in their preparation. First, they hired a veteran civil litigator. Second, they continually postponed the trial so that it was finally held in the last weeks of the 1992 election, when it offered the greatest propaganda value. Third, they coordinated their efforts with the liberal Portland media to gain the largest possible audience for what they had planned.

What should have been a half-day trial was staged over four full days in downtown Portland, the heart of the "gay" power base in Oregon. Our *pro tem* judge (a non-judge temporarily assigned to the bench to handle our case) was a corporate lawyer for Nike (well known to be a pro-"gay" company). Sitting in the back of the courtroom for the trial was an actual judge, a leader of the "Gay and Lesbian Law Association," whose purpose (I believe) was to make sure the *pro tem* steered the trial toward our defeat. It was a jury trial, but as in all such trials, the judge holds most of the power.

The first two days were used by the plaintiff to put on her case. A lesbian chiropractor testified that she (the lesbian plaintiff) had required over a year of treatment for injuries suffered in the incident (a completely preposterous assertion). A psychiatrist testified that the plaintiff has been so emotionally traumatized in the incident that she could no longer work in her chosen field of photo journalism and had to take a menial job in a warehouse. The plaintiff's mother was flown in to testify that her daughter had changed so much due to the trauma that she could hardly recognize her. The plaintiff herself, who had showed up to the OCA event dressed as a "butch" lesbian, appeared in court looking sweet, innocent and very feminine. In her own testimony she

characterized her trespass at the OCA event as the equivalent of infiltrating the Ku Klux Klan, and painted me (and OCA) as comparable to the Nazis.

Despite the lies and distortions, I remained confident that we would prevail. Most of all, I trusted that the Lord would deliver us, but I also knew we had an evidentiary “ace-in-the-hole”: the written report of the Assistant District Attorney in which it was recorded that the lesbian activist had admitted to criminally trespassing at our event.

The real problems started when it came time for us to put on our case. The *pro tem* judge had been hostile to us from the start, but when we began to make points with the jury, he got angry. When we came to the place in our defense where we were to introduce the D.A.’s report, things went from bad to worse.

Under the laws of evidence, any statement made outside of the courtroom is hearsay if it is offered to prove the truth of the thing asserted. It is a law designed to preserve the reliability of testimony. You can overcome the hearsay objection by showing the trustworthiness of the statement in some other way, such as by referring to a previous written record of the statement.

Here’s how it’s supposed to work: You ask the witness on the stand to give direct testimony from memory. If he can’t remember, you get to show him a previous written record of what he said to help him refresh his memory and then ask the question again. If he still can’t remember, you can establish that the written record is authentic and that the witness’s record was truthful when he wrote it, then enter the document into the record under the “past recollection recorded” exception to the hearsay rule.

In our case, the Assistant District Attorney (under penalty of perjury on the witness stand) claimed he could not remember speaking with the lesbian activist. I was stunned. Call me naïve, but it had not occurred to me that the DA might “fail to recall” what he had written. Our attorney then proceeded to the next step in the process, and began to offer the record to the DA to refresh his memory. At this critical juncture the judge interrupted the trial and told our attorney that he was not going to allow it, but our attorney argued with him and the judge, visibly angry, backed down.

The D.A. then reviewed his notes, looked up and said that he still did not recall speaking with the plaintiff.

Our final option was the introduction of the document itself as a “past recollection recorded.” However, as our attorney started to introduce it into evidence, the judge stopped the trial. In a dramatic move, he had the bailiff clear all the jurors from the courtroom, and then turned to our attorney. As he stood there facing the judge, I could see sweat trickling down the side of his face. The judge leaned forward and, with unconcealed hostility, threatened to punish him with sanctions (a monetary “fine”) if our attorney dared to proceed to put the document into evidence. It was the critical turning point in the trial. Unfortunately, we capitulated to the judge. As I said, I do not blame the attorney. In my opinion, this judge would have found some other way to sabotage us if we had prevailed in this point, but since he had succeeded at keeping out this testimony, his purpose was mostly accomplished.

In the end, I was found liable for battery for ejecting the lesbian activist from our private meeting and assessed a judgment of \$22,000. It could have been much worse (they had sued for \$400,000) but in the end the jury limited the damages to the amount of lost wages she had supposedly suffered in leaving photo journalism due to psychological trauma. I didn’t believe it at first. I had been certain to the end that God would deliver us. I now

know that He had other goals for me, and that this lawsuit would cause me to more easily follow His leading to become a lawyer.

The worst part of this incident, however, was not the trial, but the media coverage of it. Whenever there was a break in the trial, everyone would have to leave the courtroom and wait in the hallway until it was reopened. The media was always there in the hallway waiting for us. For four days they generated their own media circus about the trial, as if I were some major criminal on trial for a capital crime. The evening news, dominated by Measure 9 since the beginning of the campaign, became a regular hate-fest against OCA.

One of the low points of the trial occurred during such a break. I was sitting on a bench in the hallway when I was approached by a female reporter with one of the TV stations. She sat down next to me and started to make friendly conversation. I hadn't yet met this reporter so I thought she might be a genuinely sympathetic person (hope springs eternal). Once I had warmed up to her, however, the conversation turned and she said, "You know there is this rumor going around that you were caught having 'gay' sex in the bushes at Laurelhurst Park. Is that true?" As I started to respond with outrage, I could see the cameraman out of the corner of my eye and realized that I was being set up to be filmed in an angry outburst. Fortunately, I had the composure to check myself and just smiled. "No, that's not true," I said, and moved off down the hallway.

There was barely concealed exultation in the evening news on the day the decision against us was handed down. I learned a lot about humility on that day and in the following weeks.

Within a couple of days the No on 9 Committee began running a new television ad across the state. Three segments played over a soundtrack with an ominous tone. The center segment featured a picture of my face and a voiceover that said "A lesbian is beaten by an official of the OCA." This was, of course an outrageous lie. She hadn't even alleged this in her lawsuit. When I threatened to sue the television stations, the "gays" changed the advertisement. They left everything else the same, but replaced the word "beaten" with "battered." They were technically correct, since battery is legal term that includes any "offensive touching" of another person. However, to non-lawyers, battery is synonymous with beating, and so they lost none of their propaganda value by the change of terms. However, I lost any chance of prevailing in a lawsuit against them.

The "gays" ran their advertisement throughout Oregon for the remaining weeks of the campaign. I believe they spent over a million dollars on it. Whatever good reputation I had earned through the earlier months of the campaign was destroyed by their slander. Overnight I became a figure of notoriety, and the object of hatred and ridicule of the Left. In my own neighborhood in Portland, the "gays" hung posters of me on telephone poles under the title "Hang Your Head In Shame, Scott Lively." It became common for me to overhear people in supermarkets and other public places whispering things like "There's that OCA guy." Yet, God gave me a double measure of His grace throughout all of this and I never lost my sense of confidence that my service was pleasing to Him. That was all that really mattered.

The Second Lawsuit

The "gays" second lawsuit against me was for defamation, and it took place in Lane County, Oregon, home of the University of Oregon in the City of Eugene. In my opinion, Eugene, Oregon is one of the three most radically leftist cities in America, along with Berkeley, California and Madison, Wisconsin. Eugene is today one of the primary centers of the anarchist movement in the US (these anarchists are the black-garbed street thugs that frequently destroy property at international gatherings of world leaders). On my most recent stop in Eugene a few

years ago, about 30 anarchist youths were hanging around outside the courthouse (the very site of this second lawsuit) wearing black masks and carrying signs saying "Kill the Police," and the like. It was just a typical day in Eugene.

I'm only reporting this to give you the sense of what it was like to face a lawsuit in Lane County. Certainly not every resident was a liberal zealot, but there were enough of them for us to be concerned about the makeup of a local jury on a case against Scott Lively and OCA.

The case arose from a press release I had written about political mischief in the local Human Rights Commission. A Human Rights Commission is one of the "gay" movement's key vehicles for advancing their political agenda in a local community. These commissions are normally formed as part of a strategy for homosexuals to link up with liberal members of ethnic minorities, who then promote the idea that opposition to homosexuality is the equivalent of racism and equally deserving of public condemnation and punishment. My press release was designed to expose the fact that the "gays" were really running the commission (this is nearly always true, but usually unknown to the public). I said in my press release that the new head of the human rights commission was a homosexual. Ironically, I did not name him in the press release, having read in the news that he was upset at all the publicity. I was trying to do him the courtesy of leaving his name out, since it only mattered for our purposes that the "gays" were calling the shots politically.

However, it was technically not yet true that this person was head of the commission, because he had been nominated but not ratified by the City Council. I didn't know this, having gotten the story second-hand from an inside source who had omitted some of the facts.

The former head of the commission, a man named G. W., had vacated the post some months prior. Though it was clear from the facts in the press release that our accusation was not directed at W., there was enough ambiguity in it to hang a lawsuit on and so we were soon served with a summons and complaint for defamation of W. (in yet another ironic twist, this pro-"gay" advocate was claiming to have been defamed by being called homosexual). The request was for damages of one million dollars.

Eventually, Lon Mabon and I were back in the courtroom again, sitting side by side at the defense table. At the table with us was the same attorney who had defended us in Portland. By this time he was much more experienced and very competent. Against us was a team of three female lawyers who gave every indication of being lesbians (I don't recall if they publicly identified themselves as such).

There were few noteworthy moments in this trial until the final day, when both sides had completed their cases and the court had reconvened for the rendering of the jury's verdict. W.'s attorneys were so confident of victory, that the lead counsel came into the courtroom literally rubbing her hands together and licking her lips as though she was about to sit down to a feast prepared in her honor. Minutes later she looked shell-shocked as the verdict came back in our favor: not liable. God gave us the victory in this case, against all odds.

The Third and Fourth Lawsuits

The final lawsuits resulted from the same incident, and were eventually consolidated into a single suit, but the fact that they were filed separately is important to the story.

One day at my OCA office I was visited by an elderly woman who was desperate for help for her daughter. The daughter was in a legal dispute with her husband over the custody of their three young children and the court had awarded custody to him. Unfortunately for the children, their father was a homosexual, now living with his boyfriend, and both of them reputedly had full-blown AIDS. The father's condition was apparently so advanced that his driver's license had been taken from him because he was having brain seizures (that did not stop him from driving the children around in his car).

The mom was a perfectly capable parent and there was no reason, other than political correctness, for the children to be taken from her.

The grandmother had come to me in the hopes that OCA could bring some public attention to this case and perhaps force a reversal of the court's decision. We agreed, then held a press conference on the steps of the courthouse and passed out a flyer stating the facts of the case.

It wasn't long before we were hit with two new lawsuits, one each from the father and the boyfriend. Each suit sought five million dollars in damages for invasion of privacy. To cause us greater expense (we surmised) the suits were filed in separate counties. This was a serious problem because OCA was by this time struggling financially, in large part due to the legal costs from the previous lawsuits.

For the first time we faced "legitimate" legal exposure. The flyer we passed out at the press conference might possibly (I now know) have been ruled an invasion of privacy. The "gays" had more to use against us than just the hope of political bias on the part of judge and jury. In fact, our political enemies apparently felt that case was so strong against us that they helped the plaintiffs to retain one of the top attorneys in the state, a former state appeals court judge. It looked like our goose was cooked.

Lawsuits take a very long time to run their course, and the anxiety that inevitably occurs increases as a trial nears. I had now lived under a cloud of legal uncertainty almost constantly for three or four years, but the emotional stress had grown much worse as the months wore on in this suit. Then, just a few weeks before trial, I had a visit from the husband of the woman who had solicited our help, the childrens' grandfather. He had an amazing story to tell.

It seems that early in the case the father and the boyfriend had broken up. (Allegedly, a physical altercation between the two of them had resulted in the hospitalization of the father.) When the father got out of the hospital, he brought a new boyfriend into the house, along with a young woman with a toddler, who was to serve as a nanny for the four children now living in the household.

One day, a neighbor spied the toddler running out of the side door of the house. He was covered with bruises. It seems that the child had refused to eat, and as punishment the men had put him in the basement and taken turns going down to beat him. The neighbor called the police and the men were arrested and charged with torture of the toddler.

Obviously, Children's Protective Services is called in on a matter like this to remove the children. Acting quickly, the mom had hired an attorney and gotten back temporary custody of her kids. However, Oregon being the "gay"-influenced state that it is, Children's Protective Services had apparently promised the father that custody would be returned to him. The District Attorney's office had apparently also cut a deal with all three adults that they would get probation and no jail time.

I am reporting all of this second-hand, of course, as it was recounted to me by the grandfather, who was in the courtroom for the trials of the three adults. By God's providence, the "gays" strategy unraveled. For some reason the three defendants were separated in the process of sentencing. The new boyfriend and the young woman went first and received their "slap on the hand." However, the father appeared later, and for some reason was assigned a different judge. This judge, after reviewing the file, including the photos of the little toddler, looked up at the district attorney and said "You've got a lot of nerve bringing this plea bargain into my courtroom." He then turned to the father and said "You're going to jail."

Portland at this time had a major problem with overcrowding at the jails, and so the father was sent home with instructions to report to jail at a future date.

That night, the father and the new boyfriend committed double suicide.

We showed up at court on the day of our trial, and had a settlement conference in the hallway with the original boyfriend who filed one of the two invasion of privacy lawsuits against us. As soon as he learned that we knew what had happened, he decided to drop the case. As I pointed out to him, no jury in the world convict us for invading the privacy of this "family." If we had succeeded in the original goal for which we had held the press conference, these children would not have suffered such terrible trauma.

In the end, the mom won permanent custody of her children, and there were no further repercussions to the incident. For the sake of the children OCA agreed not to publicize the circumstances I've described here, though such publication would surely have helped to rehabilitate our reputations.

The four lawsuits were tough to endure, but God used them for His purposes and my good. They are the reason I am a lawyer today. Looking back, I can see His hand through it all. Of the \$11,400,000.00 potential damages I faced, the total judgment against me was just \$22,000. And God provided every penny of that sum through the generosity of friends and supporters.

Even so, the thought of paying this money to the lesbian activist was at first very difficult emotionally. It seemed like giving her a reward for persecuting me. Yet, in prayer I was reminded of two things. First, that Jesus asks us to "turn the other cheek" when we personally are injured by others and to "love your enemies, bless those who curse you, do good to those who hate you, and pray for those who spitefully use you and persecute you" (Matthew 5:39,44). Second, that every thing I have comes from and belongs to God. It was all his money, and if He wanted me to pay it to her, He must have had a very good reason.

What could have been emotionally and spiritually damaging to me (causing lasting bitterness and unforgiveness) instead became a blessing. I paid the judgment "as unto the Lord" as an act of submission to Him and received spiritual enrichment of far greater value — thank you, Jesus.

This entry was posted in [Legal Issues](#), [SMUG Case](#), [Uncategorized](#). Bookmark the [permalink](#)

Scott Lively Ministries
Proudly powered by WordPress.

EXHIBIT 11

Abiding Truth Ministries

PO Box 2373, Springfield, MA 01101, www.defendthefamily.com, www.redemptiongate.org, sdllaw@gmail.com

October 7, 2011

The Story Behind The Pink Swastika

«Field1» «Field2»

«Field5»

«Field7», «Field8» «Field9»

Dear «Field1»,

In 1991 I was serving as Communications Director of Oregon Citizens Alliance (OCA), a Christian political organization, when we filed the boldest anti-homosexuality ballot measure in American history. Ballot Measure 9, the No Special Rights Act, would have amended the Constitution of Oregon to define homosexuality as abnormal, unnatural and perverse. In one fell swoop we could have stopped the homosexual agenda in that state cold and started an avalanche of similar measures across the nation. Our opponents knew this as well, and thus the Measure 9 campaign became the most hard-fought and contentious pro-family initiative of our generation.

On Day One of the campaign in mid-April of that year, the day we filed the initial paperwork to start the process, before a single signature had been collected, before the measure had even been given a Ballot Title, then-Governor Barbara Roberts held an emergency press-conference to denounce the measure as “paranoid,” and to denounce our organization as “like the Nazis.” Within three days every major newspaper in the state had followed suit with editorials labeling us as KKK and Nazis: extreme rhetoric normally reserved for the final days of an election (if used at all), but not at the *beginning* with almost two years to go. So you can imagine how hysterical the liberals got as time progressed.

It was as if the Gates of Hell had burst open and all the demons came rushing out. In the first few weeks we received so many bomb threats that we lost the lease on our offices and were forced to buy our own building at loan-shark rates. The hate calls were nearly constant. Per telephone company instructions we started keeping a log of death threats. We stopped counting at 21 single-spaced pages when we realized that “Ma Bell” wasn’t going to help us. There was also, of course, lots of vandalism, mail tampering, phone tampering, every sort of dirty trick you can think of. Then came a series of lawsuits. I was personally sued four times for over \$11 million. All of this occurred under a blanket of non-stop character assassination by the media, sometimes literally daily for seven to ten days at a time on the front page of the newspapers and the lead story on TV. It was unbelievable!!

Meanwhile, while the “gays” calling us Nazis, they themselves were the ones acting like Brownshirts. I could fill an entire book with stories about the incredible outrageous actions of our opponents during that campaign but I recount just one of them to give you a taste of what we endured.

Early in the campaign a Black, wheel-chair-bound lesbian named Azalea Cooley was the victim of a cross-burning in the front yard of her home. Then a few weeks later it happened again, and then again. Ms. Cooley became the poster-girl of the “No on Hate” campaign against Measure 9 and all of the media decried the “climate of hate and fear” that they accused us of creating. Then it happened again, and again, and again. 21 times. But no matter how hard they tried, the police just couldn’t catch the cross-burners...until just a few days before the election a couple of rogue cops went outside the chain of command and set up their own surveillance. Sure enough, that night as they watched the front yard of the Cooley home they saw Azalea herself *walking* out her own front door with a can of gasoline in one hand and a wooden cross in the other.

Next morning the cops held a press conference to announce what they had done. Media circus, right? No, not really. The story got about half a day of tepid coverage in Portland and almost none around the rest of the state. None of the media connected the dots that Cooley's lover was in the Sheriff's Department or that Portland Police Chief Tom Potter was a leading spokesman for the No on 9 campaign. Most outrageous of all, however, was what happened a couple of days later. The opposition had planned the crowning glory of its campaign to be a "March Against Hate" through Portland. It went off without a hitch. Thousands and thousands marched against Measure 9, led by the Queen of the Parade, Azalea Cooley *in her wheelchair*.

Cooley claimed mental illness and avoided serious consequences from her fraud. Tom Potter went on to become the Mayor of Portland. Measure 9 lost 55/45, an amazingly close result given the vast sums by which we were outspent, and the near total united front against us of every public and private entity in Oregon except the Christians. How united was it? Well, at the height of the election season the chairpersons of the Democrat *and* Republican parties did a joint side-by-side television commercial urging a vote against us.

So how does this all relate to *The Pink Swastika*? Well after Measure 9 we regrouped and went back out to all the cities and counties we had won with a series of local ballot measures. We won 26 consecutive elections, most over 60% (until the Republican-controlled legislature voted to nullify these results by "preempting the field" and denying local governments the right to regulate the issue).

Be that as it may, before this betrayal by the Republicans, we brought the local measure to Salem, Oregon where our headquarters were located. The head of our opposition in Salem, a man named Swaim, started his counter-campaign by writing a letter to the local newspaper saying he had just returned from Germany where he had visited Dachau Concentration Camp, and what an amazing similarity there was between the OCA and the Nazis. I had had enough.

Now, back during the Measure 9 campaign a young man came into my office. He insisted that he had proof that the Nazis were homosexuals. I thought he was a kook, but I listened politely and took his sheaf of handwritten notes when he was done but barely glanced at them. When he was gone I stuck them in a file and forgot them. You see, I actually believed the common wisdom that the Nazis were anti-homosexual, though my job during Measure 9 was to differentiate the Nazi's hate-based opposition to homosexuality from Christian morality-based opposition.

However, when Swaim (who was later elected Mayor of Salem) revived the argument that people who oppose "gay rights" are like the Nazis, I suddenly remembered that sheaf of papers the young man had given me and I dug through my files until I found it. For the first time I actually read those notes and my jaw dropped to the desktop. Here was a collection of passages from leading mainstream history texts of the 1940s thru 60s exposing the Nazi leaders as homosexuals. I was stunned.

So I wrote a response to Mr. Swaim that ran the next day as a guest opinion. Little did I expect that editorial to launch such a firestorm. For the next six weeks the opinion pages were aflame with passion about this topic. Numerous guest opinion pieces (several ghost-written by me) and dozens of letters on both sides. It was so impressive the local Professor of Rhetoric at the prestigious Willamette University used the exchange as the basis for a paper on the effective use of rhetoric which he delivered at an international conference that summer in Amsterdam. But by then I knew that I had dynamite on my hands, and that the "gays" were desperately afraid for anyone to learn the facts. It began to dawn on me that this strange truth could all by itself demolish their carefully constructed public relations façade as exclusively victims of society.

Meanwhile, one of my co-workers at OCA introduced me over the phone to Kevin E. Abrams, an Orthodox Jewish researcher and amateur historian. He was then living in Canada about to immigrate to Israel. We became instant friends in that phone call and I asked him if he would be interested in writing a book together on homosexuality in the Nazi Party. He said yes, and the rest is, as they say, a history book.

Today, *The Pink Swastika: Homosexuality in the Nazi Party* is in its fourth edition. While the mainstream media and liberal-dominated academia in America has refused to admit that the book even exists, it has been translated into several languages and has something of a cult following around the world. I have lectured on the topic in universities and conferences in more than a dozen countries, and done well

over 500 radio and television shows about it. To this day, despite a standing challenge to debate any and all comers in any neutral public forum, the “gays” and their allies have never once dared to debated the topic with me -- except on my guest appearances on conservative or Christian talk radio when they call in to try to limit my damage to their agenda.

Despite the blackout, the book has had a big impact in the US. In 1995 when we released the first edition the very symbol of the “gay” movement was not the rainbow flag but the inverted pink triangle, which the Nazis had used to identify homosexuals in the work camps where they served as forced laborers, mostly for violating the same anti-sodomy and child sex abuse laws that were in effect in the United States and Europe in those days. *The Pink Swastika* effectively ended that propaganda effort to equate “gays” with Jews in the Holocaust. So they were forced to drop the use of the pink triangle (in most places except some public schools where they still use it to brainwash the kids). They then switched to the rainbow as their main symbol.

(My most recent, and probably final book on the homosexual issue is, perhaps predictably, titled *Redeeming the Rainbow: a Christian Response to the Gay Agenda*. You can download a copy of that book in PDF form without charge at my website, www.defendthefamily.com.)

Then and Now. The Measure 9 campaign opened my eyes to degree to which the homosexual agenda represents *an existential threat* to Christian civilization. For the past 20 years I have made it my mission in life to stop this agenda and to train Christian how to effectively oppose it. Along the way I earned a law degree, a doctor of theology and special credentials in international human rights -- all to better equip myself to fight this agenda around the globe. I am called by my enemies The Father of the Ugandan Pro-Family Movement (don't believe their wicked and twisted propaganda about that genuinely Christian country). My consultations with government officials in Lithuania helped produce two strong pro-family laws there. I did a powerful 50-city tour of the former Soviet Union in 2007. Most recently I was in Moldova where (purely by divine timing) I arrived just as the government started a secret push to pass an antidiscrimination law based on “sexual orientation.” In one week I organized and implemented a successful plan by which the fledgling pro-family movement there killed the law.

To my knowledge I am the only person in the world to refer to myself as a missionary to the pro-family movement, and by God's grace and guidance I know more about this issue than almost anyone. All glory to Him. Although I could easily make a good living in several fields my mission is to serve God in this very difficult ministry, taking on tasks that I have been uniquely prepared to perform, and surviving on small donations from like-minded people.

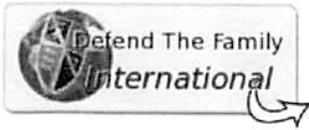
I am sending you this letter because you recently bought my book, which means you are a person with enough courage to look past the politically-correct “common wisdom” to find truth. My whole life is devoted to enlisting people like you in the battle to stop (or at least slow) the homosexual movement. There are so very few of us. Would you be willing to become my ministry partner? I've enclosed a return envelope for you to send a donation of any size. I'll then start sending you my monthly newsletter, which is in the same style as this one in your hand. No hype, no begging, just my reports from the front lines of the battle. God bless you as you prayerfully consider supporting my ministry.

In HIM,

Dr. Scott Lively

PS. This winter I will be doing a tour of the southern United States. If you would like to host a meeting in your home or church please send a note with your donation or email me at sdllaw@gmail.com.

EXHIBIT 12



The Pro-Family Resource Center

of Abiding Truth Ministries

Google

 Search the web
 Search this site

Home | The Pro-Family Resource Center | Pro-Family News Sites | Links | Bookstore | Contact Us | Donate

Site index

Resource Archives menu

[Bookstore](#) | [Resource archives](#) | [News archives](#)

View most recent resources

[View all in-house resources](#)

View archives by:

- **Topic:**
 - ["Gay" Recovery](#)
 - [Business World](#)
 - [Crime](#)
 - [Funding of "Gay" Agenda](#)
 - [Hate Crimes & Fraud](#)
 - [History](#)
 - [Homofascism](#)
 - [International](#)
 - [Legal Issues](#)
 - [Marriage and Family](#)
 - [Media and Culture](#)
 - [Military](#)
 - [Miscellaneous](#)
 - [Politics](#)
 - [Pro-Family Advocacy](#)
 - [Religion](#)
 - [Russia](#)
 - [Schools and Colleges](#)
 - [Science and Medicine](#)
 - [Sexual Orientations](#)
 - [Sports](#)
 - [Street Activism](#)
 - [Uganda](#)
 - [Youth](#)

- **Type:**
 - [Articles](#)
 - [ATM Newsletters](#)
 - [Booklets](#)
 - [Books](#)
 - [Cases and Statutes](#)
 - [Editorials](#)
 - [Flyers](#)
 - [Français](#)
 - [hkkwvbb](#)
 - [hkkwvbb](#)
 - [hkkwvbb](#)
 - [hkkwvbb](#)
 - [Legal Briefs](#)
 - [Memos / Letters](#)
 - [Model Legislation/Forms](#)
 - [Opposition Research](#)
 - [Petitions](#)
 - [Position Papers](#)
 - [Press Releases](#)
 - [Reviews](#)
 - [Tracts](#)
 - [Video](#)
 - [Websites](#)

NOTE: Some resources may refer to our old address. Please note our new address below.



Abiding Truth Ministries
PO Box 2373
Springfield MA 01101

Riga Declaration on Religious Freedom, Family Values and Human Rights

from the 'International' topic
Added: 12-Dec-2006
Published: N/A

Source:

Author: Watchmen on the Walls

Description:

The Riga Declaration on Religious Freedom, Family Values and Human Rights is the first international proclamation of the Watchmen on the Walls. This document is an ideological call-to-arms of the pro-family peoples of the earth whose values are being trampled by a powerful pro-gay minority in seats of power in the United States and Europe.
[\[send this resource to a friend \]](#)

RIGA DECLARATION ON RELIGIOUS FREEDOM, FAMILY VALUES AND HUMAN RIGHTS

We, the undersigned citizens of several nations, meeting in Riga, Latvia this 9th Day of December, 2006,
do hereby adopt the following resolution:

Whereas freedom of religion has been protected in human rights law from antiquity, including the Charter of Human Rights of King Cyrus the Great in 539 BC, the British Magna Carta in 1215 AD, the French Declaration of the Rights of Man in 1789 and the American Bill of Rights to the United States Constitution in 1789, and

Whereas marriage and family have been protected in human rights law from antiquity, including the Babylonian Code of Hammurabi in 1789 BC, the Jewish Torah in approximately 1400 BC, the Christian Bible in approximately 60 AD, and the United Nations Universal Declaration on Human Rights in 1948, and

Whereas human rights in Western nations have been rooted in theories of natural law, from the writings of the Greek philosopher Aristotle, to the Catholic theologian Thomas Aquinas, to the American Founding Fathers' Declaration of Independence, and

Whereas natural law recognizes a natural order in sexual and family matters, and

Whereas the natural law presuppositions of human rights were reaffirmed in the Nurnberg Trials of 1945, providing the moral authority for the 1948 Universal Declaration of Human Rights, and

Whereas none of the of the foundational human rights documents from the dawn of time until recent years have granted human rights based on homosexuality, but in several cases have expressly condemned such conduct,

Therefore, relying upon more than 4000 years of legal precedent and the moral and religious principles we share with the vast majority of the citizens of the world,

We Declare that the human rights of religious and moral people to protect family values is far superior to any claimed human right of those who practice homosexuality, and

We Call for the European Union and the international community to immediately abandon any campaign to create a human right for homosexual conduct, and to restore religious freedom and family values to their proper superior status.

Riga Declaration on Religious Freedom, Family Values and Human Rights Supporting Documentation

The following, presented in the order in which they are cited, are excerpts from the human rights documents listed in the Riga Declaration. These excerpts are only representative selections of what, in several cases, are lengthy documents. The reader is reminded that in law, the terms in which human rights principles may be stated may be either positive (e.g. the express promise of religious freedom in King Cyrus' Charter) or negative (e.g. the threat of punishments for sexual crimes which violate family relationships in the Code of Hammurabi). This summary of supporting documentation is a work in process. Further

Useful Links:

- [Accuracy in Media](#)
- [America Asleep Know More](#)
- [American Family Association](#)
- [Americans for Divorce Reform](#)
- [Americans For Truth](#)
- [Beam Research Center](#)
- [Campaign for Working Families](#)
- [Catholic League](#)
- [Catholic Medical Association](#)
- [Center for Reclaiming America](#)
- [Choice 4 Truth](#)
- [Christian Coalition](#)
- [Citizens for Community Values](#)
- [Citizens for Parents' Rights](#)
- [Concerned Women For America](#)
- [Coral Ridge Ministries](#)
- [Corporate Resource Council](#)
- [Democrats for Life of America](#)
- [Dr. Judith Reisman](#)
- [Eagle Forum](#)
- [Family Dynamics Institute](#)
- [Family Policy Network](#)
- [Family Research Council](#)
- [Family Research Institute](#)
- [Focus on the Family](#)
- [Howard Center for Family, Religion & Society](#)
- [Institute for American Values](#)
- [Jews For Morality](#)
- [Laigle's Forum](#)
- [Libertarians for Life](#)
- [Love Won Out](#)
- [Massachusetts Citizens For Life](#)
- [Mission: America](#)
- [National Association for the Research and Therapy of Homosexuality](#)
- [National Network of Youth Ministries](#)
- [National Right to Life](#)
- [Parent's Rights USA](#)
- [Parents and Friends of Ex-Gays and Gays](#)
- [Parents Rights Coalition](#)
- [Portland Fellowship](#)
- [Preserve Liberty](#)
- [Revolution Ministry](#)
- [RSVP America](#)
- [Society for Law, Life, and Religion](#)
- [Susan B. Anthony List](#)
- [TeenPact](#)
- [The Bible As History & Literature](#)
- [The Heritage Foundation](#)
- [The Heritage Foundation](#)
- [The Justice Foundation](#)
- [The Leadership Institute](#)
- [Traditional Values Coalition](#)
- [True Knights](#)
- [Urban Conservative](#)
- [ValuesUSA](#)

documentation will be added at a future date.

Paragraph 1:

The Charter of Human Rights of King Cyrus the Great

I am Kourosh (Cyrus), King of the world, great king, mighty king, king of Babylon. I announce that I will respect the traditions, customs and religions of the nations of my empire and never let any of my governors and subordinates look down on or insult them. I [will] never let anyone oppress any others, and if it occurs, I will take his or her right back and penalize the oppressor. To day, I announce that everyone is free to choose a religion.

The Magna Carta

KNOW THAT BEFORE GOD, for the health of our soul and those of our ancestors and heirs, to the honour of God, the exaltation of the holy Church, and the better ordering of our kingdom. FIRST, THAT WE HAVE GRANTED TO GOD, and by this present charter have confirmed for us and our heirs in perpetuity, that the English Church shall be free, and shall have its rights undiminished, and its liberties unimpaired. [and] This freedom we shall observe ourselves, and desire to be observed in good faith by our heirs in perpetuity.

The Declaration of the Rights of Man

The representatives of the French people, organized as a National Assembly, believing that the ignorance, neglect, or contempt of the rights of man are the sole cause of public calamities and of the corruption of governments, have determined to set forth in a solemn declaration the natural, unalienable, and sacred rights of man. Therefore the National Assembly recognizes and proclaims, in the presence and under the auspices of the Supreme Being, the following rights of man and of the citizen:

10. No one shall be disquieted on account of his opinions, including his religious views, provided their manifestation does not disturb the public order established by law.

The Bill of Rights of the United States Constitution

Amendment I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof

Paragraph 2:

The Code of Hammurabi

[These are the] LAWS of justice which Hammurabi, the wise king, established. A righteous law, and pious statute did he teach the land. Hammurabi, the protecting king am I. 129. If a man's wife be surprised (in flagrante delicto) with another man, both shall be tied and thrown into the water, but the husband may pardon his wife and the king his slaves. 130. If a man violate the wife (betrothed or child-wife) of another man, who has never known a man, and still lives in her father's house, and sleep with her and be surprised, this man shall be put to death, but the wife is blameless. 136. If any one leave his house, run away, and then his wife go to another house, if then he return, and wishes to take his wife back: because he fled from his home and ran away, the wife of this runaway shall not return to her husband. 154. If a man be guilty of incest with his daughter, he shall be driven from the place (exiled). 155. If a man betroth a girl to his son, and his son have intercourse with her, but he (the father) afterward defile her, and be surprised, then he shall be bound and cast into the water (drowned). 157. If any one be guilty of incest with his mother after his father, both shall be burned.

The Torah

Genesis 1:27 So God created man in his own image, in the image of God created he him; male and female created he them. 2:21 So the Lord God caused the man to fall into a deep sleep; and while he was sleeping, he took one of the man's ribs and closed up the place with flesh. 22 Then the Lord God made a woman from the rib he had taken out of the man, and he brought her to the man. 23 The man said, "This is now bone of my bones and flesh of my flesh; she shall be called 'woman,' for she was taken out of man." 24 For this reason a man will leave his father and mother and cleave unto his wife, and they will become one flesh.

Leviticus 18:6 "No one is to approach any close relative to have sexual relations. I am the Lord. 20 "Do not have sexual relations with your neighbor's wife and defile yourself with her. 22 "Do not lie with a man as one lies with a woman; that is detestable. (NIV)

The Christian Bible

Matthew 19:4 "Haven't you read," [Jesus] replied, "that at the beginning the Creator 'made them male and female,' 5 and said, 'For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh'? 6 So they are no longer two, but one. Therefore what God has joined together, let man not separate."

Romans 1:18 The wrath of God is being revealed from heaven against all the godlessness and wickedness of men who suppress the truth by their wickedness. 26 Because of this, God gave them over to shameful lusts. Even their women exchanged natural relations for unnatural ones. 27 In the same way the men also abandoned natural relations with women and were inflamed with lust for one another. Men committed indecent acts with other men, and received in themselves the due penalty for their perversion.

Hebrews 13:4 Marriage should be honored by all, and the marriage bed kept pure, for God will judge the adulterer and all the sexually immoral. (NIV).

The Universal Declaration of Human Rights

Article 16. (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Paragraph 3:

The Declaration of Independence

[T]he Laws of Nature and of Nature's God entitle [the people of an independent nation] to assume among the powers of the earth [a] separate and equal station.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. We, therefore, the Representatives of the United States of America, in General Congress, Assembled, [appeal] to the Supreme Judge of the world for the rectitude of our intentions. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

© 2002-2014 Abiding Truth Ministries, all rights reserved.

EXHIBIT 13



Scott Lively <sdllaw@gmail.com>

Report from Moldova

1 message

DefendTheFamily.com <abidingtruth@defendthefamily.com>
To: Scott Lively <sdllaw@gmail.com>

Thu, Mar 3, 2011 at 12:59 AM



DefendTheFamily.com Alert

Friends,

In early January I received a request to come to the country of Moldova, between Romania and Ukraine, to help the small but growing pro-family movement here. It was decided that the best time was the end of February through the beginning of march, but this was a completely arbitrary choice for us.

However, in God's divine schedule I arrived just after the first move of a secret plan by the homosexual powers of the EU to push an anti-discrimination law based on sexual orientation through the Moldovan government.

I wish I had known at the beginning of my ministry in the early 1990s what I know now. We might have stopped the homosexual agenda in America. What I know now, and have taught the Moldovans, is that the anti-discrimination law is the seed that contains the entire tree of the homosexual agenda, with all of its poisonous fruit. It is the cornerstone of their legal and political strategy, putting the power of the government behind the legal premise that the practice of homosexuality deserves public approval and that opposition to homosexuality, including that which is rooted in the Biblical world view, must be discouraged. From that premise the conclusion is logically inevitable.

The Moldovan version of the bill however went much farther than usual and included a far reaching provision to give homosexual activists power in the national school system, teacher training and the preparation of instructional materials. They normally don't include such power-grabbing measures at the beginning, which indicates to me that they had extreme confidence that this law would pass with very little scrutiny or opposition.

Indeed, it was secretly approved by the government ministers (the Executive branch of the govt) two days before I arrived, and fast-tracked so that it reached the Parliament just one day after I arrived. Almost no one in the country knew that it had been introduced because the media had not reported it.

We have since learned that the timing was dictated by the scheduled arrival of Vice President Biden in March. The new homosexual law was, apparently, to be a gift to the Obama administration.

From the time I stepped off the plane my hosts and I began focusing all of our attention on defeating this bill, and I was able to help them lay out a strategy to maximize my presence in the country. I won't go into specific detail, but I can tell you that we had tremendous success. As of today, none of the 11 committees of the parliament (each of which must endorse the bill for it to come to a full vote) is willing to endorse at this time, and the vote has now been postponed indefinitely. It hasn't been killed, but it has been stopped, and the pro-family movement is organizing a monitoring group to give advance warning to the people if

there is any forward movement of the bill.

More importantly the pro-family movement was dramatically strengthened during this week, and hundreds of people have come forward wanting to be trained as advocates for the pro-family position. Even better, the leadership itself has come to understand the importance of switching to the offensive and conducting a pro-active campaign to focus the nation on the vision for the future of a family-centered society.

That's all for now,

Blessings,

Dr. Scott Lively

This information is brought to you courtesy of DefendTheFamily.com, daily news updates and extensive free resources on the homosexual issue from a pro-family perspective. Please do not reply to this email; if you would like to contact us, visit our [contact page](#).

If you would like to be removed from our mailing list, please use our [unsubscribe page](#).

Donations to Abiding Truth Ministries are tax deductible—and necessary for the continuation of our work. Please [donate here](#).

EXHIBIT 14

Scott Lively Ministries

For such a time as this...

Report from Springfield MO

Posted on July 13, 2012 by Pastor Scott

I flew in yesterday from Springfield MA to Springfield MO to try to stop the “Gay Fascism Bill” (the so-called “sexual orientation” anti-discrimination ordinance) from being voted in by the City Council here. Minor success already in that they have now postponed the vote due to public attention to the issue caused by my visit. I made the front page of the Springfield News Leader at <http://www.news-leader.com/comments/article/20120712/NEWS06/307120055/Scott-Lively-gay-rights-City-Council>

Here is my reply to several comments following the story on the newspaper webpage: “This is Pastor Scott Lively responding to Ms. Smith and others. We are not a ‘hate group’ just because the far-left Southern Poverty Law Center says so (Google them), and I did not advocate nor support the Ugandan bill as written. My book *The Pink Swastika: Homosexuality in the Nazi Party* has not been ‘discredited’ by anyone but ‘gay’ activists and their flunkies. It is one of the most thoroughly documented books you will ever read, relying on the most respected and credible mainstream sources of the 1940s thru 1960s. I do not nor have I ever espoused hate or promoted violence toward homosexuals or any other group. Unfortunately, many “gay” activists and their allies are very dishonest about their own agenda and the people who disagree with them. My detailed flyer about the Springfield “Gay Fascism” bill is ...[below] and explains the danger of this ordinance. This is NOT San Francisco, the left does not have a majority here. Springfield Christians and other people of traditional values can easily defeat this bill if they simply stand up and oppose it.”

A prior version of this comment disappeared from the site so I had to re-write it. Hope it stays up this time. Could have been my mistake (we’ll know if the second version disappears).

Here is a copy of the ordinance: [Ordinance Spfld MO](#)

A few key points I will bring up in my presentation at the Public Library tonight:

1. The “Gay” Political Machine long ago hijacked the Civil Rights Movement and has ever since exploited it for its own selfish ends.
2. The political instrument called the Human Rights Commission is often nothing more than a Trojan Horse to advance the “gay” agenda past the outer defenses of the local government. That is its primary purpose in these cases. It is driven by “gay” activists, hidden behind an ethnic minority figurehead who is almost always either an in-the-closet homosexual, a pro-“gay” liberal, or a “clueless” stooge who doesn’t know or care that he is being used. The “gays” bundle their issues together with those of legitimate minorities as a “package deal,” relying on public sympathy for the authentic civil rights concerns of ethnic groups to make their own demands less unpalatable.

3. Often but not always “gay” and leftist activists in the local media conspire with the Human Rights Commission to create the public perception that legislation is necessary or desirable to counter “a rising tide of bigotry” in the community. When, inevitably, genuine hate crimes occur, these incidents are highlighted and magnified to suggest (falsely) that existing legal policies and protections are insufficient and that additional legislation is necessary.

3. The passage of an “anti-discrimination ordinance based on sexual orientation” represents the capture of the seat of government by “gay” activists, to be thenceforth wielded as a shield against all efforts to curtail the expansion of “gay” power, and as a sword against their opponents, primarily Christians. It criminalizes “discrimination” against homosexual conduct and lifestyles, granting “gay” activists legal standing to litigate against “discriminators.”

4. Lawsuits based on “anti-discrimination” laws then become the primary tool of social engineering. Key opponents such as people of strong religious faith are deliberately targeted to be made an example of, so that the rest of the public shrinks from speaking against homosexuality out of fear.

5. The “sexual orientation anti-discrimination ordinance” is the seed that contains the entire tree of the homosexual agenda with all of its poisonous fruit: “gay” marriage, “gay” adoption, taxpayer funding of “gay” projects, etc.. Once it takes root, the local “gay” activist community grows continuously stronger and bolder while their opponents grow continuously weaker and more timid.

I will make myself available to assist any conservative community in the United States to stop these “Gay Fascism” bills.

I further urge these communities to pro-actively move the ball in the opposite direction through the use of legislation such as my “Model Family First Ordinance” on Page 181 of my book *Redeeming the Rainbow: A Christian Response to the “Gay” Agenda* (see sidebar at home page).

This entry was posted in [Pro-Family Advocacy](#). Bookmark the [permalink](#).

Scott Lively Ministries

Proudly powered by WordPress.

EXHIBIT 15

RUSSIA 2015 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Russian Federation has a highly centralized, authoritarian political system dominated by President Vladimir Putin. The bicameral Federal Assembly consists of a directly elected lower house (State Duma) and an appointed upper house (Federation Council), both of which lacked independence from the executive branch. The State Duma elections in 2011, the presidential election in 2012, and the regional elections during the year were marked by accusations of government interference and manipulation of the electoral process. Security forces generally reported to civilian authorities, although in some areas of the North Caucasus, especially Chechnya, civilian authorities did not maintain effective control over the security forces.

During the year the occupation and purported “annexation” of Ukraine’s Crimean Peninsula in March 2014 continued significantly and negatively to affect the human rights situation. The government continued to train, equip, and supply pro-Russian forces in the Donetsk and Luhansk regions of eastern Ukraine, who were joined by numerous fighters from Russia. International monitors and human rights nongovernmental organizations (NGOs) attributed thousands of civilian deaths and injuries, as well as widespread human rights abuses, to combined Russian-separatist forces in the Donbas region and the Russian occupation authorities in Crimea (for details see the *Country Reports on Human Rights* for Ukraine). Russian law has de facto applied in Ukraine’s Crimea since the occupation and purported “annexation” of the peninsula in March 2014. The government utilized the conflict to stoke nationalism and stifle dissent domestically. On February 27, opposition politician and former deputy prime minister Boris Nemtsov was shot and killed near the Kremlin. Nemtsov had been preparing a report detailing the country’s involvement in the conflict in Ukraine. Authorities conducted politically motivated arrests, detentions, and trials of Ukrainian citizens in Russia, including the trial of Rada deputy and Parliamentary Assembly of the Council of Europe delegate Nadiya Savchenko and the conviction of filmmaker Oleh Sentsov on terrorism charges. Several Ukrainians claimed to have been tortured while in Russian custody, and at year’s end numerous Ukrainian citizens remained in some form of detention in Russia as political prisoners (for details see the *Country Reports on Human Rights* for Ukraine).

The most significant human rights problems during the year involved:

RUSSIA**2**

1. **Restrictions on the Ability to Choose One's Government and Freedoms of Expression, Assembly, Association, and the Media, as well as Internet Freedom:** According to the country's constitution and laws, citizens have the ability to choose their government through the right to vote in free and fair elections; however, authorities restricted this ability. The government increasingly instituted a range of measures to suppress dissent. The government passed new repressive laws and selectively employed existing ones systematically to harass, discredit, prosecute, imprison, detain, fine, and suppress individuals and organizations engaged in activities critical of the government, including NGOs, independent media outlets, bloggers, the political opposition, and activists. Individuals and organizations that professed support for the government of Ukraine or opposed the Russian government's activities in Ukraine were especially targeted.

2. **Political Prosecutions and Administration of Justice:** Officials denied due process to defendants in politically motivated cases, including in the prosecutions and appeals of several defendants arrested after the 2012 anti-Putin demonstrations on Bolotnaya Square in Moscow; secret detentions and convictions based on treason and espionage charges; the harsh sentencing and imprisonment of environmental activist Yevgeniy Vitishko; the convictions of non-Russian citizens taken illegally from other countries, especially Ukraine, and brought to Russia for trial; and criminal cases opened against several other political activists and human rights advocates. The government stymied and stigmatized the work of NGOs through the "foreign agents" law and adopted an "undesirable foreign organization" law targeting non-Russian NGOs. Authorities failed to bring to justice the individuals responsible for the deaths of prominent journalists, activists, whistleblowers, and opposition politicians.

3. **Government Discrimination against Racial, Ethnic, Religious, and Sexual Minorities:** The government continued to discriminate against and selectively prosecute lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; members of some religious and ethnic minorities; and migrant workers. The government stoked Russian nationalism to implement its policies while stifling dissent. The law banning "propaganda" of nontraditional sexual relations to minors was increasingly used to harass members of the LGBTI community by threatening their jobs, blocking websites, and suppressing activism.

Other problems reported during the year included allegations of torture and excessive force by law enforcement officials that sometimes led to deaths, prison overcrowding as well as substandard and sometimes life-threatening prison conditions, executive branch pressure on the judiciary; electoral irregularities,

extensive official corruption, violence against women, limits on the rights of women (especially in the North Caucasus), trafficking in persons, discrimination against persons with disabilities, social stigmas against persons with HIV/AIDS, and limitations on workers' rights.

The government failed to take adequate steps to prosecute or punish most officials who committed abuses, resulting in a climate of impunity.

Conflict in the North Caucasus between government forces, insurgents, Islamist militants, and criminal forces led to numerous human rights abuses, including killings, torture, physical abuse, politically motivated abductions, and a general degradation in the rule of law. The government generally did not investigate or prosecute abuses, in particular when regional authorities were responsible. Security forces in the Republic of Chechnya under the direct control of the government of Ramzan Kadyrov acted with impunity, including by issuing threats to Russian federal security forces that attempted to operate in the republic. Chechen authorities also failed to assure the safety of human rights defenders, as demonstrated by the destruction in July of the office of the NGO Committee against Torture in Grozny by a mob.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were several reports that the government or its agents committed arbitrary or unlawful killings. In the North Caucasus, both authorities and local militants carried out numerous extrajudicial killings (see section 1.g.).

On February 27, opposition politician Boris Nemtsov, formerly deputy prime minister during the administration of Boris Yeltsin, was shot and killed on the streets of Moscow near the Kremlin. Police detained several suspects, including Zaur Dadayev, formerly deputy commander of the North battalion of the Interior Troops of the Ministry of Internal Affairs in Chechnya. Reports, including in the newspaper *Kommersant*, indicated that Dadayev might have held a position within the ministry at the time of the killing. Dadayev confessed to the killing before recanting, claiming he had been tortured while in detention. He implied that he had received orders for Nemtsov's killing from Ruslan Geremeev, another officer who served in the 'ministry's North battalion. In November police filed a petition in a district court in Moscow for the arrest in absentia of the alleged organizer of the killing, Ruslan Muhudinov, another former interior ministry officer. Dadayev

remained in detention at year's end, while the status of Geremeev and Muhudinov was unclear. In December authorities declared Muhudinov to be the "mastermind" of the killing, but Nemtsov's family maintained that authorities exaggerated Muhudinov's role in order to hide the political motive for the killing. At the time of his death, Nemtsov was preparing a detailed report on the involvement of Russian soldiers in the conflict in Ukraine (the report, entitled *Putin. War*, was made public in May after being completed by Nemtsov's associates).

Prison officials and police subjected inmates and suspects in custody to physical abuse that in some instances resulted in death (see section 1.c., Prison and Detention Center Conditions). On September 4, police arrested musician Sergey Pestov while he was rehearsing with friends in his garage in the town of Dubna in the Moscow oblast. After being handcuffed and taken to the local police station, he fell into a coma and died on the way to the hospital the next morning. According to witnesses, police officers had struck his head several times, causing him to bleed from the nose. In October the Investigative Committee in the Moscow oblast was assigned to investigate Pestov's death. According to the local NGO, the Committee for the Prevention of Torture, witness accounts and other evidence proved the police had tortured Pestov.

Physical abuse leading to death continued to be a problem in the armed forces. On July 2 in the Chelyabinsk oblast, a senior officer surnamed Zainutdinov beat Denis Ovodov, 19-year-old conscript, with an iron flask for refusing an order to clean up. Ovodov later died from his injuries. Investigators charged Zainutdinov with exceeding authority with the use of violence.

b. Disappearance

Enforced disappearances for both political and financial reasons continued in the North Caucasus (see section 1.g.). According to the 2015 report of the UN Working Group on Enforced or Involuntary Disappearances, there were 476 outstanding cases of enforced or involuntary disappearances in the country.

Security forces were allegedly responsible for the kidnapping and disappearance of asylum seekers from Central Asia, particularly Uzbekistan and Tajikistan (see section 2.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

RUSSIA**5**

Although the constitution prohibits such practices, numerous credible reports indicated that law enforcement personnel engaged in torture, abuse, and violence to coerce confessions from suspects, and authorities generally did not hold officials accountable for such actions. If law enforcement officials were prosecuted, they were typically charged with simple assault or exceeding their authority. According to human rights activists, judges often elected to rule that these were cases of abuse of power rather than torture. The constitution's definition of torture implies a private crime between two or more individuals of similar rank, meaning an act of abuse committed by one private citizen against another. Courts often elected instead to utilize laws against abuse of power, because this definition, according to legal statutes, better captures the difference in authority between an officer of the law and the private individual receiving the abuse.

There were reports of deaths as a result of torture (see section 1.a.).

Physical abuse of suspects by police officers was reportedly systemic and usually occurred within the first few days of arrest. Reports from human rights groups and former police officers indicated that police most often used electric shocks, suffocation, and stretching or applying pressure to joints and ligaments, because those methods were considered less likely to leave visible marks. In the North Caucasus, local law enforcement organizations as well as federal security services reportedly committed torture (see section 1.g.).

On January 21, police summoned a woman to a station in the Moscow suburb of Mytishchi for questioning. When she refused to confess to the theft of which she was suspected, detectives placed a bag over her head and administered shocks with an electric Taser to compel an admission of guilt. A forensic examination revealed she was shocked at least 35 times. The Investigative Committee later announced that authorities detained two detectives in the case and charged them with exceeding authority with the use of violence and special methods.

Authorities reportedly physically abused foreigners taken into custody. In May 2014 authorities detained Ukrainian law student Yuriy Yatsenko in the town of Oboyan after he attempted to check into a hotel while on a business trip. Federal Security Service agents presented him with photographs documenting his alleged participation in the Maidan protests in Ukraine and told him to confess to intending to carry out terrorist attacks in Russia on behalf of the Ukrainian ultranationalist organization Right Sector. After he refused, authorities detained Yatsenko for almost a year and allegedly repeatedly tortured him in Kursk Oblast. According to Yatsenko's account, authorities beat him with a bag over his head while suspended

RUSSIA**6**

from a tree, deprived him of food and sleep, and threatened him with injections. Authorities finally allowed Yatsenko to see a lawyer after he cut himself and threatened to commit suicide. Authorities subsequently released Yatsenko in May.

Authorities reportedly tortured defendants and witnesses involved in high-profile trials. In the case of the killing of opposition politician Boris Nemtsov, suspect Zaur Dadayev confessed to the killing but later stated he had done so under duress. Andrey Babushkin, a member of the Public Monitoring Commission and Presidential Council for Civil Society and Human Rights, stated there was evidence of torture on the bodies of Dadayev and another suspect. The Investigative Committee of the Russian Federation threatened criminal charges against Babushkin for his statements.

Court decisions related to police torture continued to come from the Republic of Tatarstan. On February 4, the Supreme Court of Tatarstan upheld the sentences of eight officers convicted following the 2012 death of Tatarstan resident Sergey Nazarov, who was severely beaten and raped at the Dal'niy police station. Courts also sentenced Tatarstan police officers in more recent cases of alleged torture of detainees. In July the Aktanysh District Court sentenced Major Rustam Gabdrashitov to three years' imprisonment, and Captain Radik Gabdrashitov and Senior Lieutenant Ramil Sadrtidinov to three-year suspended sentences for the unlawful use of physical force. In September 2014 the officers attempted to force a confession from a 24-year-old man taken to the Aktanysh police station for questioning. The officers allegedly kicked, punched, and stood on the victim's head. In addition to the court's sentence, authorities disciplined the police chief and four of his subordinates.

Police, as well as individuals operating with the tacit approval of authorities, conducted attacks on political and human rights activists, critics of government policies, and persons linked to the opposition. On February 4, a group of men attacked defense lawyer Murad Magomedov outside the Supreme Court of Dagestan during a trial in which he had been defending Akhmed Israpilov on terrorism charges. Magomedov suffered a broken jaw and head injuries. Human Rights Watch reported that the brazenness of the assault indicated the assailants likely acted with the acquiescence of authorities. Magomedov had also worked with Memorial Human Rights Center's Dagestan office to defend the rights of residents of Vremenny who had been forced from their homes due to a counterterrorism operation. No information was available regarding any investigation into the identity of the attackers.

RUSSIA

7

On December 11, journalist, politician, and public figure Vladimir Kara-Murza, Jr. submitted a request to the Investigative Committee to open a criminal investigation into what he characterized as an attempt to kill him by poisoning, alleging the attempt on his life was motivated by political and ideological hatred. Kara-Murza was hospitalized on May 26 after suffering from an unknown illness and spent more than a month in a Moscow hospital before his condition stabilized sufficiently for him to travel abroad to seek further treatment. In his complaint Kara-Murza provided test results conducted by a foreign clinical center.

Reports by refugees, NGOs, and the press suggested a pattern of police carrying out beatings, arrests, and extortion of persons whose ethnic makeup was assumed to be Romani, Central Asian, African, or of a Caucasus nationality.

There were multiple reports of authorities' detaining defendants for psychiatric evaluations for up to 30 days as a means of pressuring them. According to the Russian Legal Information Agency, a court ruling in March moved the leader of the nationalist organization Russians, Aleksandr Potkin (also known as Aleksandr Below), from a pretrial detention facility to a mental hospital. Police arrested Potkin in October 2014 in Moscow on suspicion of embezzlement of five billion dollars from BTA Bank. Potkin's lawyers claimed the authorities were prosecuting him for political reasons. In September authorities charged Potkin with inciting hatred or enmity, creating an extremist organization, encouraging extremism, and money laundering.

Nonlethal physical abuse and hazing continued to be a problem in the armed forces, although the Investigative Committee of the Russian Federation reported in February that the number of violations related to hazing in the armed forces decreased by 16 percent in 2014. The NGO Union of Committees of Soldiers' Mothers confirmed the decrease of incidents of "dedovshchina" (a pattern of hazing), noting that the organization received such complaints at a rate of less than 400 per year.

In March the St. Petersburg City Court found that military commissioners violated recruits' rights by not taking into account their medical files. This caused recruits who were medically unfit for duty to enter into the army. Of the more than 20,000 complaints the Union of Committees of Soldiers' Mothers received annually, approximately 80 percent were from conscripts who were drafted into service despite claiming poor health.

Prison and Detention Center Conditions

RUSSIA**8**

Conditions in prisons and detention centers varied but were sometimes harsh and life threatening. Overcrowding, abuse by guards and inmates, limited access to health care, food shortages, and inadequate sanitation were common in prisons, penal colonies, and other detention facilities.

Physical Conditions: Authorities held prisoners and detainees in five types of facilities: temporary police detention centers, pretrial detention facilities (SIZO), correctional labor colonies (ITKs), prisons for those who violate ITK rules, and educational labor colonies for juveniles. Unofficial prisons, many of which were located in the North Caucasus district, reportedly continued to operate.

Prison overcrowding remained a serious problem despite the granting of amnesty to nearly 100,000 prisoners in May. Although the federal minimum standard of space per person in detention is 43 square feet, Presidential Human Rights Council member Andrey Babushkin reported in October that inmates were being confined to spaces far below the mandatory minimum, particularly in prison facilities in larger cities. The size of the country's prison population exacerbated the problem, with the capacity rates at 95 percent, up from 90 percent in 2013.

Penal Reform International reported conditions were generally better in women's colonies than in men's but remained substandard. Thirteen women's facilities also contained facilities for underage children of inmates who had no options for housing them with friends or relatives.

According to a September 8 statement by the Federal Penitentiary Service, a total of 2,640 inmates died during the year.

On July 4, a 26-year-old Kyrgyz inmate, Akbarali Akbaraliyev, died after prison authorities reportedly beat him while he was in solitary detention for 15 days at Penitentiary Facility #46 in Nevyansk, Sverdlovsk oblast. Akbaraliyev's death led to a protest in which hundreds of inmates went on a hunger strike. Authorities filed charges of intentional infliction of grievous bodily harm resulting in death and exceeding authority with the use of violence against Warden Il'ya Chikin and other officials at the facility.

On November 25, Vitaliy Pop, a 16-year-old Ukrainian citizen, died after authorities at the Belorechensk penal colony beat him severely. Pop, who was serving a five-year sentence for a store robbery despite being a minor with no previous criminal record, had reportedly told his parents that newcomers to the

RUSSIA**9**

penal colony were routinely abused. During the beating prison staff reportedly called Pop names considered derogatory to Ukrainians.

During the year 197 persons died in police stations, pretrial detention, or temporary detention, according to a tally maintained by the website Russian Ebola. Causes of death included medical conditions, suicide, and injuries sustained while in detention. In August a total of six detainees died in police stations, five in temporary detention centers, four in investigative detention, and one in a police vehicle. Of these 16 deaths, authorities attributed four to “sudden deterioration of health,” four to a fire in a detention center, three to suicide, two to heart attacks, and one as alcohol-related. Injuries reportedly sustained while in detention caused the remaining two fatalities.

Police detained Tajik migrant Zarina Yunusova and her five-month-old son Umarali Nazarov in St. Petersburg on October 13. Nazarov died on October 14 after authorities had separated him from his mother. Police claimed the boy died of a respiratory infection and continued with deportation proceedings against Yunusova. The St. Petersburg prosecutor’s office reported in November that the detention facility where they had been held was unsuitable for living and opened a criminal investigation on charges of death by negligence. Nazarov’s parents were also under investigation for failing in their parental duties.

In the case of Sergey Magnitskiy, a lawyer who died of medical neglect and abuse while in pretrial detention in 2009, authorities did not as of year’s end bring those responsible for his death to justice. The investigation into the circumstances surrounding his death remained officially closed.

There were reports that prison staff abused prisoners. In May scores of prisoners cut their forearms and refused medical attention to protest physical abuse by prison staff at a penal colony in the Amur Oblast.

Prisoner-on-prisoner violence was also a problem. In some cases prison authorities encouraged prisoners to abuse certain inmates. In February, four prisoners killed fellow inmate Aleksey Shangina in a Moscow detention facility, and one of the suspects stated that the attack was carried out under the instructions of a police officer. There were elaborate inmate-enforced caste systems in which certain groups, including informers, gay inmates, rapists, prison rape victims, and child molesters, were considered “untouchables” (the lowest caste). Prison authorities provided little or no protection to these groups.

RUSSIA**10**

Health, nutrition, ventilation, and sanitation standards varied between facilities but generally were poor. Potable water sometimes was rationed. Access to quality medical care remained a significant problem in the penal system. For example, Chelyabinsk prisoner Vladimir Kondrulin died in August of prostate cancer in a prison facility for tuberculosis treatment, despite prior warnings by the European Court of Human Rights (ECHR) that he would likely die if not immediately moved to a facility where he could receive appropriate medical attention. The Chelyabinsk District Court and Chelyabinsk Oblast Court refused to approve his transfer.

Tuberculosis and HIV among the country's prison population continued to be significant problems. The Federal Penitentiary Services reported that nearly 4 percent of the country's prison population was infected with tuberculosis, while the HIV rate among prisoners increased 6 percent compared with 2014. Although all correctional facilities had medical units or health centers, only 41 treatment facilities provided treatment for tuberculosis patients, down from 58 in 2014, and only nine prisons provided medical services for drug addiction. In January 2014 the Leningrad Oblast prosecutor's office released an audit of the region's prison health-care facilities that indicated numerous violations of statutory standards of care for HIV-infected and tuberculosis patients in diagnosis and treatment as well as standards for evaluating test results.

On May 6, a riot broke out in a facility in Nizhny Novgorod for prisoners with tuberculosis, leaving one dead and more than 20 injured. The riot reportedly was sparked by inhuman conditions for sick prisoners, including being forced to work up to 12 hours per day.

In a 2012 pilot judgment in the case of *Ananyev v. Russia*, the ECHR noted that inadequate conditions of detention were a recurrent and systemic problem in the country and ordered the government to draft a binding implementation plan to remedy the situation. In 2012 the government submitted an action plan for implementing the court's ruling. Since the action plan was released, however, there were no significant indications of progress. Prison conditions remained poor, as evidenced by the 30 ECHR judgments against the country in 2014 for inhuman and degrading prison conditions.

According to the Ministry of Justice, in 2014 the government paid 58 million rubles (\$890,000) in compensatory damages for substandard conditions of detention in SIZOs, a more than twofold increase from 2013. The average amount of compensation was approximately 20,000 rubles (\$308).

Administration: Prisoners had visitation rights, but authorities could deny access to visitors depending on the circumstances. Authorities allowed prisoners serving a regular sentence four three-day visits with their spouses per year. On occasion prison officials cancelled visits if the prison did not have enough space to accommodate them. The judge or investigator in a prisoner's case could deny the prisoner visitation rights. Authorities could also prohibit relatives deemed a security risk from visiting prisoners. The number of visitors was limited, usually to two adults and two children on each visit.

While prisoners could file complaints with public oversight commissions or with the Human Rights Ombudsman's Office, they were often afraid of reprisal. Prison reform activists reported that only prisoners who believed they had no other option risked the consequences of filing a complaint. Complaints that reached the oversight commissions often focused on minor personal requests.

There were no completely independent bodies to investigate credible allegations of inhuman conditions. In November 2014 new members were added to public oversight commissions, but appointment and selection procedures prevented many human rights defenders from participating, decreasing the effectiveness of oversight commission observation in many regions. At the same time, authorities increased appointments of former military, police, and prison officials to oversight commissions, effectively placing them under the control of law enforcement agencies. According to activists and media reports, the independence of the oversight commissions varied by region. *Vedomosti* newspaper reported that, after the selection of new members for the Moscow public oversight commission in 2013, the majority of commission members were former officers of the security services and former prison officials, rather than human rights activists who had historically made up the majority of commission members.

Independent Monitoring: There were no prison ombudsmen. The law regulating public oversight of detention centers allows public oversight commission representatives to visit facilities. According to the Russian Public Chamber, there were a total of 1,144 public oversight commissions spread over 81 regions. By law there should be five to 40 members on each commission. Authorities permitted only the oversight commissions to visit prisons regularly to monitor conditions. There were reports, however, that prison officials, citing disease or danger, denied access to inspectors upon arrival. According to the Committee for the Prevention of Torture, public oversight commissions were legally entitled to have access to all prison and detention facilities, including psychiatric facilities, but prison

authorities often prevented them from accessing these facilities. The law does not establish procedures for local authorities to respond to oversight commission findings or recommendations, which are not legally binding.

d. Arbitrary Arrest or Detention

While the law prohibits arbitrary arrest and detention, authorities engaged in arbitrary arrest and detention with impunity.

Role of the Police and Security Apparatus

The Ministry of Internal Affairs, the Federal Security Service (FSB), the Investigative Committee, and the Office of the Prosecutor General are responsible for law enforcement at all levels of government. The FSB is responsible for security, counterintelligence, and counterterrorism as well as for fighting organized crime and corruption. The national police force under the Ministry of Internal Affairs is organized into federal, regional, and local levels.

Arrest Procedures and Treatment of Detainees

By law authorities may arrest and hold a suspect for up to 48 hours without court approval, provided there is evidence of the crime or a witness; otherwise, an arrest warrant is required. After arrest, police typically take detainees to the nearest police station, where they inform them of their rights. Police must prepare a protocol stating the grounds for the arrest, and both detainee and police officer must sign it within three hours of detention. Police must interrogate detainees within the first 24 hours of detention. Prior to interrogation a detainee has the right to meet with an attorney for two hours. No later than 12 hours after detention, police must notify the prosecutor. They must also notify the detainee's relatives unless a prosecutor issues a warrant to keep the detention secret. Police are required to release a detainee after 48 hours, subject to bail conditions, unless a court decides, at a hearing, to prolong custody in response to a motion filed by police not less than eight hours before the 48-hour detention period expires. The defendant and his or her attorney must be present at the court hearing.

By law police must complete their investigation and transfer a case to a prosecutor for arraignment within two months of a suspect's arrest, although an investigative authority may extend a criminal investigation for up to 12 months. Extensions beyond 12 months need the approval of the head federal investigative authority in the Ministry of Internal Affairs, the Federal Drug Control Service, the FSB, or

Investigative Committee. According to some defense lawyers, these time limits often were exceeded, especially in cases with a high degree of public interest.

There were a number of problems relating to defendants' ability to obtain adequate defense counsel. Federal law provides defendants the right to choose their own lawyers, but investigators generally did not respect this provision, instead designating lawyers friendly to the prosecution. These "pocket" defense attorneys agreed to the interrogation of their clients in their presence while making no effort to defend their clients' legal rights. In many cases, especially in more remote regions, defense counsel was not available for indigent defendants. Judges usually did not suppress confessions of suspects taken without a lawyer present. Judges at times freed suspects held in excess of detention limits, although they usually granted prosecutors' motions to extend detention periods.

Authorities generally respected the legal limitations on detention except in the North Caucasus. There were reports of occasional noncompliance with the 48-hour limit for holding a detainee. At times authorities failed to issue an official detention protocol within the required three hours after detention and held suspects longer than the legal detention limits. The practice was widespread in the North Caucasus (see section 1.g.) and unevenly applied.

Caucasian Knot, an independent online news site, reported that on August 26, law enforcement officials in Dagestan detained Akhmed Akhmedov on suspicion of attacking a police officer. Akhmedov's wife submitted a complaint to the human rights NGO Memorial Human Rights Center, noting that she had not been informed of her husband's whereabouts since his detention. At year's end there was no information regarding his whereabouts.

Arbitrary Arrest: There were many reports of arbitrary arrest. Following prayers at a mosque in Dagestan on May 8, police detained 10 to 15 men leaving the building when they refused to give their names and addresses. Witnesses told *Caucasian Knot* that the men were held until late evening before being released. None of the men was charged with a crime.

Pretrial Detention: According to statistics released by the Supreme Court, domestic courts, relying on the arguments of the prosecution, granted more than 90 percent of applications for detention orders and nearly 100 percent of requests to extend the duration of detention orders.

Protracted Detention of Rejected Asylum Seekers or Stateless Persons: Authorities continued to detain asylum seekers while their cases were pending as well as all rejected asylum seekers prior to deportation or pending judicial review (see section 2.d.). Human rights NGOs reported authorities used protracted detention in such cases, including detention past the legal limit of 18 months.

Amnesty: Under an amnesty program from President Putin in honor of the 70th anniversary of (World War II) Victory Day in May, nearly 100,000 nonviolent criminals were released from penal colonies and detention centers, according to Valeriy Maksimenko, acting head of the Federal Penitentiary Service.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but judges remained subject to influence from the executive branch, the armed forces, and other security forces, particularly in high-profile or politically sensitive cases. The law requires judicial approval of arrest warrants, searches, seizures, and detentions. Officials generally honored this requirement, although bribery or political pressure sometimes subverted the process of obtaining judicial warrants. The outcomes of some trials appeared predetermined (see section 1.e., Political Prisoners and Detainees).

The human rights ombudsman received 59,100 complaints in 2014, a 43 percent increase compared with 2013. The largest number of complaints (32 percent) was submitted for violations of criminal proceedings and violations during trials.

Judges routinely received calls from superiors instructing them how to rule in specific cases. In 2013 the Presidential Council for the Development of Civil Society and Human Rights reported, “In practice [judges] do not possess genuine, as opposed to declaratory, independence. The powers of a judge who does not agree to carry out the requests may be prematurely terminated. In such a situation, the conscientious judge is subject to pressure from within the judicial system and has no chance of defending his or her own rights.”

A 2013 report by the Council of Europe’s human rights commissioner on the protection of human rights in the country’s judicial system noted that “perceptions persist that judges were not shielded from undue pressure, including from within the judiciary.”

In many cases authorities reportedly did not provide adequate protection for witnesses and victims from intimidation or threats from powerful criminal defendants.

Trial Procedures

The defendant has a legal presumption of innocence. A judge without a jury typically hears trials (bench trials). The law provides for the use of jury trials for a limited range of crimes in higher-level regional courts. Certain crimes, including terrorism, espionage, hostage taking, and inciting mass disorder, must be heard by panels of three judges rather than by juries. Juries tried approximately 800 to 900 cases each year, or approximately 0.02 percent of all criminal cases. While judges acquitted less than 1 percent of defendants, juries acquitted an estimated 20 percent. Legal experts attributed the decline in the number of jury trials since 2008 to an effort by officials to avoid acquittals in criminal cases.

The law allows prosecutors to appeal acquittals, which they did in most cases. Prosecutors may also appeal what they regard as lenient sentences. Appellate courts reversed approximately 30 percent of acquittals and remanded them for a new trial, although these cases often ended in a second acquittal.

During trial the defense is not required to present evidence and is given an opportunity to cross-examine witnesses and call defense witnesses, although judges may deny the defense this opportunity. Defendants who are in custody during a trial were confined to a caged area, which was replaced by glass enclosures in some courts. Defendants have the right of appeal. Prior to trial defendants receive a copy of their indictment, which describes the charges against them in detail. They also have the opportunity to review their criminal file following the completion of the criminal investigation. The law provides for the appointment of an attorney free of charge if a defendant cannot afford one, although the high cost of competent legal service meant that lower-income defendants often lacked competent representation. There were few qualified defense attorneys in remote areas of the country. Defense attorneys may visit their clients in detention, although defense lawyers claimed authorities electronically monitored their conversations and did not always provide them access to their clients.

Plea bargaining was used to settle approximately 64 percent of criminal cases in 2014, and the law allows a defendant to receive a reduced sentence for testifying against others. Plea bargains reduced defendants' time in pretrial detention in

approximately 50 percent of cases, reduced the average prison term to no more than half of the otherwise applicable statutory maximum, and allowed courts and prosecutors to devote their resources to other cases.

Political Prisoners and Detainees

There were political prisoners in the country, and authorities detained and prosecuted individuals for political reasons. On October 30, the Memorial Human Rights Center's updated list of political prisoners included 50 names, an increase from the 46 individuals the organization listed in 2014. Those added to the list during the year included Oleg Navalny (convicted of embezzlement, although the charges were widely regarded as retribution for the political activities of his brother Aleksey); blogger Vadim Tyumentsev (public calls for extremism using the internet and the incitement of hatred or enmity); and Director of the Library of Ukrainian Literature in Moscow Natalia Sharina (inciting ethnic hatred and denigration of human dignity; see section 2.a., Freedom of Speech and Press). In August the Chronicle of Current Events published a list of 217 political prisoners that included opposition politicians, human rights activists, environmental activists, religious believers, and bloggers.

On June 27, the Moscow City Court denied the appeal of opposition activist Aleksey Navalny and his brother Oleg Navalny, who were found guilty of fraud in December 2014 in a case involving the Yves-Rocher company. Aleksey had received a three-and-a-half year suspended sentence, while Oleg continued to serve a three-and-a-half year prison term. Observers regarded both cases as politically motivated. The harassment of Aleksey Navalny continued, since authorities placed him under house arrest in January and detained him multiple times. On February 20, he received a 15-day prison sentence for distributing leaflets publicizing a demonstration.

After the country's military intervention in and purported "annexation" of Crimea in March 2014, judicial authorities began to transfer court cases to Russia from occupied Crimea for trial. In September 2014 Russian authorities transferred from Crimea to the Krasnodar Kray the son of prominent exiled Crimean Tatar leader Mustafa Jemilev, Khaiser Jemilev, whom they arrested in 2013, and charged him with fatally shooting his neighbor, Fevzi Edemova. The Krasnodar Kray Court convicted him of manslaughter and sentenced him to a five-year imprisonment on June 2. Prior to the Russian court's ruling, a Ukrainian court convicted Jemilev of manslaughter in absentia in May and sentenced him to 44 months in prison. The Ukrainian government demanded his extradition from Russia, noting that

according to the European Convention on Human Rights and the Russian constitution, he cannot be convicted twice for the same crime.

On August 25, the Northern Caucasus Military District Court sentenced Ukrainian filmmaker Oleh Sentsov to 20 years in a prison camp after convicting him on terrorism charges widely seen as politically motivated. The other defendants in the case, Ukrainian citizens Hennadiy Afanasyev, Oleksiy Chirniy, and Oleksandr Kolchenko, received sentences ranging from seven to 10 years. The men had been detained in May 2014 on suspicion that the group was “plotting terrorist acts” in association with the Right Sector nationalist group. During Sentsov’s trial, Afanasyev retracted his testimony, saying that he had been tortured and coerced into signing a false statement against Sentsov. Human rights activists in the country publicly stated they believed Sentsov’s case was retribution for his opposition to Russia’s actions in Ukraine.

The politically motivated trial of Lieutenant Nadiya Savchenko on charges of killing two Russian journalists in Metalist, Ukraine, began in Donetsk, Russia, on September 22. Savchenko, a Ukrainian military pilot and Rada deputy detained by Russian authorities since June 2014, also faced charges of attempted murder and entering Russia illegally. She pleaded not guilty to all the charges. On December 18, Savchenko began a hunger strike after authorities extended her detention into April 2016. Her trial, as well as her hunger strike, continued at the end of the year.

Other Ukrainians in Russian detention on politically motivated charges included Valentin Vygovskiy, sentenced in December to 11 years’ imprisonment on espionage charges; Yuriy Soloshenko, sentenced to six years in a penal colony for espionage; Serhii Litvinov, detained for alleged war crimes; and Mykola Karpyuk and Stanislav Klykh, accused of participating in military activities against Russian armed forces during the war in Chechnya in the 1990s.

There were continued court rulings and arrests related to the 2012 Bolotnaya Square case, initiated in connection with clashes between police and protesters at a demonstration on the eve of President Putin’s inauguration in 2012. Many human rights groups considered the Bolotnaya case to be politically motivated. Dmitry Buchenkov was detained on December 4 for his alleged participation in the protest. In addition, authorities detained Ivan Nepomnyashchikh on February 25 and charged him with assaulting police at a protest in 2012. On December 22, authorities sentenced Nepomnyashchikh to 2.5 years’ imprisonment. On September 17, the ECHR ruled that the state had not brought three Bolotnaya

defendants to trial within a reasonable time and ordered the government to compensate them 2,000 to 3,000 euros (\$2,200 to \$3,300) each.

On December 22, the Tambov Oblast Court upheld a decision to release on parole Yevgeniy Vitishko, an activist with the Environmental Watch of the North Caucasus, who was convicted in 2013 on politically motivated charges (for damaging the fence of the Krasnodar governor's dacha) and sentenced to three years in prison. Amnesty International named Vitishko a "prisoner of conscience" and the Memorial Human Rights Center considered him a political prisoner. On November 21, Vitishko undertook a 20-day hunger strike in response to prosecutors' attempts to block his release following a lower court decision to grant him parole. He served 22 months of the three-year sentence.

There were reports that authorities lodged politically motivated charges of treason and espionage against individuals, often in connection with the conflict in Ukraine. In 2012 the government redefined treason to include providing assistance to a foreign state or international organization directed against the country's national security. The Moscow City Court reported that from January 2014 to March 3, authorities arrested nine persons on such charges in the capital, while 15 persons were convicted of treason in 2014, nearly four times as many as in the previous year.

On January 21, authorities arrested Svetlana Davydova, a mother of seven, in the Smolensk oblast and charged her with treason. Davydova had called the Ukrainian embassy in Moscow in April 2014 to report that she had overheard that Russian troops would be deploying to Ukraine. After a public outcry, authorities dropped the charges against her in March.

On September 21, the Moscow City Court sentenced Gennadiy Kravtsov, a former intelligence officer, to a 14-year sentence for treason. After Kravtsov left the military intelligence service in 2005, authorities arrested him in May 2014 after he sent a resume to a Swedish firm and accused him of revealing state secrets related to Russian satellites. Kravtsov's lawyer believed the increased use of the treason law in such cases was part of a broader crackdown on contact between Russians and foreign entities.

Civil Judicial Procedures and Remedies

Although the law provides mechanisms for individuals to file lawsuits against authorities for violations of civil rights, these mechanisms often did not work well.

For example, the law provides that a defendant who has been acquitted after a trial has the right to compensation from the government. Human rights activists claimed authorities avoided paying compensation through procedural means, such as leaving cases in pending status. Persons who believed their civil rights had been violated typically sought redress in the ECHR after the domestic courts had ruled against them.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law forbids officials from entering a private residence except in cases prescribed by federal law or when authorized by a judicial decision. The law also prohibits government monitoring of correspondence, telephone conversations, and other means of communication without a warrant and prohibits the collection, storage, utilization, and dissemination of information about a person's private life without his or her consent. There were allegations government officials and others engaged in electronic surveillance without appropriate authorization and entered residences and other premises without warrants.

Law enforcement agencies require telecommunications service providers to grant the Ministry of Internal Affairs and the FSB continuous remote access to client databases, including telephone and electronic communication and records, enabling police to track private communications and monitor internet activity without the provider's knowledge. The law permits authorities to monitor telephone calls in real time, with a warrant. The Ministry of Information and Communication requires telecommunications service providers to allow the FSB to tap telephones and monitor information over the internet. The Ministry of Information and Communication maintained authorities would not access information without a court order, although the FSB is not required to show it upon request.

A 2014 law that went into effect on September 1 requires that websites maintain user information databases on the territory of the country and provide this information to the security services upon request (see section 2.a.).

Officials often singled out persons with dark complexions from the Caucasus as well as individuals who appeared to be of African or Asian origin for document checks. There were credible reports that police arbitrarily imposed fines on unregistered persons in excess of legal requirements or demanded bribes.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Violence continued in the North Caucasus republics, driven by separatism, interethnic conflict, jihadist movements, vendettas, criminality, excesses by security forces, and the activity of terrorists. Media reported that as of October 31, the total number of deaths and injuries due to the conflicts in the North Caucasus decreased significantly compared with the same period in 2014 in all republics of the North Caucasus. According to human rights activists in the region, violence in Dagestan and Chechnya continued at a high level. Dagestan continued to be the most violent area in the North Caucasus, with approximately 60 percent of all casualties in the region. Local media described the level of violence in Dagestan as the result of Islamic militant insurgency tactics continuing from the Chechen wars as well as the high level of organized crime in the region.

Killings: *Caucasian Knot* reported that as of October 31, there were at least 169 deaths and 32 injuries in the North Caucasus as a result of armed conflicts in the region. As of September with 95 deaths from armed conflict, in Dagestan was the most deadly region. Of the deaths in Dagestan, 71 were militants, 14 were civilians, and 10 were law enforcement officers. This represented a significant decrease from the same period in 2014, since the overall number of casualties dropped by almost two-thirds, and by half in Dagestan.

In a change from previous years, no journalists were killed in the North Caucasus during the year (see section 2.a.).

There continued to be reports that use of indiscriminate force by security forces resulted in numerous deaths or disappearances and that authorities did not prosecute the perpetrators. According to *Caucasian Knot* and human rights groups, on March 21, police in Makhachkala, the capital of Dagestan, sealed off an apartment block and commenced an operation to clear a building of suspected militants. While checking the identification documents of residents, they came across a woman with a child who refused to leave her apartment, leading authorities to presume she was likely a militant. Although the child was eventually able to leave, police killed seven persons in two different apartments in the building, including the woman, after one of the suspects shot and killed a police officer. Police found ammunition in only one apartment, which indicated that the couple killed in the second apartment were not part of the militant group and were caught in the crossfire. Nevertheless, police labeled the couple as “rebels.”

Local militants continued to engage in violent acts against local security forces, often resulting in deaths.

Abductions: Government personnel, militants, and criminal elements continued to engage in abductions in the North Caucasus. According to the prosecutor general, as of 2011 there were more than 2,000 unsolved disappearances in the North Caucasus District. According to data from *Caucasian Knot*, the official list of missing persons in the North Caucasus contained 7,570 names. Local activists asserted that the number of missing persons in Chechnya was much higher than officially reported, potentially up to 20,000 individuals.

There were reports that state security forces in the North Caucasus conducted counterterrorist operations that resulted in disappearances. For example, on August 2, a resident of Dagestan was reported missing near the Dagestan-Chechnya border after a relative claimed two vehicles filled with men in camouflage outfits abducted the man and drove toward Chechnya. The man returned home on August 10, claiming that law enforcement agents had interrogated and tortured him with electric current.

There were also accounts of persons being detained by police or unknown individuals. On April 24, police detained the 28-year-old son of a local leader at a relative's shop in Ingushetia. When his father tried to ascertain his whereabouts, police told him that his son would be extradited to Samara to face charges there. The detained man's attorney was denied the ability to meet him. There was no new information on this case at the end of the year.

In Chechnya the local Ministry of Public Health continued issuing genetic passports to relatives of individuals who were kidnapped or disappeared during the first and second Chechen Wars. The genetic passport offers relatives the ability to identify remains that may belong to their family. As of July an estimated 32 Chechen residents received genetic passports during the year, bringing the total to more than 300. Chechnya's Ministry of Internal Affairs claimed to have a database containing 3,016 missing persons, but human rights activists believed the actual number of missing persons to be higher.

Physical Abuse, Punishment, and Torture: Armed forces and police units reportedly abused and tortured both militants and civilians in holding facilities.

On January 27, security services detained two men in Grozny, reportedly beat them, and shaved their beards off with blunt instruments. Observers speculated that the men had been targeted due to their beards, which are allegedly associated with Wahhabism in the region.

Human rights groups noted authorities often did not act to address widespread reports of physical abuse of women.

The law requires relatives of terrorists to pay the cost of damages caused by an attack, which human rights advocates criticized as collective punishment.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

While the constitution provides for freedom of speech and press, the government increasingly restricted those rights. The government instituted several new laws that restrict both freedom of speech and press. Regional and local authorities used procedural violations and restrictive or vague legislation to detain, harass, or prosecute persons who criticized the government. The government exercised greater editorial control over state-controlled media than it had previously, creating a media landscape in which most citizens were exposed predominately to government-approved narratives. Significant government pressure on independent media constrained coverage of numerous problems, especially the situation in Ukraine, LGBTI problems, the environment, elections, criticism of local or federal leadership, as well as issues of secessionism or federalism. Self-censorship in television and the print media was increasingly widespread, particularly on issues critical of the government or its policies. The government used direct ownership or ownership by large private companies with government links to control or influence major national media and regional media outlets, especially television.

Freedom of Speech and Expression: Government-controlled media frequently used terms such as “traitor,” “foreign agent,” and “fifth column” to describe individuals expressing views critical of or different from government policy, leading to a climate intolerant of dissent.

A number of public figures were attacked or killed after publicly questioning the government’s policies. On February 27, opposition politician Boris Nemtsov was shot and killed within sight of the Kremlin (see section 1.a.). Nemtsov was frequently criticized on state-controlled television, and after his death his daughter blamed “Russian propaganda” for creating an atmosphere that made his death possible. At the time of his killing, Nemtsov was preparing a detailed report on the involvement of Russian soldiers in the conflict in Ukraine.

In September opposition lawmaker Lev Shlosberg was expelled from the Pskov oblast legislature, a move he attributed to his investigation and publishing of information concerning the death of local paratroopers in Ukraine. In August 2014 after making public his investigations, Shlosberg was attacked while walking to a meeting with colleagues and was hospitalized with serious injuries.

Private citizens who expressed views counter to government policies faced discrimination, harassment, and physical abuse. On December 25, 18-year-old Vlad Kolesnikov committed suicide after having been expelled from his home, expelled from school, and beaten by classmates following his wearing of a T-shirt in June with the words, “Return Crimea.”

New laws criminalize certain types of expression. Expansions to the law on state secrets classify any information revealing Russian military casualties as a state secret, regardless of whether they occurred during times of war or peace. At year’s end authorities had not prosecuted anyone under the new laws.

Authorities invoked the 2013 law prohibiting the “propaganda” of nontraditional sexual relations to minors to restrict the free speech of LGBTI persons and their supporters (see section 6). In September the social media platform Vkontakte carried out a request by Roskomnadzor, the country’s mass communications watchdog agency and communications regulator, to block the website Deti 404 (Children 404), an online forum for Russian-speaking LGBTI teenagers to write openly and anonymously about their daily lives and hardships. On December 12, authorities charged the former director of the LGBT organization “Maximum,” Sergey Alekseenko, with violating the “propaganda” law through his posts on VKontakte that stated, “Being gay means being a brave and confident person, with dignity and self-esteem.”

In May the Moscow mayor’s office rejected an application by Moscow-based activists to organize an LGBTI pride parade (see sections 2.b. and 6).

Authorities continued to misuse the country’s expansive definition of extremism as a tool to stifle dissent. As of September 29, the Ministry of Justice expanded its list of extremist materials to include 3,072 books, videos, websites, social media pages, musical compositions, and other items, an increase of more than 600 items from the same date in 2014. On December 1, Oleg Novozhenin, an internet user who lived in the Siberian town of Surgut, was sentenced to one year in prison under article 282 of the criminal code for distributing “extremist materials” on social networks. According to media reports, Novozhenin posted to his VKontakte

page audio and video files of the Ukrainian nationalist party organization “Right Sector” (banned in Russia) and the right-wing “Azov” volunteer battalion. In October authorities detained the director of the Moscow-based state-funded Library of Ukrainian Literature, Natalia Sharina, and charged her with inciting ethnic hatred and denigrating human dignity for making available alleged anti-Russian propaganda and extremist books, including by a Ukrainian nationalist author whose work is banned in Russia. On December 14, authorities searched the homes of multiple employees of the Library of Ukrainian Literature while Sharina remained under house arrest.

By law authorities may close any organization that a court determines to be extremist, including media outlets and websites, and the organization cannot challenge the court’s decision. Roskomnadzor routinely issued warnings to newspapers and internet sources suspected of publishing extremist materials. Three warnings in one year were enough to initiate a closure lawsuit. In July the agency issued its second warning within a 12-month period to independent newspaper *Novaya Gazeta* in response to a published excerpt from a novel that included an expletive, even though several letters of the word were replaced with asterisks.

In the wake of the attack in France against the editors of the French weekly magazine *Charlie Hebdo*, Roskomnadzor publicly warned media against publishing religious-themed cartoons and issued warnings to six media outlets that published cartoons from the French satirical magazine. Human rights groups reported such intimidation encouraged journalists and editors, who rarely were prosecuted directly, to censor themselves.

Press and Media Freedoms: The government increasingly restricted press freedom. The government, state-owned, or state-controlled companies directly owned more than 60 percent of the country’s 45,000 registered local newspapers and periodicals. The federal or local governments or progovernment individuals completely or partially owned approximately 66 percent of the 2,500 television stations, including all six national channels. Government-owned media outlets often received preferential benefits, such as rent-free occupancy of government-owned buildings. At many government-owned or controlled outlets, the state increasingly dictated editorial policy. A 2014 law, effective in January 2016, restricts foreign ownership of media outlets to no more than 20 percent. In anticipation of the law, foreign media owners began restructuring or selling their assets to Russian investors who often had close connections with the government. In September, CTC Media, which operated a handful of network and cable

channels, sold a 75 percent stake in the company to UTH, a media conglomerate owned by Alisher Usmanov, a government-connected tycoon. Ostensibly a Russian company, CTC Media was incorporated in the United States, subjecting it to the new ownership law.

The government continued to pressure the leadership of the leading independent news outlets that exposed government abuses, including *Novaya Gazeta*, Dozhd, and RBK. Independent news outlets publishing stories critical of the government often faced official and unofficial retaliation for such coverage. On January 1, the local Tomsk television channel TV-2, one of the first independent news stations in the country, was forced to stop broadcasting after the state-run regional broadcasting center cancelled its agreement with the station, thus making it available only through certain cable packages. Local courts rejected three appeals from the channel arguing that the broadcast center's decision to cancel the contract was illegal. TV-2's editor claimed the threat was an effort by Roskomnadzor to punish the station for being an independent voice on local issues.

In March the leading independent newspaper *Novaya Gazeta* announced that it would consider ceasing to publish physical copies of the newspaper due to financial difficulties. The chief editor noted that the newspaper could not compete with official media, which received state financial support.

Government targeting of independent, liberal-leaning TV Dozhd persisted during the year. The station only operated online, via paid subscriptions, after the largest cable television providers dropped the channel in January 2014 reportedly under pressure from authorities. In September, State Duma deputy and leader of the nationalist Rodina party, Aleksey Zhuravlev, requested the general prosecutor conduct an inspection of Dozhd for potential violations of the law on mass media and on extremist activity, citing the station's transmission of BBC and Deutsche Welle broadcasts. Zhuravlev claimed the station broadcast stories aimed at discrediting the country and its involvement in Ukraine. On December 7, Dozhd's offices were inspected on the grounds of investigating the channel's compliance with antiextremism, labor, and licensing legislation. The district prosecutor announced that while investigators had found some safety and labor related violations, these infractions did not "affect the rights and freedoms of citizens."

Many newspapers ensured their financial viability by agreeing to various types of "support contracts" with government ministries, under which they agreed to provide positive coverage of government officials and policies in news stories. Absent direct government support, independent news publications reported

difficulty attracting advertising and securing financial viability, since advertisers feared retaliation if their brands became linked to publications that criticized the government.

According to the Glasnost Defense Fund and other NGOs, authorities used the media's widespread dependence on the government for access to property, printing, and distribution services to discourage critical reporting. Approximately 90 percent of the print media relied on state-controlled entities for paper, printing, and distribution services, and that many television stations were forced to rely on the government for access to the airwaves and office space. Officials continued to manipulate the price of printing at state-controlled publishing houses to pressure private media rivals.

Violence and Harassment: Journalists continued to be subjected to arrest, imprisonment, physical attack, harassment, and intimidation as a result of their reporting. The Glasnost Defense Fund reported numerous actions against journalists in 2014, including five killings, 52 attacks, 107 detentions by law enforcement officers, 200 prosecutions, 29 threats against journalists, 15 politically motivated firings, and two attacks on media offices.

While the government at times successfully prosecuted persons who harmed or killed journalists, efforts to identify and prosecute those who ordered the attacks appeared stymied by political considerations. In October journalist Oleg Kashin accused President Putin and Prime Minister Medvedev of shielding Pskov governor Andrey Turchak, whom Kashin claimed ordered a severe beating attack on him in Moscow in 2010 in retaliation for Kashin's public criticism of Turchak's performance as governor. Law enforcement authorities arrested two of the three alleged attackers, while Turchak remained free.

Journalists reporting in or on the North Caucasus district remained particularly vulnerable to physical attacks, including killing, for their in-depth reporting. An online news agency founded by the Chechen Information Ministry published an article in May comparing *Novaya Gazeta* investigative journalist Elena Milashina with slain journalist Anna Politkovskaya and threatened that she ultimately could face the same fate. The article appeared in the wake of Milashina's reporting on the forced marriage of an underage girl to an already married regional police chief with alleged ties to Chechen head Kadyrov (see section 6, Early and Forced Marriage).

Shortly after the killing of opposition politician Boris Nemtsov in February, local news reported rumors on the existence of an alleged “hit list” that included Nemtsov, as well as Aleksey Venediktov, chief of the independent radio and news organization Ekho Moskvyy, and Kseniya Sobchak, a newswoman at TV Dozhd, in retaliation for their critical reporting on the government. Chechen leader Kadyrov also threatened Venediktov, stating via social media that he had turned Ekho Moskvyy into the “main anti-Islamic mouthpiece” and that “there will be people who will take Venediktov to task.”

Reports of pressure on journalists increased along with an increase in investigative reporting on the situation in Ukraine, according to NGO reports. In April editors of a local Buryatian newspaper removed an article from its website and physically cut the article out of 50,000 hard copy editions, due to criticism of the article, which concerned a local soldier who sustained heavy burns while fighting among separatists in eastern Ukraine. A previously published expose by *Novaya Gazeta* revealed that the soldier was not a volunteer, as progovernment media previously reported, but rather a Russian contract soldier.

There was no progress in establishing accountability in a number of high-profile killings of journalists, including the 2004 killing of Paul Klebnikov, the 2006 killing of Anna Politkovskaya, and the 2009 killing of Natalia Estemirova.

Journalists and bloggers who uncovered various forms of government malfeasance also faced harassment, either in the form of direct threats to their physical safety or threats to their security or livelihood, often through legal prosecution. A journalist reporting on corruption in Dagestan was kidnapped, forced into a car, and severely beaten by masked assailants in April. The journalist ran a project allowing users to report corruption in their city governments via social networks. He identified one of his attackers as the son of a local city mayor.

Censorship or Content Restrictions: The government continued to use laws and decrees to censor or restrict media content.

In December 2014 Roskomnadzor issued warnings to four online media sites that published the text of opposition leader Aleksey Navalny’s closing arguments from the Yves-Rocher trial (see section 1.e.). Navalny stated that the government “had no right to exist” and called on supporters to protest in the streets. According to Roskomnadzor the reprinting of these statements constituted a call for changing the country’s constitutional order and was thus illegal.

Officials or unidentified individuals sometimes used force or took other extralegal measures to prevent the circulation of publications critical of government officials. The Glasnost Defense Fund reported that as of September 2014, officials made 29 attempts to seize or prevent distribution of publications. The Glasnost Defense Fund reported 51 instances of government interference with internet publications by December 2014, compared with 44 instances for the entire year in 2013.

During the year there were reports of courts forbidding high-profile journalists and bloggers from engaging in journalistic activity. In January a court in Rostov-on-Don sentenced journalist Sergey Reznik to a 42-month prison term for allegedly making false claims of police misconduct and publicly insulting representatives of the law. In May, Reznik had completed an 18-month sentence on charges of having allegedly falsified claims of threats made against him. After reporting the threats in 2013, he was attacked by two men with baseball bats and shot with a nonlethal traumatic pistol. Reznik covered regional and municipal abuses and corruption for several local media outlets. As part of his sentence, he was also banned from working in the media industry for two years.

The government utilized antiextremism laws to censor an array of online content (see section 2.a., Internet Freedom).

Libel/Slander Laws: Officials at all levels used their authority, sometimes publicly, to restrict the work of journalists and bloggers who criticized them, including taking legal action for alleged slander or libel. After journalist Kseniya Sobchak publicly challenged President Putin in December 2014 on his tolerance of the Chechen government's order to burn terrorists' families' homes, the Chechen government filed a libel suit against her. The Prosecutor General's Office also stated it would check slain opposition leader Boris Nemtsov's report on Russian involvement in the conflict in Ukraine for libel.

National Security: The law places limits on free expression on national security grounds, notably in statutes against extremism and treason (see section 2.a., Freedom of Speech and Expression). In May, President Putin signed a decree classifying any information revealing Russian military casualties as a state secret without regard to whether they occur during times of war or peace. The decree specifically prohibits information concerning deaths that occurred "during special operations." Legal and human rights activists criticized the decree, claiming that it exceeds the powers given to the president by the constitution and citizens' constitutional right to seek and discuss information. They noted that under the law, information about emergencies and disasters that threaten public health and safety

were classified, and thus talking to victims' relatives about their loss was now a potential violation of the state secrets law.

Internet Freedom

The government took significant new steps to restrict free expression on the internet. Threats to internet freedom included physical attacks on bloggers; politically motivated prosecutions of bloggers for "extremism," libel, or other crimes; blocking of specific sites by national and local service providers; distributed denial-of-service attacks on sites of opposition groups or independent media; monitoring by authorities of all internet communications; and attempts by national, local, and regional authorities to regulate and criminalize content. The internet was widely available to citizens in all parts of the country, although connection speeds varied by region. According to data compiled by the International Telecommunication Union, approximately 71 percent of the country's population used the internet in 2014.

A report issued by the Association of Internet Users stated that the number of cases in which the rights of internet users were infringed upon increased by more than half in 2014, from 1,832 cases to 2,951. The report noted that in 2014 instances of administrative pressure exerted by Roskomnadzor and the General Prosecutor's Office in their enforcement of antiextremist laws rose nearly threefold. According to the association, the country's court system was ill equipped to defend users' rights and rule on the legality of state bodies' actions. The association noted only one successful case, that of the website Sibkrai, in which website owners were able to challenge successfully the blockage of a site. Blockages of sites contributed to 2014 being the first year in which there was a decrease in the number of ".ru" domains.

New laws place additional restrictions on internet freedom. On September 1, the country's data on-shoring law went into effect, requiring domestic and foreign businesses to store citizens' personal data on servers located in the country. Critics expressed concern that the law might have negative commercial effects and provide the government with further access to citizens' private information. At year's end Roskomnadzor had begun conducting inspections of companies for compliance; a total of 317 companies were scheduled to be checked.

On August 1, the first anniversary of the 2014 law that requires bloggers with more than 3,000 daily visitors to register with the government or face fines, Roskomnadzor announced that the registry contained the names of more than 600

registered bloggers. The law does not define how to calculate the number of daily visitors, nor has Roskomnadzor provided specific instructions on how to register. Some bloggers reported that Roskomnadzor asked them to register or registered them involuntarily. Bloggers included on the registry are required to comply with laws that restrict certain types of language and content.

Roskomnadzor maintained a federal blacklist of internet sites. It required internet service providers (ISPs) to block access to web pages that the agency deemed offensive or illegal, including information that was already prohibited, such as items on the Federal List of Extremist Materials. The law gives the prosecutor general and Roskomnadzor authority to demand that ISPs block websites that promote extremist information or “mass public events that are conducted in violation of appropriate procedures.”

During the year authorities blocked or threatened to block some websites and social network pages that either criticized government policy or violated laws on internet content. Roskomnadzor briefly blocked the entirety of Reddit and the Russian-language Wikipedia during the year for failing to restrict access to information on narcotics. The communications regulator also blocked access to Yahoo’s video site after the service refused to comply with warnings to block access to an Islamic State video. The regulator also increased its requests to Facebook to block content. According to Facebook’s statistics, the government asked the company to block content 55 times in the second half of 2014, compared with just four requests in all of 2013. In many regions local prosecutors’ offices and courts ordered ISPs to block content on the Federal List of Extremist Materials and the federal internet blacklist.

During the year authorities prosecuted individual bloggers for allegedly extremist content they published online, including the content of other users’ comments on their pages. On December 30, a court sentenced blogger Vadim Tyumenstev to five years in prison for his alleged “extremist” activity on the internet, which consisted of urging persons to attend a protest against rising bus fares and criticizing ‘the government’s intervention in Ukraine. He was further banned from using the internet for three years. The Memorial Human Rights Center stated the jail sentence was “outrageous” and called for the verdict to be overturned.

On December 21, authorities sentenced activist Darya Polyudova to two years’ imprisonment for inciting separatism and extremist activities. The charges derived from three posts related to Ukraine on her VKontakte page. The first post was a comment by another user regarding ethnic Ukrainians in the Krasnodar Kray, the

second was a photograph of Polyudova with a poster reading, “No war in Ukraine but a revolution in Russia,” and the third was a commentary about how Russians needed to follow the example of Ukraine’s Maidan activists. Despite the fact that her VKontakte page had only 38 followers, the posts were deemed a “danger to the public.”

In December 2014 Roskomnadzor requested that Facebook block access within the country to a page with information on an unsanctioned protest related to a case against opposition leader Aleksey Navalny and his brother. Roskomnadzor made the request in accordance with the law, which authorizes the agency to block pages that call for protests that would “infringe the public order.” Facebook complied with the order.

The government targeted organizations that published information online about the government’s activities in Ukraine, especially NGOs and human rights defenders. The St. Petersburg Soldiers’ Mothers organization continued to be subject to unannounced inspections and harassment relating to the foreign agent law for its part in seeking transparency and support for Russian soldiers in Ukraine.

There were multiple reports that authorities fined libraries, schools, and internet clubs during the year for failing to block adequately content listed on the Federal List of Extremist Materials or covered under the law defending children from harmful information. In March the Sverdlovsk oblast prosecutor’s office found that the central library system of the city of Berezovskiy lacked hardware and software necessary to filter programs on their libraries’ computers as required by law and fined the library 20,000 rubles (\$308).

The government continued to employ a “system for operational investigative measures,” which requires ISPs to install, at their own expense, a device that routes all customer traffic to an FSB terminal. The system enables police to track private e-mail communications, identify internet users, and monitor their internet activity.

Academic Freedom and Cultural Events

There were indications that the government took new steps to restrict academic and cultural freedom.

There were multiple cases of authorities opening criminal investigations against university professors whose writings criticized government policy and in some cases firing them. In March university authorities e-mailed Dmitry Dubrovskiy, a

professor and director of the human rights program at the Smolny College of Liberal Arts and Sciences of St. Petersburg State University, that his contract was not being renewed. While the university gave no formal reason for his dismissal, Dubrovskiy believed his activism against hate crimes and in support of LGBTI rights was the reason for his dismissal.

Authorities often censored or shut down cultural events or displays that they considered offensive or that expressed views in opposition to the government and in some cases initiated criminal proceedings against organizers. In March the deputy minister of culture fired the director of the Novosibirsk Opera and Ballet Theater, Boris Mezdrich, over alleged desecration of religious symbols in a staging of the Wagner opera *Tannhaeuser*. A representative of the Russian Orthodox Church wrote a letter to the Prosecutor's Office after the opera's premier accusing the director of the opera and the theater director of intentionally desecrating religious symbols. The Prosecutor's Office subsequently opened an administrative case that was later dismissed for lack of evidence, but Mezdrich remained dismissed from his position.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, but local authorities increasingly restricted this right. The law requires organizers of public meetings, demonstrations, or marches by more than one person to notify the government, although authorities maintained that protest organizers must receive government permission, not just provide notification. Failure to obtain official permission to hold a protest resulted in the demonstration being viewed as unlawful by law enforcement officials, who routinely dispersed such protests. While numerous public demonstrations took place, on many occasions local officials selectively denied groups permission to assemble or offered alternate venues that were inconveniently or remotely located. The law provides heavy penalties for engaging in unsanctioned protests and other violations of the law on public assembly, up to 300,000 rubles (\$4,600) for individuals, 600,000 rubles (\$9,200) for organizers, and one million rubles (\$15,000) for groups or companies.

In July 2014 the government enacted legislation that toughens punishment for "mass rioting," under the Law on Meetings, which includes teaching and learning about organization of and participation in "mass riots." In the same legislative action, the government also increased fines for violating protest regulations and

RUSSIA

33

rules on holding public events and separately introduced a law prohibiting nighttime demonstrations and meetings. Protesters who violate the regulations multiple times within a six-month period may be fined up to one million rubles (\$15,000) or imprisoned for up to five years. On December 7, a Moscow court sentenced Ildar Dadin to three years' imprisonment for participation in four protests constituting "repeated violations of the rules on conducting public acts," making him the first activist convicted under the new legislation on protests.

In December a Moscow court ordered the detention of Dmitry Buchenkov on charges of taking part in a mass riot and assaulting a police officer, making him the 34th and most recent person to be charged in the 2012 Bolotnaya Square case, initiated in connection with clashes between police and protesters at demonstrations on the eve of President Putin's inauguration (see section 1.e.).

There were multiple reports that human rights activists were subject to threats and physical violence in connection with their public activity. In one example, on June 6, a group of at least eight men attacked six human rights activists in Moscow during a small rally in support of those accused in the Bolotnaya Square case. According to Human Rights Watch (HRW), the attackers shouted "shame on the Nazis" and called the human rights activists "Maidaners," in reference to the Maidan Square protests in Kyiv in 2013.

Police often broke up demonstrations that were not officially sanctioned and at times used disproportionate force when doing so. On December 12, Moscow authorities arrested 33 protesters, including the leader of the opposition Yabloko political party, at an unsanctioned demonstration in honor of Constitution Day. In December, following his arrest for taking part in a demonstration against the December 2014 conviction of opposition leader Alexey Navalny on charges of embezzlement (see section 1.e.), activist Ildar Dadin stated that police beat him both while being held in a detention center and again while in the emergency room.

According to a report by Amnesty International released in February, street protests became less frequent than in previous years due to the harsher punishments for second violations of protest regulations passed in 2014. It also reported that the majority of public protests in 2014 had been banned, dispersed, or severely restricted.

Authorities continued to restrict "single-person pickets," which require there be at least 164 feet separating protesters from each other. Such pickets had generally been allowed to occur unimpeded before 2014. On September 5, Moscow police

arrested Mark Galperin for standing on Manezh Square while holding a sign stating, “We are against corruption.” Galperin had previously been arrested multiple times for protesting, including in March 2014 in Moscow for holding portraits of Ukrainian protesters killed in Kyiv. In the most recent case, the judge refused to allow testimony by witnesses for the defense and denied a motion by the defense to call the arresting officers to testify. The judge also refused to accept as evidence a video of the event, which Galperin’s lawyer claimed would prove that the protest was a single-person picket and therefore would not require the authorities’ prior approval. A Moscow district court found Galperin guilty in September of conducting a public event without proper registration for the second time, sentencing him to 38 days in jail and fining him 200,000 rubles (\$3,100).

Authorities continued to deprive LGBTI individuals and their supporters of free assembly rights. Despite an October 2014 Supreme Court ruling that LGBTI individuals are a “protected class” and should be allowed to engage in public activities, the law prohibiting so-called propaganda of homosexuality to minors (see section 6) provided grounds to deny assembly rights to LGBTI activists and their supporters. Upheld by the Constitutional Court in September 2014, the law was used on multiple occasions to interrupt public demonstrations by LGBTI activists. For example, Moscow authorities prevented a group of LGBTI organizations from holding a gay pride rally in May. When activists held the parade without authorities’ approval, police arrested approximately 20 persons.

Freedom of Association

The law provides for freedom of association. During the year, however, the government instituted new measures and expanded existing restrictive laws to stigmatize, harass, fine, close, and otherwise raise barriers to membership in organizations that were critical of the government.

Public organizations must register their bylaws and the names of their leaders with the Ministry of Justice. The finances of registered organizations are subject to investigation by tax authorities, and foreign grants must be registered.

The government expanded its use of a 2012 law, which requires NGOs that receive foreign funding and engage in “political activity” to register as “foreign agents,” to harass, stigmatize, and in some cases halt the operation of NGOs. The original foreign agent amendments to the NGO law authorized the Ministry of Justice and local authorities to require NGOs to self-register only after court proceedings had found them to be foreign agents. In June 2014, however, President Putin signed

into law amendments that allow the Ministry of Justice to register independent groups as foreign agents without their consent. During the year the Ministry of Justice added 81 NGOs to the list of foreign agents, more than tripling the total number of organizations on the register. At the end of the year, 111 NGOs were designated as foreign agents.

Inspections of NGOs designated as foreign agents continued on a substantial scale. According to HRW, while authorities inspected a wide range of designated civil society groups from nearly every region of the country, groups that were warned, fined, or prosecuted generally were those active in areas such as election monitoring, human rights advocacy, anticorruption work, and environmental protection. During inspections law enforcement agencies typically brought representatives from as many as a dozen different bodies, including fire inspectors, tax inspectors, and health and safety inspectors, to issue citations to NGOs. In addition state-controlled media crews frequently accompanied authorities during such inspections.

Organizations the government deemed to be foreign agents reported experiencing the social effects of stigmatization, such as being targeted by vandals and online criticism, in addition to losing partners and funding sources and being subjected to smear campaigns in the state-controlled press.

HRW and other observers noted that a wide range of NGO activity was considered “political,” including providing information to UN bodies, publishing results of public opinion polling, providing legal advice to abuse victims, and holding roundtables or seminars to discuss policy matters. By year’s end the Ministry of Justice provided no comprehensive definition of the political activities that result in an NGO being listed as a foreign agent, despite calls from the Presidential Human Rights Council (HRC) to define further such activities. During an October 1 meeting of the HRC with President Putin, the council again called for clarification on the definition of political activities. Putin stated that the government would clarify the issue within three months.

Based on repeated requests from the HRC and Human Rights Ombudsman Ella Pamfilova, an amendment to the foreign agent law was created as a mechanism to allow qualifying NGOs to be removed from the foreign agent list. The ability to apply for delisting became effective in March. To be delisted, the NGO in question must submit an application to the Ministry of Justice proving it ceased to receive any foreign funding or engage in political activity within the previous 12 months. If the NGO received any foreign funding, it must have returned the

RUSSIA

36

money within three months. The ministry would then initiate an unscheduled inspection of the NGO to determine whether or not it qualified for removal from the list. By year's end only four NGOs were successful in their efforts to qualify for potential removal from the foreign agent list. Even in such cases, however, the Ministry of Justice did not remove the organizations from the list on its website but noted in a separate column the date the NGO qualified for removal.

On May 23, President Putin signed into law new legislation on “undesirable” foreign organizations. According to the definition of the law, a foreign organization may be found undesirable if that group is deemed to be “dangerous to the foundations of the constitutional order of the Russian Federation, its national security, and defense.” In accordance with the new law, any foreign organization deemed undesirable must cease its activities, any money or assets found by authorities may be seized, and any citizens found to be continuing to work with the organization in contravention of the law may face up to seven years in prison. The Federation Council identified nearly 20 leading international organizations for possible inclusion on the list. The Prosecutor General's Office, the body responsible for making legal findings under this law, declared four foreign organizations to be undesirable during the year. Responding to the likelihood that it would be declared undesirable, the MacArthur Foundation, a private U.S. philanthropic organization, decided to close its offices in the country.

NGOs engaged in political activities or activities that “pose a threat to the country” that receive support from U.S. persons or organizations are also subject to suspension under the “Dima Yakovlev” law, which prohibits NGOs from having dual Russian-U.S. citizen members.

There were multiple reports that civil society activists were beaten or attacked in retaliation for their professional activities and that law enforcement officials did not adequately investigate the incidents. On October 24, members of two pro-Kremlin organizations attacked 75-year-old civic activist Vladimir Ionov near Red Square while he participated in a single-person picket. The attackers threw paint and a chemical substance on Ionov, causing his eyes and skin to burn. Despite a heavy police presence near Red Square, law enforcement officers did not respond to the attack. Witnesses filmed the event and identified the attackers, but authorities did not press charges. Authorities charged Ionov with violating a new law that prohibits participation in unauthorized protests, including single-person protests, four times within a six-month period, and he faced up to five years in prison if convicted. In December, Ionov sought asylum in Ukraine.

In multiple cases authorities arbitrarily arrested and prosecuted civil society activists in political retaliation for their work (see sections 1.d. and 1.e.).

There were reports that authorities targeted NGOs and activists representing the LGBTI community for retaliation (see section 6, Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity).

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. With the exception of Ukrainian refugees, who as a group were well received, the government provided minimal assistance to refugees, asylum seekers, stateless persons, and other persons of concern. The government seldom cooperated on asylum and refugee problems with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations.

Although the law gives citizens the right to choose their place of residence, all adult citizens must carry government-issued internal passports while traveling domestically and must register with local authorities after arriving at a new location. Those with official refugee or asylum status must request permission to relocate to a district other than the one that originally granted them their status. Authorities often refused to provide government services to individuals without internal passports or proper registration, and many regional governments continued to restrict this right through residential registration rules that closely resembled Soviet-era regulations.

In-country Movement: Authorities require intercity travelers to show their internal passports when buying tickets to travel via air, railroad, water, or road. Authorities imposed travel restrictions on individuals facing prosecution for political purposes. Leonid Volkov, the head of the Democratic Opposition's election movement in Novosibirsk, was charged in August with obstructing the work of a journalist. Authorities reportedly restricted his freedom to travel while they investigated the case.

Foreign Travel: The law provides for freedom to travel abroad, but the government introduced new restrictions on this right during the year, including an amendment that allows for the temporary restriction of citizen's' right to exit the country if they are bankrupt. According to press reports, in April 2014 the government restricted foreign travel by approximately five million government employees, mostly from the security services. This included employees of the Prosecutor General's Office, the Ministry of Internal Affairs, the Ministry of Defense, the Federal Prison Service, the Federal Drug Control Service, the Federal Bailiff Service, the Federal Migration Service (FMS), and the Ministry of Emergency Situations. In February the Ministry of Internal Affairs introduced further restrictions on foreign travel for its employees.

The law on procedures for departing from and entering the country stipulates that a person who violated a court decision has no right to leave the country. A court may prohibit a person from leaving the country for failure to satisfy debts, if the individual is suspected, accused, or convicted of a crime, or if the individual has access to classified material.

Authorities imposed travel restrictions on individuals facing prosecution for political purposes. For example, authorities denied opposition politician Aleksey Navalny (see section 1.e.) a passport in June.

Exile: There were many high-profile cases of self-imposed exile during the year, primarily involving leaders of political opposition movements, NGOs, environmental organizations, and protesters who feared reprisals for their participation in anti-Putin demonstrations or for their opposition activities.

Internally Displaced Persons

In 2014 the Internal Displacement Monitoring Center estimated that at least 25,000 internally displaced persons (IDPs) remained in the North Caucasus as a result of wars in Chechnya in the 1990s. The situation for the IDPs displaced after the wars in Chechnya remained poor, with the majority still living in substandard accommodations without proper sanitation and electricity.

Protection of Refugees

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. NGOs reported applicants commonly paid informal

“facilitation fees” of approximately \$500 to FMS adjudicators to have their application reviewed. Applicants who did not speak Russian had to pay for a private interpreter. Human rights organizations noted that nearly all newly arrived refugees and temporary asylum seekers in large cities, in particular Moscow and St. Petersburg, were forced to apply in other regions, allegedly due to full quotas. With the exception of Ukrainians, the FMS approved a small percentage of applications for refugee status and temporary asylum.

Some observers pointed out that FMS data failed to include asylum seekers who were forcibly deported or extradited before exhausting their legal remedies. Some asylum seekers, especially those from Central Asia, also reportedly chose not to make formal applications for asylum because doing so often led to criminal investigations and other unwanted attention from the security services.

Human rights organizations criticized the country’s reported preferential treatment of Ukrainian applicants for refugee status and temporary asylum. According to UNHCR and local NGOs, authorities had blanket authority to grant temporary asylum to Ukrainians and prioritized Ukrainian nationals over other nationalities, especially those from African nations. As of November the vast majority of Ukrainian nationals who applied for temporary asylum received this status on a one-year basis and were eligible to apply twice for renewals. This prioritization resulted in longer waiting periods and drastically fewer approvals for non-Ukrainian applicants. Authorities reportedly also, as of November, had blanket authority to grant temporary asylum to Syrians, but according to local NGOs, the FMS stopped granting them temporary asylum and refugee status. Local migration experts noted a decrease in the number of Syrians enjoying temporary asylum, indicating that the FMS did not renew the temporary asylum of hundreds of Syrians. Authorities did not release publicly up-to-date data on non-Ukrainian refugees during the year.

Refoulement: The government provided some protection against the expulsion or return of persons to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The responsible agency, the FMS, did not maintain a presence at airports or other border points and did not adequately publicize that asylum seekers had the ability to request access to the agency. Asylum seekers had to rely on the goodwill of border guards and airline personnel to call immigration officials. Otherwise, they faced immediate return to their countries of origin, including in some cases to countries where they had reasonable grounds to fear persecution.

By law an applicant may appeal the decision of an FMS official to a higher-ranking authority or to a court. During the appeal process, the applicant is legally entitled to the rights of a person whose application for refugee status was being considered.

Human rights groups continued to allege that authorities made improper use of international agreements that permitted them to detain, and possibly repatriate, persons with outstanding arrest warrants from other former Soviet states. This system, enforced by informal ties between senior law enforcement officials of the countries concerned, permitted authorities to detain individuals for up to one month while the Prosecutor General's Office investigated the nature of the warrants. UNHCR and human rights groups noted several cases of disappearances and extralegal return of persons of UNHCR concern, in which officials detained individuals (most commonly from Central Asia) and returned them to their country of origin clandestinely. Rights groups and UNHCR maintained that this could not have happened without the cooperation of several different federal agencies.

Refugee Abuse: UNHCR and NGOs stated that police at times detained, fined, and threatened asylum seekers with deportation and that citizens subjected them to racially motivated assaults.

Access to Basic Services: By law successful temporary asylum seekers and persons whose applications were being processed have the right to work, receive medical care, and attend school. NGOs reported authorities provided some services to Ukrainian asylum seekers, but applicants from other countries were routinely denied these services. During the year authorities closed the majority of government-funded temporary accommodation centers specially erected for Ukrainian nationals waiting to receive temporary asylum. These centers provided shelter, food, medical care, and job-placement assistance. As of November 3, 16,112 Ukrainian nationals remained in these centers throughout the country, but NGOs reported that many inhabitants were Ukrainians with legal status who were paying to live in the facilities. Non-Ukrainian asylum applicants did not have access to these benefits.

While federal law provides for education for all children, regional authorities occasionally denied access to schools to children of temporary asylum and refugee applicants who lacked residential registration. When parents encountered difficulties enrolling their children in school, authorities generally cooperated with UNHCR to resolve the problem. Authorities frequently denied applicants the right

to work if they lacked residential registration, which was common due to landlords' preferring not to register occupants for tax reasons.

Temporary Protection: A person who did not satisfy the criteria for refugee status, but who could not be expelled or deported for humanitarian reasons, could receive temporary asylum after submitting a separate application.

Stateless Persons

UNHCR estimated there were approximately 113,470 stateless persons in the country at the end of 2014. Official statistics did not differentiate between stateless person and other categories of persons seeking assistance. UNHCR reported a significant number of Afghans resided in Russia for more than 20 years, including some orphans brought back by Soviet armed forces. The majority of these individuals and their offspring did not have legal status in the country because the FMS repeatedly rejected their applications for temporary asylum and/or refugee status. This Afghan population faced the same risks as newly arrived asylum seekers, including denial of, or lack of, access to medical care, schooling, and housing.

Section 3. Freedom to Participate in the Political Process

While the law provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, citizens could not fully do so because the government limited the ability of opposition parties to organize, register candidates for public office, access the media, and conduct political campaigns.

In January, President Putin approved the elimination of direct gubernatorial elections in Yamalo-Nenets, Nenets, and Khanty-Mansi autonomous okrugs (districts) in accordance with 2013 legislation allowing regions to opt out of direct gubernatorial elections in favor of a complex system of appointing governors in consultation with the presidency. These districts have status as federal subjects while also being part of larger federal units (Tyumen Oblast and Arkhangelsk Oblast). Residents still vote directly in their respective oblasts, but governors of their districts are now appointed by the oblast governor in consultation with political parties, increasing direct federal control over these resource-rich regions.

In May 2014 President Putin signed legislation allowing regional authorities to abolish direct mayoral elections in major cities. During the year regional

legislatures continued to eliminate direct elections, and by November only nine of 83 regional capitals retained direct mayoral elections. The law does not apply to Moscow and St. Petersburg, since the mayors of these cities have the status of governors.

After allegations of voter fraud in the 2011 State Duma elections sparked mass protests in Moscow and St. Petersburg, authorities sought to curtail the work of independent monitors and promote government-sponsored monitoring. While the Ministry of Justice returned the fines paid by the independent vote-monitoring organization Golos for its alleged violation of the Foreign Agents Law in accordance with a 2014 court ruling, Golos-Ural was placed on the foreign agent register in July. An investigation of the organization's Samara director led to the search and seizure of electronics in three directors' homes as well as its Moscow office. The organization's work was curtailed by a 2014 law that bans those organizations listed as "foreign agents" from taking part in the election process. Critics asserted that the law violates the constitution. In April, two election observers from Golos were beaten while attempting to stop an act of election fraud, leading to severe injuries. Authorities initiated criminal cases against the perpetrators but did not begin proceedings at year's end.

The Central Election Commission announced that for budgetary reasons it would eliminate the use of video monitoring at polling stations, a measure introduced for the 2012 presidential elections. Observer groups insisted authorities eliminated these devices in order to prevent the detection of fraud. In July the commission announced that bloggers whose web pages receive more than 3,000 daily visits could comment on elections only during the officially determined campaign period and post only "objective and verifiable information about candidates and parties that does not infringe on candidates' equality."

Elections and Political Participation

Recent Elections: On September 13, the country held more than 10,000 elections to select 21 governors and 11 regional legislatures, among other local officials. The elections proceeded smoothly, with fewer allegations of voter fraud than in previous years. Observers noted that candidates from those parties represented in the State Duma faced few problems registering, while smaller "nonsystemic" parties faced myriad hurdles. As in previous years, local authorities disqualified several parties for discrepancies in signatures submitted as part of the registration process. For example, the nonsystemic opposition party, the People's Freedom Party (PARNAS), which represented a coalition of opposition parties, attempted to

compete in four regions but was ultimately allowed to participate only in the Kostroma oblast. Nationalist parties Rodina and Patriots of Russia as well as the Communists of Russia also faced registration problems in several regions.

The citizen-organized election monitoring organization Golos, which observed the regional elections in 26 regions, alleged 826 election-day violations, including improper use of administrative resources, vote buying, pressuring voters, obstruction of campaign activities, and illegal campaigning. Voters were reportedly paid between 500 and 2,000 rubles (\$7.70 and \$31) to support ruling-party candidates in the municipal elections in Nizhny Novgorod, where opposition candidates also complained that the governor illegally campaigned via radio on election day. In Chelyabinsk management at local enterprises demanded, and then later verified, that their employees voted, while teachers working in polling stations required their students' parents to vote. There were also accusations that the system of "early," or absentee and at-home voting, was abused to secure victories for incumbent candidates.

Independent organizations and opposition figures faced harassment, particularly in Kostroma. Golos reported that the ruling United Russia party created a fake Golos website to post negative information about PARNAS' campaign in Kostroma. Security forces also barred entry to an office used by election observers from the Open Russia Foundation following the arrest of a staff member for allegedly transporting illicit funds. In addition, the Kostroma oblast election commission opened an investigation of opposition leader Aleksey Navalny for campaigning on election day.

Golos reported on the violation of observers' rights in several regions, particularly observers from opposition parties or media organizations. In Kazan, Tatarstan, one volunteer was called by his employer, urged to cease his observation activities, and leave the polling station. In the Moscow oblast, election officials, contrary to the law, banned the photography or filming of polling stations.

During the pre-election period, the government used "municipal filters"--a requirement that a candidate gather the support of 5 to 10 percent of municipal lawmakers, many of whom belonged to the United Russia party--to disqualify gubernatorial or regional legislative candidates from registering for the elections. The government also used other tactics to prevent a fair campaign environment, such as denying applications for opposition rallies, controlling opposition candidates' mass media coverage, and distributing gifts to potential voters to promote the victory of government-backed candidates in several regions.

Opposition candidates had difficulty accessing traditional media. Many opposition candidates relied on Facebook, Twitter, and VKontakte to connect with voters, since the state-controlled print and television media did not cover their campaigns.

Political Parties and Political Participation: The law requires political parties to have 500 members to register. Seventy-five parties successfully completed registration requirements and obtained the right to run in elections. On January 30, the Moscow City Court upheld the Ministry of Justice's decision not to include the Party of Progress on the register of parties eligible to participate in elections. The December 5 Party also attempted several times to receive official registration as a political party but remained unregistered.

While parties represented in the State Duma may nominate a presidential candidate without having to collect and submit signatures, prospective presidential candidates from parties without Duma representation must collect two million signatures from supporters throughout the country and submit the signatures to the Central Electoral Commission for certification. An independent candidate is ineligible to run if the commission finds more than 5 percent of the signatures to be invalid.

The law requires gubernatorial candidates not nominated by a registered political party to meet the "municipal filter" requirement. Such signatures of support must be collected in no fewer than 75 percent of municipal councils. Gubernatorial candidates nominated by registered political parties are not required to collect signatures from members of the public, although self-nominated candidates are.

Legislation passed in 2014 established a mixed electoral system in which half of the Duma deputies are elected in single-mandate constituencies and half are elected from party lists. The law also sets filters that prevent many small, legally registered parties from competing for party-list seats. Parties are exempt from collecting signatures to participate in elections if they have representation in the sitting Duma, received at least 3 percent of the national vote in the previous Duma election, or were represented in at least one regional legislature. Media outlets reported only 14 of the more than 70 registered political parties would be able to participate in the Duma elections under these rules. All other parties that wish to compete for party-list seats in the Duma must gather at least 200,000 signatures from voters, with no more than 7,000 signatures from any one region. Smaller parties could participate in single constituencies even if they were not from a registered political party, provided they collected at least 3 percent of the

signatures of voters registered in their districts or at least 3,000 signatures, whichever number is higher. The new election format was scheduled to take effect during the next Duma election cycle in 2016.

The law prohibits negative campaigning and provides criteria for removing candidates from the ballot, including for vaguely defined “extremist” behavior. The executive branch and the prosecutor general have broad powers to regulate, investigate, and disqualify political parties. Other provisions limit campaign spending, set specific campaign periods, and provide for restrictions on campaign materials.

Once elected, many opposition politicians reported efforts by the ruling party to undermine their work or remove them from office. According to press reports, in the period 2007-11, approximately 90 percent of mayors elected from parties other than United Russia, or more than 20 individuals, were removed from office and prosecuted. For example, the trial of the former mayor of Yaroslavl, Yevgeniy Urlashov, a member of the opposition whom authorities arrested in 2013 on charges of embezzlement, began in September.

Local legislatures attempted at times to use laws allowing regional authorities to eliminate mayoral elections to deprive independent and opposition mayors of their positions. Deputies from the regional capital of Petrozavodsk laid the groundwork for the removal of mayor Galina Shirshina, supported by the Yabloko party, by presenting her with an “unsatisfactory” yearly evaluation (two unsatisfactory evaluations can lead to removal). In August the municipal legislature overrode Shirshina’s veto to abolish direct mayoral elections and replaced them with a system in which municipal deputies appoint the mayor from a list of candidates selected by a special commission.

Leaders and members of opposition parties faced prosecution or other forms of retaliation. In the period preceding regional elections, several PARNAS party activists faced difficulties with authorities. In July, St. Petersburg’s PARNAS leader, Andrey Pivovarov, was arrested for allegedly trying to purchase voters’ personal information while campaigning in Kostroma and was held in pretrial detention until after the conclusion of elections.

Participation of Women and Minorities: Information on the ethnic composition of the State Duma and the Federation Council was not available. While members of national minorities took an active part in political life, ethnic Russians, who

constituted approximately 80 percent of the population, dominated the political and administrative system, particularly at the federal level.

Section 4. Official Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, but the government acknowledged difficulty enforcing the law effectively, and officials often engaged in corrupt practices with impunity. The *Global Competitiveness Report 2014-15* compiled by the World Economic Forum cited corruption as the most problematic, high-risk factor for doing business in the country. In March the government passed a law reducing fines for receiving a bribe (from 25 times the size of the bribe down to 10 times) and for providing a bribe (from 15 times the size of the bribe down to five times).

Corruption was widespread throughout the executive branch, including within the security sector and migration management agencies, as well as the legislative and judicial branches at all levels of government. Its manifestations included bribery of officials, misuse of budgetary resources, theft of government property, kickbacks in the procurement process, extortion, and improper use of official position to secure personal profits. While there were prosecutions for bribery, a general lack of enforcement remained a problem. Official corruption continued to be rampant in numerous areas, including education, military conscription, health care, commerce, housing, social welfare, law enforcement, and the judicial system. According to the Organization for Economic Cooperation and Development's 2013 Economic Survey of the country, cases against law enforcement officers accounted for a quarter of all corruption court cases in 2012, and 90 percent of entrepreneurs reported having encountered corruption at least once. The survey noted that "bribery in some regions is so widespread that local firms are reported to consider it a convenient alternative to legal and administrative compliance." According to the Ministry of Internal Affairs, the average bribe for all purposes during the year was approximately 208,000 rubles (\$3,200). According to a September report in the Russian daily newspaper *Izvestiya*, corruption increased 6.5 percent during the year, with an especially heavy concentration of cases in Pskov, the Jewish Autonomous Oblast, Chelyabinsk, Mordovia, and Bashkortostan.

Corruption: Prosecutors charged high-level officials, including two regional governors, with corruption during the year. Media speculated that the removal from post of the governors of Sakhalin and Komi on charges of fraud and belonging to a criminal organization might reflect a new anticorruption campaign

but also noted that corruption cases frequently were used for political reasons rather than part of an effort to root out corruption.

The areas of government spending that ranked highest in corruption were public procurement, media, national defense, and public utilities. The federal Investigative Committee estimated annual damages of 40 billion rubles (\$615 million) caused by corruption, although independent estimates put the figure much higher. On May 29, Investigative Committee spokesperson Vladimir Markin announced the committee opened more than 25,000 cases involving corruption in 2014. Of these, 40 percent were for bribery and included cases against 12 federal legislators and 435 local legislators. The Federal Security Service stated in February that five billion rubles (\$77 million) of defense spending was lost to corruption in 2014. The country's prosecutor general announced in July that 7.5 billion rubles (\$115 million) had been stolen during construction of the Far East Cosmodrome.

In apparent retaliation for his work exposing corruption, in August the Federal Tax Service inspected the office of anticorruption blogger and opposition leader Aleksey Navalny's Fund to Fight Corruption after he issued a report in August estimating the value of presidential spokesperson Dmitry Peskov's wristwatch at more than 40 million rubles (\$615,000), well beyond his official means. A few weeks later, the fund publicly accused Peskov of honeymooning on a yacht that cost 350,000 euros (\$385,000) per week. In September tax authorities accused the fund of tax fraud.

Financial Disclosure: The law prohibits state officials and heads of state-owned enterprises from owning financial assets or bank accounts abroad. The law also requires politicians to file extensive declarations of all foreign real estate they own and civil servants to declare any large expenditure involving land, vehicles, and securities, as well as their incomes. These laws were unevenly enforced, and investigative bodies rarely acted upon media reports of undeclared assets held overseas and other alleged violations.

The law requires government officials to submit financial statements, restricts their employment at entities where they had prior connections, and requires reporting of actual or possible corrupt activity. The information that officials provided often did not reflect their true income or that of close family members.

Public Access to Information: The law authorizes public access to government information unless it is confidential or classified as a state secret. The law requires

placement of information regarding activities of federal executive agencies on the internet. According to the watchdog site Infometer, government agencies frequently failed to implement the law. Federal agencies published on the internet only 40 percent of the required information, while regional governments published approximately 50 percent. Courts, despite the presumption of openness, denied citizens' requests for information on the grounds that the data requested did not directly affect their interests.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups operated in the country, investigating and publicly commenting on human rights problems. Official harassment of independent NGOs intensified, particularly of groups that focused on election monitoring, exposing corruption, and addressing human rights abuses. NGO activities and international humanitarian assistance in the North Caucasus were severely restricted. Some officials, including the ombudsman for human rights, Ella Pamfilova, regional ombudsman representatives, and the chairman of the Presidential Human Rights Council, Mikhail Fedotov, regularly interacted and cooperated with NGOs. Both Pamfilova and Fedotov were critical of the foreign agent and undesirable foreign organization laws (see section 2.b.).

The law regulating NGOs requires them to register with the Ministry of Justice. Authorities required NGOs to submit annual reports to the government that disclose sources of foreign funding and detailed information on how they used their funds. By law the Ministry of Justice can register NGOs that receive foreign funding and engage in "political activity" as "foreign agents," a stigmatizing term that connotes treason or espionage. NGOs that engaged in political activities, activities that "pose a threat to the country," or activities that receive support from U.S. persons or organizations, are subject to suspension under the "Dima Yakovlev" law. The same law prohibits these NGOs from having dual-U.S. citizen members.

The government used the law on foreign agents to justify unannounced inspections of NGOs; threaten them with fines, liquidation, and prosecution; and demand that they self-register as a foreign agent or be added to the register unilaterally by the Ministry of Justice. By the end of the year, the Ministry of Justice had listed 111 NGOs as foreign agents, more than twice as many as were designated in 2014 (see section 2.b.).

The Ministry of Justice pursued efforts intended to discredit or curtail the activities of organizations and foreign agents. The Ministry of Justice attempted to force the closure of the Memorial Human Rights Center through an administrative case against it regarding the registration status for its regional branches; Memorial won an appeal to the Supreme Court in January. Despite the victory Memorial continued to be subject to legal harassment, including unannounced inspections and lengthy court appeals. In September authorities fined the center 300,000 rubles (\$4,600) for violating the foreign agent law by not disclosing its status on all published or distributed material. After an inspection of in November, the Ministry of Justice accused the NGO of “undermining the constitutional order of the Russian Federation, calling for the overthrow of the current government, a change of political regime in the country.” The NGO Committee against Torture elected to close in July after it was added to the foreign agent list and twice fined for violating the law (The organization later restructured itself.).

High-ranking officials often displayed a hostile attitude towards the activities of human rights organizations and suggested that their work was unpatriotic and detrimental to ‘national security. Interfax reported that Konstantin Kosachev, chairman of the Federation Council Committee on International Affairs, told media that the undesirable foreign organization law was created as a warning to domestic NGOs not to cooperate with foreign organizations that interfere in the country’s internal affairs. Kosachev was the author of the *Patriotic Stop List*, the Federation Council’s list of foreign organizations it proposed to be considered undesirable.

Kadyrov, the appointed leader of the Republic of Chechnya, frequently disparaged and threatened human rights activists. In June after a group of 3,000 persons raided and destroyed the Grozny office of the Committee against Torture, Kadyrov posted on social media that the NGO had “deliberately provoked the attack” in order to garner international media attention. Five individuals broke into the Grozny offices of the Memorial Human Rights Center and threw eggs at its employees. The intruders purportedly shouted, “You defend Igor’ Kalyapin,” the head of the Committee against Torture, as they hurled the eggs.

On multiple occasions President Putin warned the FSB against the “destructive purposes” of NGOs. The terms “foreign agent,” “political agent,” and “fifth column” were used in official speeches and publications to stigmatize NGOs, opposition politicians, and human rights activists.

Authorities continued to apply a number of indirect tactics to suppress or close domestic NGOs, including the application of various laws and harassment in the

form of investigations and raids. They also employed laws on extremism and libel to restrict the activities of NGOs and criticism of the government (see sections 2.a. and 2.b). Authorities generally refused to cooperate with NGOs that were critical of their activities. International human rights NGOs had almost no presence east of the Urals. A few local NGOs addressed human rights problems in these regions but often chose not to work on politically sensitive topics to avoid retaliation by local authorities.

Authorities increased the amount of government funds available to support human rights NGOs to discourage access to foreign support. According to President Putin's address to the Presidential Human Rights Council in October, the government allocated 4.2 billion rubles (\$64.6 million) for NGO grants. The Office of the Human Rights Ombudsman announced quarterly grants to various NGOs to support their domestic activities. Many NGOs on the foreign agent list noted that they were no longer receiving funding from the government as a result of the label, particularly NGOs that continued to accept foreign grants. Only three NGOs on the foreign agents list received presidential grants during the year.

On July 14, the Constitutional Court ruled the country is exempt from implementing ECHR rulings that violate the constitution. The court's decision was widely seen as related to the 2014 ECHR ruling that obligated the government to pay 1.9 billion euros (\$2.09 billion) to the shareholders of the defunct oil company Yukos. The former chief executive officer of the company, Mikhail Khodorkovskiy, was released in 2013 after a decade of politically motivated detention. In December, President Putin signed legislation allowing the Constitutional Court to determine whether or not judgments by international and regional courts, such as the ECHR, are constitutional.

Government Human Rights Bodies: Some government institutions continued to promote human rights and intervened in selected abuse complaints, despite widespread doubt as to their effectiveness.

Many observers did not consider the 126-member Public Chamber, composed of appointed members from civil society organizations, to be an effective check on the government. Some prominent human rights groups declined to participate in the chamber due to concern that the government would use it to increase control over civil society.

The Presidential Council for Civil Society and Human Rights is an advisory body to the president. The council was tasked with monitoring systemic problems in

legislation and keeping track of individual human rights cases, developing proposals to submit to the president and government departments, and monitoring their implementation. Membership in the council increased at the end of 2012 from 40 to 65 members, with the president selecting the new members by decree. Human rights advocates expressed concern that the additions were made to increase progovernment membership and weaken the council. In June the council submitted a request to the Ministry of Internal Affairs for protection for the head of the Committee against Torture, Igor' Kalyapin, after a mob of protesters destroyed the NGO's office in Chechnya.

Human Rights Ombudsman Ella Pamfilova commented publicly on a range of human rights problems, such as the foreign agent list, the undesirable foreign organization law, police violence, prison conditions, the treatment of children, and religious freedom. In May, Pamfilova's office released its own report on the state of human rights in the country, the first such report since she assumed her position in 2014. The 116-page report included input from human rights NGOs, although it was noted in the report that the ombudsman did not always agree with their assessments. The report raised the problems of mistreatment and killing of journalists, legal regulation of the internet, transparency of legal proceedings, the protection of human rights in penitentiaries--for both prisoners and staff--and the rights of prisoners with disabilities. The report also indicated problems that refugees from Ukraine encountered in Russia and violations of social and economic rights. Leaders of several human rights NGOs noted Pamfilova was generally effective as an official advocate for many of their concerns, despite her limited authority and a selective approach to the issues she took on.

The Human Rights Ombudsman's Office includes several specialized sections responsible for investigating complaints. According to the 2014 ombudsman's report, Pamfilova's office received 59,100 complaints from citizens, state organizations, and NGOs, representing a nearly 44 percent increase in complaints compared with 2013. All but six of the country's regions had regional ombudsmen with responsibilities similar to Pamfilova's. Their effectiveness varied significantly, and local authorities often undermined their independence. The regional ombudsman in St. Petersburg, Aleksandr Shishlov, was subjected to harassment by local media for attending a reception hosted by a foreign consulate in June. A report featuring Shishlov and other attendees of the reception was shown on a local St. Petersburg television station, questioning the patriotism of the guests and their purpose in meeting with foreign diplomats. In addition Shishlov received other threats and insults for his work with local officials to ensure that LGBTI activists would not be harassed during a planned event in the city.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on sex, race, nationality, language, origin, property and official status, place of residence, religion, beliefs, membership of public associations, or other circumstances. The law also protects various rights of persons with disabilities. Discrimination based on sexual orientation or gender identity, age, and HIV-status or other communicable diseases is not explicitly protected, although these categories could be construed as falling under “other circumstances.” The government did not universally enforce prohibitions on discrimination.

During the year hostile rhetoric and propaganda against some groups disseminated through state-run media outlets contributed to discrimination and xenophobia.

Women

Rape and Domestic Violence: Rape is illegal, and the law provides the same punishment for a relative, including the spouse, who commits rape as for a nonrelative. Rape victims may act as full legal parties in criminal cases brought against alleged assailants and may seek compensation as part of a court verdict without initiating a separate civil action. While members of the medical profession assisted assault survivors and sometimes helped identify an assault or rape case, doctors were often reluctant to provide testimony in court.

The penalty for rape is three to six years’ imprisonment for a single offender and four to 10 years if a group of persons commits the crime or the assailant had prior convictions for sexual assault. Violations are punishable by eight to 15 years in prison if the victim was between the ages of 14 and 18 and by 12 to 20 years in prison if the victim died or was under 14. According to NGOs many law enforcement personnel and prosecutors did not consider spousal or acquaintance rape a priority and did not encourage reporting or prosecuting such cases. NGOs reported that local police officers sometimes refused to respond to rape or domestic violence calls unless the victim’s life was directly threatened.

According to NGOs many women did not report rape or other violence, especially when committed by spouses, due to social stigma and the lack of government support.

Domestic violence remained a major problem. There is no significant domestic violence provision in the criminal code and no legal definition of domestic violence. The laws that address bodily harm are general in nature and do not permit police to initiate a criminal investigation unless the victim files a complaint. The burden of collecting evidence in such cases typically falls on the alleged victims. Federal law prohibits battery, assault, threats, and killing, but most acts of domestic violence did not fall within the jurisdiction of the Prosecutor's Office. According to NGOs police were often unwilling to register complaints of domestic violence and frequently discouraged victims from submitting them.

The government does not gather comprehensive data on domestic violence, but 2013 statistics from the Ministry of Internal Affairs showed that, while women were the victims of 43 percent of all crimes, they were the victims of crimes committed in the home (63 percent), among family members (73 percent), and by a spouse (91 percent) at disproportionately high rates. In a poll conducted in March in the Karelian republic, more than half the respondents indicated they had heard of recent cases or had personally been the victim of domestic violence. Respondents' references to domestic violence included cases of physical (35 percent), psychological (37 percent), and sexual (3 percent) abuse. The similarly reported that a third of women throughout the country were subject to physical spousal violence.

The NGO Center for Women's Support asserted that a majority of domestic violence cases filed with authorities were either dismissed on technical grounds or transferred to a reconciliation process conducted by a justice of the peace, whose focus was on preserving the family rather than punishing the perpetrator. Civil remedies for domestic violence include administrative fines and divorce. Physical harm, property, and family rights cases, such as divorce, asset division, and child custody, cannot be heard in the same case or the same court.

According to the ANNA Center, the government operated 23 women's shelters across the country.

Female Genital Mutilation/Cutting (FGM/C): FGM/C is not specifically prohibited in the criminal code. Local NGOs in Dagestan reported that FGM/C was occasionally practiced in some villages in the republic.

Other Harmful Traditional Practices: According to human rights groups, so-called honor killings of women in Chechnya, Dagestan, and elsewhere in the North Caucasus district continued. Human rights groups further reported that so-called

honor killings were underreported and rarely prosecuted because of community collusion to cover up such crimes, although there were instances in which such killings led to convictions. According to *Caucasian Knot*, a man accused of strangling to death his 21-year-old daughter in 2013 because he believed that her communications with men had brought shame to the family, was convicted in April and sentenced to seven years in prison.

In some parts of the North Caucasus, women continued to face bride kidnapping, polygamy, forced marriage (including child marriage), legal discrimination, and enforced adherence to Islamic dress codes. The Heinrich Boell Foundation reported in May that husbands frequently controlled women by not allowing them access to the family budget and threatening to keep them from communicating with their friends and families.

There were cases in some parts of the North Caucasus where men, claiming that kidnapping brides was an ancient local tradition, reportedly abducted and raped young women, in some cases forcing them into marriage. In February police ceased an investigation into a 17-year-old girl's abduction for marriage in Dagestan after they determined that she had gone willingly. Police in Dagestan claimed that many cases of women being abducted were in fact voluntary. NGOs reported that, while the overwhelming majority of bride kidnappings were not voluntary, women in the North Caucasus sometimes agreed to be abducted to avoid an arranged marriage, often to an older man or to a man with multiple wives.

Sexual Harassment: The law does not specifically prohibit sexual harassment in the workplace, which remained a widespread problem. Instead, the criminal code contains a general provision against compelling a person to perform actions of a sexual character by means of blackmail, threats, or by taking advantage of the victim's economic or other dependence on the perpetrator. As of April there had been no successful prosecutions for "compulsion to perform sexual actions."

Reproductive Rights: The government recognizes the basic right of couples and individuals to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so. While there are no legal restrictions on access to contraceptives, the Russian Orthodox Church and Muftis Council continued their opposition to family planning initiatives, and access to family planning in the country was limited, especially outside of big cities. Senior government leaders explicitly encouraged women to have as many children as possible to counteract the country's declining population, particularly among ethnic Russians.

Discrimination: The constitution and law provide that men and women enjoy the same legal status and rights under family, labor, property, and inheritance law and in the judicial system. Men and women have an equal right to obtain a bank loan, but women often encountered significant restrictions. There were reports that women encountered discrimination in employment (see section 7.d.).

The law upholds equal ownership rights for women and men. The civil code provides equal rights to access to land and access to other property for men and women. Unless their marriage contract states otherwise, all property acquired during a marriage is the couple's joint property, and it is divided into two equal shares in the event of divorce. Each spouse retains ownership and management of property acquired before marriage or inherited after marriage.

Traditional legal practices in the North Caucasus award the husband custody of children and all property in divorce cases. As a result women in the region were often unwilling to seek divorce, even in cases of abuse.

Children

Birth Registration: By law citizenship derives from parents at birth or from birth within the country's territory if the parents are unknown or if the child cannot claim the parents' citizenship. Newborns generally were registered at the local civil registry office where the parents live. A parent must apply for registration within one month of the birth. Birth certificates were issued on the basis of the medical certificate of the hospital where a baby was born.

Education: Education is free and compulsory through grade 11. Regional authorities frequently denied school access to the children of persons who were not registered as residents of the locality, including Roma, asylum seekers, and migrant workers.

Child Abuse: Child abuse was a significant problem. The Ministry of Internal Affairs published data on 576,000 criminal proceedings filed against parents in 2014 for crimes against children. These included 440,000 cases of negligence, 1,400 for enabling alcohol or drug abuse, and 11,900 cases of physical child abuse, which resulted in more than 2,500 fatalities. In addition, 946 of these crimes were cases of pedophilia, 380 of which a parental guardian committed, according to the ombudsman for children's rights, Pavel Astakhov.

According to a 2011 report published by the NGO Foundation for Assistance to Children in Difficult Life Situations, 2,000 to 2,500 children died annually from domestic violence. A 2013 estimate by the Ministry of Internal Affairs indicated that one in four children in the country was subjected to parental or foster abuse.

Early and Forced Marriage: The minimum legal age for marriage is 18 for both men and women. Local authorities may authorize marriage from the age of 16 under certain circumstances, and even earlier in some regions. In May, *Novaya Gazeta* reported that a 17-year-old girl had been pressured into marrying the 57-year-old police chief in Chechnya's Nozhai-Yurt district, who was already married. Chechen leader Kadyrov attended the wedding while Ombudsman Astakhov publicly defended such practices in the Caucasus.

Female Genital Mutilation/Cutting: See information for girls under 18 in women's section above.

Sexual Exploitation of Children: The age of consent is 16. Children, particularly orphans and those without homes, were exploited for child pornography. While authorities considered child pornography to be a serious problem, the law does not define child pornography, criminalize its possession, or provide for effective investigation and prosecution of it. The law prohibits the manufacture, distribution, and possession with intent to distribute of child pornography, but possession without intent to distribute is not prohibited by law. Manufacture and distribution of pornography involving children under 18 is punishable by two to 10 years in prison, or three to 15 years in prison if it involves children under 14. Courts often dismissed criminal cases, however, because of the lack of clear standards or definitions.

According to Ministry of Internal Affairs statistics, in 2014 the ministry opened 274 investigative cases into child pornography and referred 80 of these to the courts. In addition to its authority to regulate websites containing extremist materials, Roskomnadzor has the power to shut down any website immediately without due process until its owners prove its content does not include child pornography. In 2014, 15 percent of the 45,700 links Roskomnadzor shut down were related to child pornography.

Displaced Children: Official statistics on the numbers of orphans and displaced children in the country were conflicting and of questionable reliability. In 2014 the Ministry of Education and Science estimated there were approximately 96,000 orphans in the country, down from a previous estimate of 120,000. Ombudsman

Astakhov announced in May that the number of orphans without parental supervision had declined from 106,700 in 2009 to 61,600 in 2014. In March, Deputy Prime Minister Olga Golodets announced there were 53,100 homeless children who had run away from home in 2014, a 22 percent increase over 2013. No recent official statistics on the number of parentless migrants were available. A 2011 study conducted by the Ministry of Education's Center for Sociological Research indicated that 45 percent of homeless and unaccompanied children in Moscow were migrant children from member countries of the Commonwealth of Independent States.

Homeless children often engaged in criminal activities, received no education, and were vulnerable to substance abuse. Some children on the streets were forced into prostitution. Law enforcement officials reportedly abused street children, blamed them for unsolved crimes, and committed illegal acts against them, including extortion, detention, and psychological and sexual violence.

Regional ombudsmen for children operated in all the country's regions. They had the authority to conduct independent investigations relating to the violation of children's rights, inspect all institutions and executive offices dealing with minors, establish councils of public experts, and conduct independent evaluations of legislation affecting children. A number of schools in the Moscow and Volgograd oblasts had school ombudsmen to deal with children and families and identify potential conflicts and violations of children's rights.

Institutionalized Children: In April media reported that an orphanage in Moscow had sent children to a psychiatric hospital, allegedly as punishment for misbehavior and without demonstrating any clinical justification. One of the minors who was committed took photographs of teenagers tying a younger child to a bed, while others were allegedly forced to take drugs without a proper diagnosis. Subsequent reporting by the online newspaper *Meduza* in May indicated that such practices were widespread throughout the country, with reports of 652 similar cases in four separate regions since 2010.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at travel.state.gov/content/childabduction/en/legal/compliance.html and country-specific information at travel.state.gov/content/childabduction/en/country/russia.html.

Anti-Semitism

The 2010 census estimated the Jewish population at just more than 150,000. In February the president of the Federation of Jewish Communities of Russia, however, stated that the actual Jewish population was nearly one million.

Opinion polling data showed a low but consistent percentage of the general population agreed with anti-Semitic statements. A Levada Center poll published in August reported 7 percent of respondents believed Jews should have a limited presence in Russia. The poll was conducted on August 7-10 and had a margin of error of 3.5 percent.

On July 16, an unknown assailant shot Sergey Ustinov, the founder and director of the Museum of the History of Jews in Russia, in the head with a pneumatic pistol outside his office in Moscow. Ustinov survived the shooting. Although the motive for the attack was unknown, media speculated that anti-Semitism might have played a role.

In March unidentified individuals desecrated a monument in Volgograd marking the site of a mass execution of Jews by the Nazis during World War II. The monument had previously suffered similar defacements.

In May and June prosecutors conducted surprise inspections of multiple Jewish schools. The Prosecutor's Office of the Kirov district of Yekaterinburg removed textbooks from the Or Avner School to check for any signs of extremism. In Novgorod educational materials were also seized. According to Russian Jewish Congress president Yuri Kanner, his organization was not able to obtain clarifications from authorities on either action.

Unlike in previous years, there were no reports of anti-Semitic acts or slogans during nationalist demonstrations. The Russian Jewish Congress blamed the government for allowing ultranationalist groups to hold conferences and spread their ideology.

The government investigated anti-Semitic crimes, and some courts placed anti-Semitic literature on the Ministry of Justice's list of banned extremist materials.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

While several laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, access to health care, and the provision of state services, the government generally did not enforce these laws. No laws prohibit discrimination in air travel.

Persons with disabilities continued to face discrimination and denial of equal access to education, employment, and social institutions. Persons with mental disabilities were subject to severe discrimination in education and employment (see section 7.d.). In addition the conditions of guardianship imposed by courts deprived them of almost all personal rights. Under the family code, individuals with mental disabilities were at times prevented from getting married without a guardian's consent.

In August, Russian model Natalia Vodianova drew attention to the rights of persons with disabilities after her sister was forced to leave a Nizhny Novgorod cafe by the owner, who allegedly accused her of scaring customers away. Vodianova's 27-year-old sister, who had autism and cerebral palsy, was at the cafe with a personal assistant when the owner and a security guard threatened them and told them to leave the premises. The incident drew widespread public attention after Vodianova posted the details on her social media site. As a result the Investigative Committee closed the cafe and launched an investigation of the incident. In September the Avtozavodskiy District Court of Nizhny Novgorod dropped criminal charges against the cafe owner after a settlement was reached with the family.

Conditions in institutions for adults with disabilities were often poor, with unqualified staff and overcrowding. Institutions rarely attempted to develop the abilities of residents, whom they frequently confined to the premises and whose movements they sometimes restricted within the institutions themselves.

Federal law requires that buildings be accessible to persons with disabilities, but authorities did not enforce the law, and many buildings were not accessible. In a 2013 report, HRW noted that in apartment buildings constructed before 2001 (i.e., prior to the development of minimum accessibility standards for new construction), doorways and elevators were too narrow for wheelchairs and buildings lacked

elevators or appropriate ramps. In some cases buildings constructed after 2001 also lacked these accommodations. This lack of building access was an insurmountable barrier to employment, education, and social engagement for the vast majority of wheelchair users interviewed in the report. The report also noted that critical public facilities and emergency services remained largely inaccessible to persons with disabilities.

According to HRW disability rights activists were unable to attend a meeting with the head of the Kirov oblast and other officials in September, since the government building where the meeting was to take place was neither wheelchair accessible nor in compliance with federal law.

In March the Presidential Human Rights Council expressed deep concern to the Ministry of Finance regarding sharp reductions in public funding of socially oriented nonprofit organizations. Due to economic difficulties, the Ministry of Finance reduced the original 750-million-ruble (\$11.5 million) budget allocation by 10 percent.

Because only 3 percent of schools could accommodate them, most children with disabilities could not study in their communities and were isolated from other community members. According to a 2014 HRW report, nearly 30 percent of all children with disabilities lived in state orphanages, where they faced violence and neglect. Some children interviewed by HRW reported that orphanage staff beat them, injected them with sedatives, and sent them to psychiatric hospitals for days or weeks at a time to control or punish them.

HRW reported that at least 95 percent of children living in orphanages and foster care had at least one living parent, although children with disabilities who entered institutions at a young age were unlikely to return to their birth families as a result of the practice of local-level state commissions to recommend continued institutionalization of children. Staff working in institutions HRW visited occasionally discouraged visits with families or other contact with family members, claiming that such contact “spoiled” children by getting them accustomed to too much attention. Within orphanages, HRW documented the segregation of children whom staff deemed to have the most “severe” disabilities into “lying-down” rooms, where they were confined to cribs and often tied to furniture with rags. Many of these children received little attention except for feeding and diaper changing.

While only 2 to 3 percent of children in the country had a disability, according to data from the Ministry of Internal Affairs, more than 45 percent of the country's total population of children with disabilities was institutionalized. Despite a 2013 law that mandates inclusive education for children with disabilities, authorities generally segregated them from mainstream society through a system that institutionalized them through adulthood. Graduates of such institutions often lacked the necessary social, educational, and vocational skills to function in society. The disability rights NGO Perspektiva conducted an annual national competition for the country's "best inclusive school." Perspektiva received more than 400 applications during the year, a more than fourfold increase from 2014.

There were numerous cases of child abuse in state facilities. HRW documented a case in June in which an orphan from the city of Volzhsk was tied with tape to a bar and beaten on his head and legs as punishment for disobedience. The teacher was fined 10,000 rubles (\$154) for her actions.

There appeared to be no legal mechanism by which individuals could contest their assignment to a facility for persons with disabilities. The classification of children with mental disabilities to categories of disability often followed them through their lives. The official designations "imbecile" and "idiot," assigned by a commission that assesses children with developmental problems at the age of three, signify that authorities consider a child to be uneducable. These designations were almost always irrevocable. The designation "weak" (having a slight cognitive or intellectual disability) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions.

In September, *The Moscow Times* newspaper reported the case of an autistic man who was committed against his will to a care home at the age of 28 by his aunt. The man spent four years in the facility before his girlfriend was able to secure his release by obtaining guardianship over him. During his time in the facility, he was forced to take medication he did not require and endure prison-like conditions.

Election laws do not specifically mandate that polling places be accessible to persons with disabilities, and the majority of polling stations were not. Election officials generally brought mobile ballot boxes to the homes of voters with disabilities.

National/Racial/Ethnic Minorities

RUSSIA**62**

The law prohibits discrimination based on nationality, but government officials increasingly subjected minorities to discrimination. According to SOVA, a human rights NGO, as of August racial violence resulted in the death of at least five persons, while 47 others were injured and four received death threats. Incidents were reported in 12 regions, although the violence tended to be concentrated in Moscow and St. Petersburg. Skinhead groups and other extreme nationalist organizations fomented racially motivated violence. Racist propaganda remained a problem, although courts continued to convict individuals of using propaganda to incite ethnic hatred.

Compared with previous years, there were fewer reports of skinhead violence. The Ministry of Justice added a number of skinhead videos found on social media, as well as skinhead publications, to the Federal List of Extremist Materials. In an August report documenting xenophobia and nationalism in the country during the first half of the year, SOVA found that increasing law enforcement pressure on nationalist groups translated into drastically lower levels of their public activity. The number of marches and rallies decreased significantly during the year, while the number of attendees decreased by more than half.

Nationalist organizations held a number of rallies throughout the year. On March 15, nationalist groups organized a “day of Russian solidarity” in at least 19 cities, although attendance was generally low. Two events were scheduled in Moscow for May 1 to mark the “Russian May 1,” but one was cancelled due to the detention of the main organizer. The Russian National Front held a second event with approximately 170 participants.

In March the country hosted the International Russian Conservative Forum in St. Petersburg, which featured speakers and participants from radical nationalist and neo-Nazi groups across Europe. The forum was organized by the “Motherland” (“Rodina”) party and the Russian National Cultural Center’s “People’s House” (“Narodnyy Dom”).

There were indications of a growing number of anti-Roma incidents. Police in Tula Oblast monitored Romani gathering spots to prevent possible outbreaks of interethnic hostility. In June a security guard at a Moscow store reportedly used a stun gun against a seven-year-old Romani boy that the guard suspected of stealing goods. While the ombudsman for children’s rights, Pavel Astakhov, expressed outrage at the attack, there were no reports of any legal action taken against the guard.

In some cases authorities held perpetrators responsible for xenophobic violence, and there were at least 12 convictions for such acts as of July. According to SOVA the number of convictions for violent xenophobic crimes stayed at the previous year's level, marking an end to a downward trend in convictions. Members of the neo-Nazi group Piranha-74 were among those convicted of racist violence in the Rostov and Chelyabinsk oblasts in February. On March 31, a Moscow court convicted four members of the Combat Organization of Russian Nationalists (BORN) on charges including murder motivated by ethnic hatred. The former leader of BORN, Il'ya Goryachev, was convicted of five killings and organizing an armed extremist group. On July 24, he was sentenced to life in prison.

Police and migration officials continued to engage in anti-immigrant raids in markets, factories, the subway, and city streets. Several vigilante organizations in St. Petersburg held regular raids throughout the year targeting suspected irregular migrants. The National Socialist Initiative (NSI) headed by Dmitry Bobrov held "Russian cleaning" events in April, June, July, and August. In the first event, NSI members sought out immigrants selling vegetables and fish on the street and turned them over to police. The remaining events followed a similar pattern, wherein members visited shops and markets where they claimed irregular migrants were working or selling products. Another organization called "Russians" worked with police and members of the St. Petersburg Ministry of Interior's special task force on extremism to carry out a raid on various kiosks near metro stops.

Indigenous People

The constitution and various statutes provide support for so-called "small-numbered" indigenous peoples of the North, Siberia, and the Far East, permitting them to create self-governing bodies and allowing them to seek compensation if economic development threatens their lands. The government granted the status of "indigenous" and associated benefits only to those ethnic groups numbering less than 50,000 and maintaining their traditional way of life. Small-numbered indigenous groups throughout the country (including the Udege in the Far East, the Khanty in Siberia, and the Chukchi in the North) continued to work actively to preserve and defend their cultures as well as their right to benefit from the economic resources in their regions. The majority of small-numbered indigenous communities believed that a combination of overlapping legal codes and authorities' lack of political will to enforce existing laws prevented them from fully exercising their rights.

Most members of indigenous communities asserted that they received the same treatment as ethnic Russians, although some more vocal activists claimed they were either unrepresented or underrepresented in regional governments.

The Russian Association of Indigenous Peoples of the North (RAIPON), the country's largest NGO for indigenous people, represented 41 groups spread across the country with approximately 250,000 members. In 2013 pressure from the government led to a political purge of RAIPON's leadership and the election of a president who was a Duma member from the ruling United Russia party. Leading indigenous figures, such as Rodion Sulyandziga, the former first vice president of RAIPON, stated the government failed to address seriously the problems of indigenous communities in recent decades.

Small-numbered indigenous groups also expressed concern that they lacked adequate representation in the federal government. During the year responsibility for indigenous problems was shifted from the Ministry of Culture to the newly created Federal Agency for Nationalities.

Indigenous contacts also reported an increase in state-sponsored harassment, including interrogations by the security services, as well as employment discrimination (see section 7.d.). Ethnic Finno-Ugric groups (not all of which qualify as indigenous under the law) faced allegations of promoting separatism in state-sponsored media, and the local NGO Young Karelia, which seeks to promote the Karelian culture and language, was added to the list of "foreign agents" in June.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

A 2013 law criminalizes the "propaganda" of nontraditional sexual relations to minors. The law effectively limits the rights of free expression and assembly for citizens who wish to advocate publicly for rights or express the opinion that homosexuality is normal. Examples of what the government considered LGBTI propaganda included materials that "directly or indirectly approve of persons who are in nontraditional sexual relationships." Antidiscrimination laws exist but do not explicitly prohibit discrimination based on sexual orientation or gender identity.

During the year there were reports of killings motivated by the sexual orientation of the victim. In one case two men confessed to killing a gay man in the

RUSSIA**65**

Vsevolozhskiy district outside St. Petersburg on February 23. The two attackers reportedly stabbed the man repeatedly after he allegedly sexually harassed them. No information was available regarding any official action taken against the attackers.

Human rights groups reported continuing violence against LGBTI individuals. Openly gay men were particular targets of attacks, and police often failed to respond. In July several young men conducted a social experiment in which they secretly videotaped themselves walking around Moscow while holding hands. The publicly available video of the experiment showed the men being verbally and physically assaulted multiple times by passersby.

LGBTI activists experienced threats and attacks in public. Police were often unwilling to assist, and victims sometimes chose not to report crimes for this reason as well as due to concerns about retaliation. On August 18, unknown assailants attacked LGBTI activist Irina Fedotova-Fet near her home in Moscow. The attackers shouted epithets referring to her sexuality during the attack, which left her cut and bruised.

On April 13, assailants sprayed an odorous gas into the Maximum Center for Social, Psychological, and Legal Assistance to Victims of Homophobia and Discrimination in Murmansk, causing choking and vomiting among those in the office. Police refused to open a criminal investigation. In July a lawyer for one of the victims filed a legal complaint of police inaction.

There were reports that authorities targeted NGOs and activists representing the LGBTI community for retaliation. LGBTI rights activist Aleksandr Ermoshkin suffered a head injury during an assault in May at a LGBTI rights demonstration in Khabarovsk. According to HRW, Ermoshkin was also forced to resign from his position as a schoolteacher shortly after the country enacted the 2013 law banning propaganda of nontraditional sexual relations to minors. In June a nationally televised story on the state-owned Russia-1 channel accused him of collaborating with foreign intelligence services during a meeting arranged by the television station with reporters posing as representatives of a foreign embassy in Moscow.

LGBTI persons reported heightened societal stigma and discrimination, which some attributed to increasing official promotion of intolerance and homophobia. Activists asserted that the majority of LGBTI persons hid their sexual orientation or gender identity due to fear of losing their jobs or homes as well as the threat of violence. Medical practitioners reportedly continued to limit or deny LGBTI

persons health services due to intolerance and prejudice. There were reports that employment discrimination against LGBTI persons increased (see section 7.d.) and that LGBTI persons were increasingly seeking asylum abroad due to the domestic environment.

There were reports that authorities harassed venues frequented by LGBTI persons. On February 26, police raided the lesbian nightclub Infinity in St. Petersburg, purportedly due to reports of drug use and minors being present. Earlier in the month, Kseniya Infinity, one of the owners of the club, had intentionally taken a picture of herself kissing her partner with antigay St. Petersburg assemblyman Vitaliy Milonov in the background. After the picture was posted online, Milonov threatened to close the club.

In Moscow authorities refused to allow a gay pride parade for the 10th consecutive year, despite a 2010 ECHR ruling that the denial violated the rights to freedom of assembly and freedom from discrimination, and otherwise violated free expression, association, and assembly rights of LGBTI persons.

On October 2, the LGBT Sports Federation, a nationwide network of organizations promoting athletic engagement for LGBTI individuals, held the opening of the fifth annual athletic event, Together in Sport, outside Moscow. In September, St. Petersburg's seventh annual Queer Festival of Russia drew more than 2,500 live and online spectators. Despite last-minute venue cancellations prior to both of these events, they were allowed to proceed with far less outside interference than in 2014. Activists noted the government's strategy involved limiting such events' exposure to the broader public rather than banning or severely interfering with them.

Although the law allows transgender individuals to change their names and gender classifications on government documents, they faced difficulties because the government had not established standard procedures and many civil registry offices denied their requests. When their documents failed to reflect their gender accurately, transgender persons often faced discrimination in accessing health care, education, housing, and employment.

A homophobic campaign continued in the state-controlled media, in which officials, journalists, and others called LGBTI persons "perverts," "sodomites," and "abnormal," and conflated homosexuality with pedophilia.

HIV and AIDS Social Stigma

Persons with HIV/AIDS faced significant legal discrimination, informal stigma-based barriers, and employment discrimination (see section 7.d.); and were prohibited from adopting children. In addition those who were intravenous drug users in particular faced informal barriers to accessing antiretroviral treatment. Regional AIDS centers often demanded that drug users complete drug addiction treatment, which was severely lacking or nonexistent in most areas, before starting antiretroviral treatment. According to NGO activists, men who have sex with men were discouraged from seeking antiretroviral treatment, since treatment exposes the fact that these individuals have the virus, while sex workers were afraid to appear in the official system due to threats from law enforcement bodies. Economic migrants also concealed their HIV status and avoided treatment due to fear of deportation. By law foreign citizens who are HIV-positive may be deported. On March 16, the Supreme Court ruled that HIV-positive foreigners who are closely related to Russian citizens should not be deported in order to keep families together. On December 30, the government enacted a law barring the deportation of HIV-positive foreigners who have a Russian national or permanent resident spouse, child (including adopted children), or parents (including adopted parents). The new law preserves the legal ability to deport other HIV-positive foreigners.

Prisoners with HIV/AIDS experienced regular abuse and denial of medical treatment.

Although the law provides for treatment of HIV-positive persons, drug shortages, legal barriers, and lack of funds caused large gaps in treatment. Regional AIDS centers continued to force patients to take “vacations” from antiretrovirals for three months due to drug shortages, according to the NGO Patients Control. On September 10, a Moscow court ruled that the Moscow AIDS Center could refuse to provide antiretrovirals to temporary residents in Moscow. According to NGOs temporary residents were often told to return to their location of permanent residency for treatment (changing one’s permanent residence is administratively difficult and often requires property ownership or family ties).

Other Societal Violence or Discrimination

The lack of an internal passport often prevented homeless citizens from fully securing their legal rights and social services. Homeless persons faced barriers to obtaining legal documentation.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides that workers may form and join independent unions, bargain collectively, and conduct legal strikes. The law prohibits antiunion discrimination, but it does not require employers to reinstate workers fired due to their union activity. The law prohibits reprisals against striking workers. Unions must register with the Federal Registration Service. The law requires labor unions to be independent of government bodies, employers, political parties, and NGOs.

The law places several restrictions on the right to bargain collectively. For example, only one collective bargaining agreement is permitted per enterprise, and only a union or group of unions representing at least half the workforce may bargain collectively. The law does not specify who may be given authority to bargain collectively when there is no trade union in an enterprise.

Government policy limited the exercise of freedom of association and collective bargaining. The law imposes some limits on the right to strike. The labor code prohibits strikes in the military and emergency response services. It also prohibits strikes in essential public service sectors, including utilities and transportation, and strikes that would threaten the country's defense and safety, or the life and health of its workers. The law also prohibits some nonessential public servants from striking and imposes compulsory arbitration for railway, postal, and municipal workers as well as other public servants in roles other than law enforcement. Solidarity strikes and strikes on issues related to state policies are illegal, as are strikes that do not respect the onerous time limits, procedures, and requirements mandated by law. In the event a declared strike continues after it is ruled illegal, courts may confiscate union property to cover employers' losses.

The Federal Labor and Employment Service (RosTrud) regulates compliance of employers with all elements of labor law and has responsibility to "control and supervise employers for their compliance with the labor legislation and other legal acts which deal with labor norms." State agencies responsible for enforcing the law, however, frequently failed to fulfill their responsibilities, and violations of freedom of association were common. Registering unions, for example, was often a cumbersome process, including lengthy delays and convoluted bureaucracy.

Discrimination against employees and trade union leaders due to their union membership was common, as was pressure against workers to leave, or not to join,

unions. Labor activists reported police regularly intimidated union supporters, including by subjecting them to detention and extensive interrogations and provoking physical confrontations with them.

Employers frequently engaged in reprisals against workers for union activity, including threatening to assign them to night shifts, denying benefits, and blacklisting or firing them. Although unions were occasionally successful in court, in most cases company managers who engaged in antiunion activities did not face penalties.

Extensive legal requirements complicated workers' abilities to exercise the right to strike. According to the Federation of Independent Trade Unions of Russia, the legal preparation for a strike takes at least 40 days.

b. Prohibition of Forced or Compulsory Labor

The law prohibits most forms of forced or compulsory labor but allows for compulsory labor as a penal sentence, in some cases as labor contracted to private enterprises. The government did not effectively enforce such laws.

Men and women were engaged in forced labor in the construction industry, textile shops, and agricultural sector (see section 7.c.). Under a state-to-state agreement in effect since 2009, North Korean citizens worked in the country in a variety of sectors, including the logging and construction industries in the Far East. Observers continued to believe that many of these workers were subjected to conditions of forced labor. In cases where these workers claimed asylum in Russia, they were processed through UNHCR. The Federal State Statistics Service, citing FMS numbers, registered 30,000 North Korean workers as of June.

In the first half of the year, the Ministry of Internal Affairs registered 262 cases of unlawful deprivation of liberty, human trafficking, or using slave labor.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment of children under age 16 in most cases and regulates the working conditions of children under 18, including the prohibition of dangerous nighttime and overtime work. The law permits children to work at 14

under certain conditions and with the approval of a parent or guardian. Such work must not threaten the child's health or welfare. The labor code lists occupations that are restricted for children under 18, including work in unhealthy or dangerous conditions, underground work, or jobs that might endanger a child's health and moral development.

RosTrud is responsible for inspecting enterprises and organizations to identify violations of labor and occupational health standards for minors. Typical violations of child labor laws were classified as administrative violations and were punished with fines.

The most recent data available indicated that in 2013 RosTrud inspected 2,400 organizations and found 1,990 child labor violations, down 20 percent compared with 2012. Information on penalties assessed during the year was not available.

In urban areas children worked primarily in the construction and informal sectors, engaging in retail services, selling goods on the street, washing cars, and making deliveries. In rural areas children worked in agriculture. Some children, both Russian and foreign, were subjected to commercial sexual exploitation (see section 6, Children).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

The law prohibits employment discrimination based on sex, race, skin color, nationality, language, origins, property, social status or position, age, domicile, religious beliefs, political convictions, affiliation or nonaffiliation with public associations, and other factors not relevant to the professional qualities of the employee. It also requires equal pay for equal work. The law does not prohibit discrimination based on sexual orientation or gender identity. Employment laws were not always effectively enforced, and penalties for violations were insufficient to deter employers from violating the law.

Discrimination based on gender in compensation, professional training, hiring, and dismissal were characteristic of the labor market. Employers often preferred to hire men to save on maternity and child-care costs and avoid the perceived unreliability associated with women with small children. Such discrimination was often very difficult to prove, although NGOs reported several successful lawsuits

in St. Petersburg against companies for wrongful termination of women on maternity leave.

A 2013 law prohibits employer discrimination in posting job vacancy information. It also prohibits employers from requesting workers with specific gender, race, nationality, address registration, age, and other factors unrelated to personal skills and competencies. Notwithstanding the law, vacancy announcements continued to specify gender and age requirements, and some also specified a desired physical appearance and preference for applicants who were open to intimate relations with their prospective supervisors.

The labor code restricts women's employment in jobs with "harmful or dangerous conditions or work underground, except in nonphysical jobs or sanitary and consumer services," and forbids women's employment in "manual handling of bulk weights that exceed the set limits for their handling." According to the NGO St. Petersburg Aegis, the law resulted in authorities compiling a list of 456 occupations from which it is legal to exclude women, including those of diver, paratrooper, and firefighter. The World Economic Forum's 2015 Global Gender Gap Report, based on 'the country's Annual Statistics Report, documented a widespread gender pay gap and noted that women predominated in low-paying jobs in education and the medical industry and in low-level sales positions. On average women earned 38 percent less than men, notwithstanding that 85 percent of women had completed some form of higher education, compared with 68 percent of men.

Persons with disabilities were subject to employment discrimination. A 2013 federal law remained in force that allowed regional governments to set quotas for employment of persons with disabilities. Companies with 35 to 100 employees have a quota of 1 to 3 percent, while those with more than 100 employees have a 2 to 4 percent quota. Some local authorities and private employers continued to discourage persons with disabilities from working; the only penalty for failure to honor quotas, if enforced, was a small fine of 5,000 to 10,000 rubles (\$77 to \$154).

Indigenous peoples faced employment discrimination. Those employed at schools or in local governments felt pressure not to engage in political activism, fearing they could lose their jobs for doing so.

Employment discrimination on the basis of sexual orientation and gender identity was a problem, especially in the public sector and education. Employers fired LGBTI persons for their sexual orientation, gender identity, or public activism in

support of LGBTI rights. If they expected to be fired, some LGBTI persons chose to resign preemptively in order to avoid having their future prospects hindered by a dismissal on their resumes. Primary and secondary school teachers were often the targets of such pressure, due to the law's focus on so-called "propaganda" targeted at minors (see also section 6).

In April a St. Petersburg court ruled against Alvetina, a music teacher, who was fired from her job teaching students with disabilities in December 2014 after a picture of her kissing another woman was posted online by an antigay activist. In its April decision, the court rejected her request to be reinstated.

Persons with HIV/AIDS were prohibited from working in some areas of medical research and medicine.

e. Acceptable Conditions of Work

The subsistence minimum income used by the government as the official poverty line was 10,017 rubles (\$154.11) per month in the second quarter of the year. The national minimum wage for all sectors was 5,965 rubles (\$92) per month, which was 60 percent of the subsistence minimum. According to the Federal Statistics Service, in the first half of the year, the portion of the population living below the subsistence minimum increased to 15.1 percent from 13.1 percent in the same period of 2014.

The labor code contains provisions for standard work hours, overtime, and annual leave. The standard workweek cannot exceed 40 hours. Employers may not request overtime work from pregnant women, workers under the age of 18, and other categories of employees specified by federal laws. Standard annual paid leave is 28 calendar days. Employees who perform work involving harmful or dangerous labor conditions and employees in the Far North regions receive additional annual paid leave. Organizations have discretion to grant additional leave to employees.

The labor code stipulates that payment for overtime must be at least 150 percent for the first two hours and not less than 200 percent after that. At an employee's request, overtime may be compensated by additional holiday leave. Overtime work cannot exceed four hours in a two-day period or 120 hours in a year for each employee. The law establishes minimum conditions for workplace safety and worker health but does not explicitly allow workers to remove themselves from hazardous workplaces without threat to their employment. The law entitles

foreigners working legally in the country to the same rights and protections as citizens.

The government did not effectively enforce these laws in either the formal or informal sectors. Nonpayment of wages is treated as a criminal offense and is punishable by fines, compulsory labor, and/or imprisonment. The threshold for a criminal offense is partial nonpayment (i.e., nonpayment of more than half of the employee's wages) for three months or complete nonpayment for two months. Aggravated offenses could potentially be punished by two to five years' imprisonment. Serious breaches of occupational safety and health provisions are also criminal offenses. Experts generally pointed to prevention of these offenses, rather than adequacy of the available punishment, as the main challenge to worker rights' protection in these areas. RosTrud, the agency that enforced these provisions, noted that state labor inspections were understaffed and inspectors needed additional professional training. The agency did not provide data on the number of inspectors or budgetary and other resources allocated to enforcement of wage, hour, and occupational safety and health laws. According to official statistics from RosTrud, inspectors found 499,200 labor law violations in the first 10 months of the year.

Although no official data were available, experts estimated the workforce in the informal or shadow economy was 25-30 percent and growing. The largest share of laborers in these sectors was concentrated in the trade, construction, and agricultural sectors, where workers were more vulnerable to exploitative working conditions. Labor migrants remained the group most vulnerable to mistreatment and were concentrated primarily in low-quality jobs in construction but also worked in housing, utilities, agriculture, and retail trade, often in the informal sector.

Although the FMS reported three to five million migrant workers in the country, experts believed that the number was between seven and 12 million, but even approximate numbers were difficult to verify. The FMS estimated that undocumented labor migrants among total labor migrants reached 57 percent in 2014. A November 2014 law changed the regulatory system for labor migration in the country for visa-free countries: Instead of quotas and work permits, employment licenses ("patents") for companies and individuals were introduced. The quota system was criticized as an ineffective and corruption-prone mechanism for regulating labor migration. According to the FMS, 1.6 million patents were issued during the first 10 months of the year.

RUSSIA

74

On January 10, new rules came into effect that toughen punishments for foreigners who commit administrative violations. Under the rules authorities may prohibit persons who exceed their officially registered stay in the country for more than a year from entering the country for 10 years. The FMS estimated that more than three million persons may be subject to such bans.

Many migrants regularly faced discrimination and hazardous or exploitative working conditions. There was no national information available on the number of workplace accidents, fatalities, or deaths during the year.

EXHIBIT 16

RUSSIA 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Russian Federation has a highly centralized, weak multi-party political system dominated by President Vladimir Putin. The bicameral Federal Assembly consists of a directly elected lower house (State Duma) and appointed upper house (Federation Council). Presidential elections in March 2012 featured accusations of government interference and manipulation of the electoral process. Security forces generally reported to civilian authorities; however, in some areas of the Northern Caucasus, civilian authorities did not exercise full control over security forces. Security forces throughout the country committed human rights abuses.

The most significant human rights problems during the year involved:

1. **Restrictions of Civil Liberties:** The government continued its crackdown on dissent that began after Vladimir Putin's return to the presidency. The government selectively employed the law on "foreign agents," the law against extremism, and other means to harass, pressure, discredit, and/or prosecute individuals and entities that had voiced criticism of the government, including nongovernmental organizations (NGOs), independent media outlets, and the political opposition. The Office of the Prosecutor General, Ministry of Justice, Federal Security Service, tax authorities, and other agencies carried out inspections of hundreds of NGOs suspected of being "foreign agents."
2. **Government Discrimination against Racial, Ethnic, Religious, and Sexual Minorities:** The country adopted several laws that discriminated against lesbian, gay, bisexual, and transgender (LGBT) persons, including a ban on the so-called propaganda of nontraditional sexual relations to minors, which effectively criminalizes public expression and assembly for anyone who would advocate LGBT equality. The government continued to use laws against extremism to prosecute some religious minorities and made "offending the religious feelings of believers" a criminal offense. Authorities in many cities also discriminated against ethnic minorities, arbitrarily detaining thousands of migrant workers amid a wave of anti-immigrant sentiment. Laws, actions, and official rhetoric restricting the rights of the LGBT community, migrants, and other minorities coincided with a marked increase in violent attacks against these groups.

3. Administration of Justice: Officials denied due process in politically motivated cases initiated by the Investigative Committee, including the continued detention and trial of protesters arrested following the May 2012 demonstration on Bolotnaya Square in Moscow; the sentencing of Bolotnaya demonstrator Mikhail Kosenko to indefinite psychiatric detention; the detention, trial, and sentencing of anticorruption blogger and opposition leader Alexey Navalnyy; and the searches of, and criminal cases opened against, several other political activists and human rights advocates. Two members of Pussy Riot, who were released two months before the end of their sentences, and five defendants in the Bolotnaya case were among the individuals authorities released in an amnesty in December. Authorities had yet to bring to justice the individuals responsible for the deaths of prominent journalists, activists, and whistleblowers, notably Sergey Magnitskiy.

Other problems reported during the year included: allegations of torture and excessive force by law enforcement officials, life-threatening prison conditions, interference in the judiciary and the right to a fair trial, restrictions on freedom of speech and press, restrictions on free assembly and association, restrictions on religious freedom of some religious minorities, electoral irregularities, widespread corruption, societal and official intimidation of civil society and labor activists, violence against women and limits on the rights of women in certain regions, trafficking in persons, and limitations on workers' rights.

The government failed to take adequate steps to prosecute or punish most officials who committed abuses, resulting in a climate of impunity. Rule of law was particularly deficient in the North Caucasus, where conflict among government forces, insurgents, Islamist militants, and criminal forces led to numerous human rights abuses, including killings, torture, physical abuse, and politically motivated abductions.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were several reports that the government or its agents committed arbitrary or unlawful killings. Each agency has its own regulations and procedures to examine whether a killing was justifiable. Any subsequent criminal investigations can fall under the jurisdiction of either the Ministry of Internal Affairs or the Investigative Committee, depending on the gravity of the crime. In the North Caucasus, both

RUSSIA

3

authorities and local militants carried out numerous extrajudicial killings (see section 1.g.).

Prison officials and police subjected inmates and suspects in custody to physical abuse that occasionally resulted in death (see section 1.c.). When egregious cases of torture were punished, the punishment was often lax.

On June 6, Vladimir Bulkov fell into a coma and eventually died from his injuries in Penal Colony 6, near Bryansk, when a prison guard beat him for not turning over allegedly prohibited items. Human rights organizations had previously complained of systematic beatings within the penal colony. While prison officials originally claimed Bulkov fell down a flight of stairs, a preliminary investigation concluded that he died as a result of beating on the head and other parts of the body. As of September a criminal investigation was continuing, and an official was under house arrest pending the results of the investigation.

In many cases abuses went unpunished. On September 10, Tatarstan's Investigative Committee announced that it would not file charges against five police officers for the torture and death of Pavel Drozdov, arrested in 2012 for violating an administrative law. According to investigators the officers beat Drozdov, bound his arms and legs together behind his back in the "swallow" position with handcuffs, belts, and ropes, and then kicked him while he was lying on his stomach. After a medical examination, the Investigative Committee concluded that the use of physical force and "improvised means" against the detainee was lawful and warranted and that the officers' actions could not have led to Drozdov's death.

In February a military court ruled that the 2012 hanging death of Private Vladimir Slobodyannikov, a vocal opponent of harsh military hazing, was a suicide resulting from an inability to adapt to life in the army. The court further ruled that hazing was not a causal factor in Slobodyannikov's death. The day before his death, Slobodyannikov sent his sister a text message indicating his fear that his unit commander might kill him.

b. Disappearance

Politically motivated disappearances in connection with the conflict in the Northern Caucasus continued (see section 1.g.). Security forces were also responsible for the kidnapping and disappearance of asylum seekers seeking

protection from persecution in Central Asia, particularly Uzbekistan and Tajikistan (see section 2.d.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the constitution prohibits such practices, there were numerous credible reports that law enforcement personnel engaged in torture, abuse, and violence to coerce confessions from suspects, and authorities generally did not hold officials accountable for such actions. If law enforcement officials were prosecuted, they were typically charged with simple assault or exceeding authority.

In 2012 the European Court of Human Rights (ECHR) found the state to have violated the ban on torture and inhuman or degrading treatment in 55 of 134 cases heard by the court. Government forces engaged in the conflict in the North Caucasus reportedly tortured and otherwise mistreated civilians and participants in the conflict (see section 1.g.).

Physical abuse of suspects by police officers was reportedly systemic and usually occurred within the first few days of arrest. Reports from human rights groups and former police officers indicated that police most often used electric shocks, suffocation, and stretching or applying pressure to joints and ligaments, as those methods are less prone to leave visible marks. In the North Caucasus, local law enforcement organizations as well as federal security services reportedly committed torture.

On April 30, Chelyabinsk Oblast Human Rights Ombudsman Aleksey Sevastyanov reported that the incidence of suicide, harassment, and torture in prisons and detention centers increased 250 percent in the region over 2012 levels. According to Sevastyanov, law enforcement personnel routinely used torture, including electrocution and beating, as a means of obtaining desired testimony from suspects.

On June 12, police in Sochi brutally beat and raped construction worker Martiros Demerchyan, according to human rights and media sources. Demerchyan and his brother-in-law had worked on a Sochi Olympic construction site and had complained to their employer about nonpayment of wages, after which police arrested him and attempted to force him to confess to stealing construction materials. When Demerchyan refused, police beat him for hours, knocking out his teeth, cracking his skull, breaking his ribs, and raping him with a crowbar. The

RUSSIA

5

Investigative Committee of Sochi looked into the allegation but stated that they did not find sufficient evidence to indicate that torture had taken place, and they did not initiate a case against the officers allegedly involved. On July 27, the committee opened a case against Demerchyan, alleging that he wrongly accused police of the torture.

Police attacks on political and human rights activists, critics of government policies, and persons linked to the opposition continued. On May 19, St. Petersburg traffic police beat Grigoriy Kokorin, an activist from the “Blue Bucket” movement, which protested the use of flashing blue lights by prominent politicians and businessmen to bypass traffic laws. The beating caused Kokorin to be hospitalized with a concussion and kidney damage. The following week authorities dismissed six police officers who were determined to have taken part in the attack. Kokorin’s civil suit against them remained pending at year’s end.

During the year there were multiple reports of law enforcement officials attacking environmental activists. On May 9, according to human rights groups, undercover police officers beat Pervouralsk environmental activist Stepan Chernogubov, took him to a police station, and questioned him for more than four hours. Chernogubov had published evidence of environmental violations at a local chromium plant. The attack left Chernogubov with a fractured skull and three missing teeth. Of the three officers charged in the attack, none was detained and charges against two were dropped; the judge in the case opted not to pursue charges against the third officer.

Reports by refugees, NGOs, and the press suggested a pattern of beatings, arrests, and extortion by police when dealing with persons who appeared to be of Caucasus, Central Asian, African, or Romani ethnicity. On March 3, OMON (paramilitary police) troops in Surgut, Khanty-Mansiysk region, reportedly detained a group of approximately two dozen Azeri, Tajik, Kazakh, and Uzbek men and forced some to shave their beards at gunpoint. According to representatives of the Tajik diaspora in Khanty-Mansiysk, an OMON unit in combat gear approached the group as they were dining in a cafe, forced them to the floor, demanded their documents, and forced some to cut off their beards. OMON personnel threatened those who refused with having their beards burned off. Following the incident the chief of the Surgut police stated that his subordinates would publicly apologize if found to be at fault. On April 24, the Khanty-Mansiysk Investigative Committee declined to file a criminal case for lack of evidence.

There were multiple reports of authorities detaining defendants for psychiatric evaluations for up to 30 days and one report of psychiatric incarceration. On October 8, a Moscow court convicted Mikhail Kosenko of participating in a mass riot and attacking a police officer in the 2012 “Bolotnaya Case.” He was sentenced to indefinite detention in a psychiatric hospital; the court had previously declared him insane, citing his diagnosis years earlier of a mild mental disorder for which he was receiving outpatient treatment and self-medicating. Following his arrest Kosenko’s diagnosis was upgraded to “paranoid schizophrenia” after doctors affiliated with the prosecution interviewed and observed him for less than one hour; Kosenko’s doctor of 12 years was not consulted by prosecutors. Many human rights groups considered the case politically motivated and designed to deter citizens from exercising their free assembly rights to protest against the government.

Physical abuse and hazing continued to be a problem in the military. The Committee of Soldiers’ Mothers and the Chief Military Prosecutor’s Office reported that incidents of *dedovshchina* (a pattern of hazing) and other violence against conscripts increased during the year. The Committee of Soldiers’ Mothers received more than 15,000 complaints on behalf of conscripts, of which 20 percent involved violations of their rights, including hazing.

On January 2, a conscript from the Yelan military garrison jumped from a third-floor window in an attempt to either flee his alleged tormentors or commit suicide in response to their actions. According to news reports, higher-ranking military personnel severely beat him after he failed to complete exercises to their satisfaction while dressed in a flak jacket. The exercises were punishment for his failing to serve them tea quickly enough. The soldier apparently fled or jumped from the window in response to the beating and suffered numerous serious fractures and injuries to his face and limbs. The regional military prosecutor brought charges against three suspects and was investigating the case.

Prison and Detention Center Conditions

Conditions in prisons and detention centers varied but were sometimes harsh and life threatening. Limited access to health care, food shortages, abuse by guards and inmates, inadequate sanitation, and overcrowding were common in prisons, penal colonies, and other detention facilities.

In March approximately 30 inmates of Penal Colony No. 7 in Mordovia went on a hunger strike to protest poor living conditions and abuse by colony personnel.

RUSSIA

7

Physical Conditions: Detainees were held in five types of facilities: temporary police detention centers, pretrial detention facilities, correctional labor colonies (ITKs), prisons for those who violate ITK rules, and educational labor colonies for juveniles. According to the Federal Penitentiary System, as of December 1, the prison population was 680,200, compared with 701,900 at the end of 2012. This figure included 562,400 offenders held in 731 correctional colonies, 40,900 offenders in open colonies, 1,698 prisoners serving life sentences in five prisons, and 2,000 juveniles in 46 educational colonies. Approximately 114,500 detainees were held in 230 pretrial detention centers. “Unofficial” prisons, many of which were located in the North Caucasus region, continued to exist.

There were approximately 56,200 women in prison as of December 1, compared with 57,700 in 2012. Penal Reform International reported that conditions were generally better in women’s colonies than in men’s but remained substandard. On September 24, imprisoned Pussy Riot member Nadezhda Tolokonnikova announced a hunger strike to protest the conditions within the women’s penal colony where she was held. She accused prison officials of threatening and intimidating inmates and forcing them to work 17-hour days in a sewing shop, denying food and use of the bathroom to those who did not meet quotas, and forcing them to stand outside in the cold. The Presidential Council for Human Rights confirmed her accusations after a subsequent inspection.

Health, nutrition, ventilation, and sanitation standards were generally poor but varied among facilities. Access to potable water sometimes was rationed. The federal minimum standard of space per person in detention is 43 square feet, and facilities generally met the standard.

In January 2012 the ECHR issued a pilot judgment in the case of Ananyev v. Russia, which found that prison conditions in the country violated the European Convention on Human Rights’ prohibition against inhuman and degrading treatment. The ECHR uses pilot judgments as a means of dealing with large groups of identical cases that derive from the same underlying problem. In its judgment the ECHR noted that inadequate conditions of detention were a recurrent and systemic problem in the country. Applying pilot judgment procedures, the court held that the country had to improve conditions for pretrial detention by implementing a series of specific measures, which it detailed in the judgment. To that end the court ordered Russian authorities to draft a binding implementation plan. In October 2012 the government submitted an action plan for implementing the court’s decision, establishing a working group and laying out a proposed series

RUSSIA

8

of draft laws and plans for construction of dozens of new detention centers. At year's end, however, the working group had not submitted the proposed draft laws on detention and there were no significant updates on the group's progress.

Access to quality medical care remained a significant problem in the penal system. Inmates often experienced delays in medical care due to bureaucratic procedures, and medicine was limited.

On February 28, a department head within the Prosecutor General's Office reported that 4,121 persons died in pretrial detention centers and prisons in 2012. Many of the deaths were a consequence of insufficient medical facilities and failure to execute the law on health care for prisoners properly.

On April 5, Moscow prison authorities released Margarita Charykova to a government health clinic after four months in pretrial detention where she was unable to receive treatment for chronic severe health conditions resulting from having been born without part of her lower intestine. While she was in pretrial detention, authorities denied her an adequate diet and proper medical care, and her health rapidly deteriorated. She repeatedly suffered from a blocked digestive system, infections, and intense chronic pain.

In the case of Sergey Magnitskiy, a lawyer who died of medical neglect and abuse while in pretrial detention in 2009, at year's end authorities had not brought those responsible for his death to justice, and the Investigative Committee closed its investigation of the circumstances of his death in March claiming to have found no evidence of wrongdoing.

The Federal Penitentiary Service's medical director reported that tuberculosis infection rates in prisons continued to decline, with approximately 28,500 affected prisoners.

Reports continued of prison staff abusing prisoners. On January 11, inmate Vitaliy Knyazyev complained that prison authorities at Yekaterinburg Detention Center #2 had subjected him to severe torture. He reported numerous injuries, including large burns on both legs. Knyazyev's cellmates confirmed that prison authorities had beaten him. Knyazyev's lawyer was also threatened with injury if he reported the abuse to the regional Investigative Committee. The regional prosecutor and human rights activists launched investigations that revealed numerous instances of abuse and other violations at the detention center.

RUSSIA

9

Abuse of prisoners by other prisoners also continued to be a problem. There were elaborate inmate-enforced caste systems in which certain groups, including informers, gay inmates, rapists, prison rape victims, and child molesters, were considered “untouchables” (the lowest caste). Prison authorities provided little or no protection to these groups.

Administration: Prisoners had visitation rights, but access to visitors could be denied depending on the circumstances. Authorities allowed prisoners serving a regular sentence four three-day visits with their spouses per year. On occasion prison officials cancelled visits if the prison did not have enough space. A judge or investigator in a prisoner’s case could deny the prisoner visitation rights. Relatives deemed a security risk could also be prohibited from visiting prisoners. The number of visitors was limited, usually to two adults and two children on each visit.

Prisoners generally were permitted religious observance and access to religious ministry and literature.

Independent Monitoring: There were no prison ombudsmen. Prisoners could file complaints with public oversight commissions (POCs) or with the Human Rights Ombudsman’s Office, but inmates were often afraid of reprisal, leading to self-censorship. Complaints that reached the POCs often focused on minor personal requests. Prison reform activists reported that only prisoners who believed they had no other option risked the consequences of filing a complaint.

The law regulating public oversight of detention centers allows POC representatives to visit facilities. There were 712 members of 79 registered POCs in 43 regions. Authorities permitted only POCs to visit prisons regularly to monitor conditions. There were reports that prison officials, citing disease or danger, denied facility access to inspectors upon arrival. The law does not establish procedures for local authorities to respond to POC findings or recommendations, which are not legally binding.

The effectiveness of POC observation declined in some regions following their creation in 2008. New lists of POC members took effect in November, with new appointment and selection procedures preventing many human rights defenders from participating. At the same time, authorities increased appointments of former military, police, and prison officials to POCs, which effectively placed POCs under the control of law enforcement agencies.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, problems remained.

Role of the Police and Security Apparatus

The Ministry of Internal Affairs, the Federal Security Service (FSB), the Federal Investigative Committee, and the Office of the Prosecutor General are responsible for law enforcement at all levels of government. The FSB is responsible for security, counterintelligence, and counterterrorism and also for fighting organized crime and corruption. The national police force under the Ministry of Internal Affairs is organized into federal, regional, and local levels.

Arrest Procedures and Treatment of Detainees

By law authorities may arrest and hold a suspect arrested at the scene of a crime for up to 48 hours without court approval, provided there is evidence of the crime or a witness; otherwise, an arrest warrant is required. After arresting them, police typically take detainees to the nearest police station, where they inform them of their rights. Police must prepare a protocol stating the grounds for the arrest, and both detainee and police officer must sign it within three hours of detention. Police must interrogate detainees within the first 24 hours of detention. Prior to interrogation a detainee has the right to meet with an attorney for two hours. No later than 12 hours after detention, police must notify the prosecutor. They must also notify the detainee's relatives unless a prosecutor issues a warrant to keep the detention secret. Police are required to release a detainee after 48 hours, subject to bail conditions, unless a court decides, at a hearing, to prolong custody in response to a police motion filed by police not less than eight hours before the 48-hour detention period expires. The defendant and his or her attorney must be present at the court hearing.

By law police must complete their investigation and transfer the case to a prosecutor for arraignment within two months of a suspect's arrest, although an investigative authority may extend a criminal investigation for up to 12 months. Extensions beyond 12 months need the approval of the head federal investigative authority in the Interior Ministry, Federal Drug Control Service, FSB, or Investigative Committee. According to some defense lawyers, these time limits were often violated.

There were a number of problems relating to defendants' ability to obtain adequate defense counsel. Federal law provides defendants' right to choose their own lawyer, but the investigator generally did not respect this provision, instead designating lawyers friendly to the prosecution. These "pocket" defense attorneys agreed to the interrogation of their clients in their presence while making no effort to defend their clients' legal rights. In many cases, especially in more remote regions, defense counsel was not available for indigent defendants. Judges usually did not suppress confessions of suspects taken without a lawyer present. Judges at times freed suspects held in excess of detention limits, although they usually granted prosecutors' motions to extend detention periods.

Authorities generally respected the legal limitations on detention except in the North Caucasus. There were reports of occasional noncompliance with the 48-hour limit for holding a detainee. At times authorities failed to write the official detention protocol within the required three hours after the actual detention and held suspects longer than the legal detention limits. During a roundup of migrants in Moscow in July, human rights advocates reported hundreds of cases of migrants illegally held in temporary makeshift camps well beyond the 48-hour limit prescribed by law.

Arbitrary Arrest: There were many reports of arbitrary detention. The practice was widespread in the North Caucasus (see section 1.g.) and was applied frequently to labor migrants of non-Slavic appearance (see section 6), as well as LGBT protesters (see section 6) and in a number of politically motivated cases (see section 1.e.).

Pretrial Detention: The 2012 ECHR pilot judgment in *Ananyev v. Russia* required Russia to take urgent action to address inhuman and degrading conditions of pretrial detention (see section 1.c.)

According to statistics released by the Supreme Court, domestic courts, relying on the arguments of the prosecution, granted more than 90 percent of applications for detention orders and nearly 100 percent of requests to extend the duration of detention orders.

Detention of Rejected Asylum Seekers or Stateless Persons: Authorities continued to detain many asylum seekers while their cases were pending, as well as all rejected asylum seekers prior to deportation or pending judicial review (see section 2.d.). Human rights NGOs reported that authorities regularly used protracted detention, including detention past the legal limit of 18 months, in such cases.

Amnesty: On July 2, the State Duma passed legislation providing amnesty to first-time offenders convicted of certain economic crimes. As of October 1, more than 300 prisoners were freed under the amnesty. The State Duma passed a second amnesty on December 18, in honor of the 20th anniversary of the constitution. It authorized the release of convicts and detainees charged under specific legal statutes, as well as those belonging to socially disadvantaged groups of the population, including juvenile criminal offenders, women with small children, pregnant women, women over 55 and men over 60, persons with disabilities, and persons who have done a service to the country. Among those released were two members of the punk rock group Pussy Riot, imprisoned since 2012, and five defendants in the Bolotnaya case.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but judges remained subject to influence from the executive branch, the military, and other security forces, particularly in high-profile or politically sensitive cases. The law requires judicial approval of arrest warrants, searches, seizures, and detentions. Officials generally honored this requirement, although the process of obtaining judicial warrants was occasionally subverted by bribery or political pressure.

According to an April report by the ombudsman for human rights, Vladimir Lukin, almost 57 percent of the 24,930 complaints received by his office in 2012 related to violations of civil rights. Of these, more than 67 percent involved alleged violations of the right to a fair trial.

Judges routinely received calls from superiors instructing them how to rule in specific cases. The Presidential Council for the Development of Civil Society and Human Rights reported that “in practice [judges] do not possess genuine, as opposed to declaratory, independence. The powers of a judge who does not agree to carry out the requests may be prematurely terminated. In such a situation, the conscientious judge is subject to pressure from within the judicial system and has no chance of defending his or her own rights.”

A November report by the Council of Europe’s human rights commissioner on the protection of human rights in the country’s judicial system noted concerns that “perceptions persist that judges are not shielded from undue pressure, including from within the judiciary.”

During the year authorities initiated criminal proceedings against a deceased individual. On July 11, a court found whistleblower Sergey Magnitskiy guilty of tax evasion in the first posthumous trial in the country's history, in a case that human rights advocates believed was fabricated.

In many cases authorities did not provide adequate protection for witnesses and victims from intimidation or threats from powerful criminal defendants.

Trial Procedures

A judge without a jury typically hears trials (bench trials). The defendant has a legal presumption of innocence. The law provides for the use of jury trials for a limited range of crimes in higher-level regional courts. Certain crimes, including terrorism, espionage, hostage taking, and mass disorder, must be heard by panels of three judges rather than by juries. Juries try approximately 600 to 700 cases each year, or 0.05 percent of all criminal cases. While judges acquit less than 1 percent of defendants, juries acquit an estimated 20 percent. Since 2008 the number of jury trials has continued to decline, which legal experts considered an effort to avoid acquittals in criminal cases. The law allows prosecutors to appeal acquittals, which they do in most cases. Prosecutors may also appeal what they regard as lenient sentences. Appellate courts reverse approximately 30 percent of acquittals and remand them for a new trial, although these cases often end in a second acquittal.

During trial the defense is not required to present evidence and is given an opportunity to cross-examine witnesses and call defense witnesses, although judges can deny the defense this opportunity. Defendants who are in custody during the trial are confined to a caged area, which has been replaced by glass enclosures in some courts. Defendants have the right of appeal. Prior to trial defendants receive a copy of their indictment, which describes the charges in detail. They also have an opportunity to review their criminal file following the completion of the criminal investigation. The law provides for the appointment of an attorney free of charge if a suspect cannot afford one, although the high cost of competent legal service means that lower-income defendants often lacked competent representation. There were few qualified defense attorneys in remote areas of the country. Defense attorneys may visit their clients in detention, although defense lawyers claimed that informants electronically monitored their conversations and that prison authorities did not always provide them with access to their clients.

Plea bargaining was used in criminal cases, and the law allows a defendant to receive a reduced sentence for testifying against others. Plea bargains reduced defendants' time in pretrial detention in approximately half of cases, reduced the average prison term to no more than half of the otherwise applicable statutory maximum, and allowed courts and prosecutors to devote their resources to other cases.

Political Prisoners and Detainees

Authorities detained and prosecuted individuals for political reasons. Human rights organizations believed there were at least 70 such individuals imprisoned during the year.

On June 24, the trial of 12 opposition protesters on charges of attacking police during a May 2012 protest of Putin's return to the presidency began in Moscow City Court. Human rights groups characterized the proceedings as a politically motivated show trial, and many supported the conclusions of an independent civil society inquiry, which found that police themselves instigated the clash with protesters that took place at Bolotnaya Square in Moscow. Human rights groups believed that the arrest, detention, and punishment of such a diverse group of individuals was meant to deter the general population from engaging in public protests. On October 3, Amnesty International added three of the "Bolotnaya defendants"--Vladimir Akimenkov, Artyom Savyolov, and Mikhail Kosenko--to its list of "prisoners of conscience." On December 19, a Moscow court dropped charges against five of the defendants, including Vladimir Akimenkov, as part of a broad amnesty adopted on the occasion of the 20th anniversary of the constitution.

On December 4, a Krasnodar court released university professor and civil activist Mikhail Savva and placed him under house arrest. Savva had been in pretrial detention without bail in Krasnodar since April 12 on charges of embezzling 366,000 rubles (\$11,300). The court extended his detention multiple times on the claim that, if released, he would pressure witnesses and hinder the investigation. Human rights groups believed the charges were politically motivated in response to Savva's vocal opposition to a wave of intrusive government inspections of NGOs conducted in the Krasnodar region in the spring (see section 5).

On December 23, authorities released Mariya Alekhina and Nadezhda Tolokonnikova, the two imprisoned members of the punk rock group Pussy Riot, convicted in 2012 of hooliganism motivated by religious hatred in connection with their protest performance on the altar of Christ the Savior Cathedral in Moscow.

During the year authorities twice denied parole to each of the two prisoners. Maria Alekhina was not allowed to be present during either parole hearing, while a judge denied Nadezhda Tolokonnikova's parole because she had not "sufficiently repented." In September, Tolokonnikova conducted a hunger strike in response to abusive prison conditions (see section 1.c.).

Aleksey Kozlov, the husband of prominent activist Olga Romanova, was released from prison on June 3 after the Supreme Court ruled one of the charges against him unfounded. Kozlov, who was originally convicted in 2008 of stealing company shares from a former business partner, won his first appeal in the Supreme Court in 2011 but was subsequently found guilty in district court of the same crime. Kozlov spent a total of four and one-half years in prison on charges that human rights defenders believed to be politically motivated.

On December 20, President Putin pardoned former Yukos tycoon Mikhail Khodorkovskiy, who was released from prison the same day. His associate, Platon Lebedev, remained in prison at year's end. On July 25, the ECHR ruled that it had insufficient evidence to declare that the 2004 case against Khodorkovskiy and Lebedev was politically motivated, although it identified a number of procedural violations in the case. The ECHR had yet to issue a ruling on a 2010 case in which they were convicted of additional offenses.

Civil Judicial Procedures and Remedies

Although the law provides mechanisms for individuals to file lawsuits against authorities for violations of civil rights, these mechanisms often did not work well. For example, the law provides that a defendant who has been acquitted after a trial has the right to compensation from the government. Human rights activists claimed that authorities avoided paying compensation through procedural means, such as leaving cases in pending status. Persons who believed their civil rights had been violated typically sought redress in the ECHR after the domestic courts had ruled against them.

Regional Human Rights Court Decisions

Any person may file a complaint with the ECHR concerning alleged violations by the state of human rights under the European Convention on Human Rights, provided they have exhausted "effective and ordinary" appeals in the country's courts. According to the ECHR, there were more than 33,000 cases pending against the country, and the prosecutor general indicated the number of inmates

filing complaints with the ECHR continued to increase. In 2012 the ECHR found a violation of the European Convention on Human Rights in 91 percent of judgments involving the country.

While the government generally paid compensation to victims when ordered to do so, it did not fully implement judgments that called for conducting effective investigations and holding perpetrators accountable. The government generally failed to change systemic practices that the ECHR repeatedly criticized.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law forbids officials from entering a private residence except in cases prescribed by federal law or on the basis of a judicial decision. The law also prohibits government monitoring of correspondence, telephone conversations, and other means of communication without a warrant and prohibits the collection, storage, utilization, and dissemination of information about a person's private life without his or her consent. While authorities generally complied with these provisions, there were allegations that government officials and others engaged in electronic surveillance without appropriate authorization and entered residences and other premises without warrants.

Law enforcement agencies require telecommunications service providers to grant the Ministry of Internal Affairs and the FSB 24-hour remote access to client databases, including telephone and electronic communication and records, enabling police to track private communications and monitor internet activity without the provider's knowledge. The law permits authorities to monitor telephone calls in real time. The Ministry of Information and Communication requires telecommunications service providers to allow the FSB to tap telephones and monitor information over the internet. The Ministry of Information and Communication maintained that no information would be accessed without a court order, even though the FSB is not required to show it to anyone.

In the North Caucasus, families continued to face retribution for the alleged offenses of their family members. Chechen leader Ramzan Kadyrov continued his anti-insurgency policy of collective punishment against families of suspected insurgents, including burning their homes (see section 1.g.).

On November 3, President Putin signed a new law that requires relatives of terrorists to pay the cost of damages caused by an attack, a measure human rights advocates criticized as collective punishment.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Violence continued in the North Caucasus republics, driven by separatism, interethnic conflict, jihadist movements, vendettas, criminality, excesses by security forces, and the activity of terrorists in the country. Dagestan continued to be the most violent area in the North Caucasus, with more than 60 percent of all casualties in the region. According to online newspaper *Caucasian Knot*, the general level of violence decreased in the North Caucasus by almost 30 percent in the first eight months of the year compared with 2012.

Killings: *Caucasian Knot* reported that at least 330 deaths in the North Caucasus in the first eight months of the year resulted from the armed conflicts in the region.

One journalist was killed in the North Caucasus during the year (see section 2.a.).

There continued to be reports that security forces used indiscriminate force resulting in numerous deaths and that authorities did not prosecute the perpetrators. According to a December 18 report by *Novaya Gazeta*, President Putin fired Sergey Bobrov, the recently installed head of Chechnya's Investigative Committee. The newspaper reported that Bobrov had recently been investigating abduction and murder cases allegedly perpetrated by the security services of appointed Chechen leader Ramzan Kadyrov.

On February 13, Ingush security service members killed former deputy construction minister of Ingushetia Sultangeri Khashagulgov during a search of his home in Nazran. According to the victim's father, security personnel bound Khashagulgov and expelled relatives from the house. Authorities claimed that Khashagulgov resisted arrest, forcing them to shoot him.

During a special operation in the Makhachkala suburb of Semender from March 20 to March 23, Dagestani security services killed a police officer and a local city councilman whom they had sent into a house to negotiate with a small group of suspected militants. After losing contact with negotiators, security services stormed the house, resulting in the deaths of four militants and the negotiators. Security services claimed that they blew up the besieged house because it contained explosives, although they reportedly first looted the building and neighboring businesses. Caucasus experts suspected security services of using the explosion to cover up evidence of a mishandled operation.

On April 19, in broad daylight, an unmasked gunman shot Yusup Ajiev, the informal leader of the Kumyk ethnic group in the Khasavyurt district of Dagestan, 17 times. Police had detained Ajiev's bodyguard immediately prior to the shooting. Ajiev planned to run for the position of leader of the Khasavyurt, and many observers considered him a viable candidate. No arrests were made in this case.

Abductions: Government personnel, rebels, and criminal elements continued to engage in abductions in the North Caucasus. According to the prosecutor general, as of 2011 there were more than 2,000 unsolved disappearances in the North Caucasus region. On October 4, human rights defender Alexander Mukomolov announced that he had assembled a list of 7,570 known missing persons in the North Caucasus, although he and other human rights defenders estimated the actual number was much higher.

On July 6, two masked men abducted Khadizhat Elimkhanova in front of a store in Grozny, Chechnya, in the presence of many witnesses. A store security camera caught the incident as the men beat her, threw her into a car, and drove off. Police did not investigate the matter. According to the Memorial Human Rights Center, security forces may have been involved in the abduction. As of year's end, there was no further information on this case.

Physical Abuse, Punishment, and Torture: Armed forces and police units reportedly abused and tortured both rebels and civilians in holding facilities. On September 18, police arrested Shamil Salatgereev for theft in the Kazbek district of Dagestan. He was robbed, beaten, and tortured during his incarceration and attempted suicide afterwards. Lawyers for Salatgereev initiated an official complaint against police officers, but local officials claimed that both evidence and the initial complaint were lost.

Human rights groups noted that physical abuse of women was becoming increasingly common in the region (see section 6).

Burning the homes of suspected rebels reportedly continued. Ten homes were blown up and another 26 seriously damaged during a special forces operation in the Dagestani village of Gimry. Locals claimed that special forces removed the residents from the village, then looted and destroyed the houses as a form of collective punishment after they found insurgents in a nearby forest.

Although there were fewer incidents involving land mines than in previous years, landmine contamination remained a problem. On July 11, a land mine, a remnant of the Chechen wars, exploded in Dagestan near the Chechen border killing one man and injuring two. Two days later a land mine killed one soldier and injured two others in the course of a military operation.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and press; however, government pressure on some media constrained coverage of certain controversial issues, resulting in numerous infringements of these rights.

While the government generally respected citizens' right to freedom of speech, some regional and local authorities used procedural violations and vague legislation to detain persons who criticized the government. State-controlled media frequently did not cover human rights, high-level corruption, opposition political views, and the conduct of federal forces in the North Caucasus. In other cases the government used direct ownership, or ownership by large private companies with government links, to control or influence major national media and regional media outlets, especially television. There were reports of self-censorship in the television and print media, particularly on issues critical of the government.

Freedom of Speech: The government at times restricted the ability of individuals to criticize the government publicly or privately or discuss matters of general public interest without reprisal. For example, on March 1, an Arkhangelsk court convicted Ivan Moseyev, a professor at Northern Federal University and member of the Pomor ethnic minority, for "insulting the dignity of the Russian ethnic group" and sentenced him to a fine of 100,000 rubles (\$3,100). Moseyev's conviction was based the inclusion in his work of the sentences, "What are you doing to us? You are millions of cattle while there are only 2,000 of us!" The court interpreted the term "cattle" to be an insult to Russians.

During the year the government instituted several laws that restrict freedom of speech. On June 30, President Putin signed two laws, one that prohibits the distribution of material that promotes nontraditional sexual relationships to minors and another that criminalizes the intentional or public offending of religious sentiments. The former, the so-called propaganda law, effectively criminalizes public assembly and expression in support of LGBT equality, provides heavy fines

RUSSIA

20

for violations, and could also result in the suspension of activities of organizations or 15 days in jail (plus deportation) for foreign offenders. Human rights groups criticized the “blasphemy law” for being vague and ambiguous; violations of the law are punishable by heavy fines or a prison term of up to three years.

On December 30, President Putin signed a law criminalizing “calls for separatism.” Under the law violators face a fine of up to 306,700 rubles (\$9,500) or jail terms of up to five years for making public calls for action aimed against the country’s territorial integrity.

On December 5, an Archangelsk court convicted two LGBT activists, Nikolai Alexeyev and Yaroslav Yevtushenko, of violating the ban on so-called propaganda of nontraditional sexual relationships to minors and fined them 4,000 rubles (\$120). The activists had picketed a children’s library with a sign that stated, “Gay propaganda does not exist. People do not become gay, people are born gay.”

Press Freedoms: The government or state-owned or state-controlled companies directly owned more than 60 percent of the country’s 45,000 registered local newspapers and periodicals. The federal or local governments or progovernment oligarchs completely or partially owned approximately 66 percent of the 2,500 television stations, including all six national channels.

Independent news outlets running stories critical of the government often faced retaliation for such coverage. On April 30, the Omsk Oblast government suspended the accreditation of journalists of the Omsk Television Company and the regional news agency Omsk Inform after the outlets reported on disagreements between city and oblast governments. The regional government accused the journalists of “destabilizing the sociopolitical situation in the region.”

Many newspapers ensured their financial viability by agreeing to various types of “support contracts” with government ministries, in which the newspapers agreed to provide positive coverage of government officials and policies in news stories. Absent direct government support, independent news publications reported difficulty attracting advertising and securing financial viability, since advertisers feared retaliation if their brands became linked to publications that criticized the government. In one example, on June 8, REN TV, a privately owned and independently operated television outlet, ceased operations in Bashkortostan after the regional government-affiliated broadcaster terminated its contract with the station. Local representatives of REN TV’s owners claimed that authorities

ordered the shutdown after the outlet reported news stories unfriendly to the Bashkortostan regional government.

According to the Glasnost Defense Fund (GDF) and other NGOs, authorities used the media's widespread dependence on the government for access to property, printing, and distribution services to discourage critical reporting. They reported that approximately 90 percent of the print media relied on state-controlled entities for paper, printing, and distribution services and that many television stations were forced to rely on the government for access to the airwaves and office space. The GDF also reported that officials continued to manipulate the price of printing at state-controlled publishing houses to pressure private media rivals.

On December 11, President Putin signed a decree closing the country's largest government-owned news agency, RIA Novosti, which had been known for its balanced coverage. The decree replaced RIA Novosti with an organization called Russia Today, under the leadership of Dmitriy Kiselyov, whom observers noted had a strong progovernment bias.

Violence and Harassment: As of November 1, the GDF reported three killings of journalists during the year, 63 attacks on journalists, four attacks on media offices, 67 detentions of journalists by law enforcement, 24 prosecutions of journalists, 34 threats against journalists, and 19 politically motivated firings of journalists.

On July 9, unknown persons killed Akhmednabi Akhmednabiev, who was *Novoye Delo*'s deputy editor in chief and a *Caucasian Knot* correspondent, outside his home in Makhachkala. Akhmednabiev endured repeated threats and attempts on his life after his name appeared on an anonymous hit list distributed throughout Makhachkala in 2009. The list also included the names of eight other journalists. A second journalist on the list, Gadzhimurad Kamalov, was similarly killed in Makhachkala in 2011. As of November authorities had not made any arrests in the case.

During the year two journalists died from injuries sustained during attacks in previous years that rights groups believed to be retaliation for their work. On April 8, independent journalist and editor of the weekly *Khimkiskaya Pravda*, Mikhail Beketov, died. In 2008 unknown assailants seriously beat Beketov, who had frequently criticized local authorities for construction projects. On December 16, Sochi journalist Arkadiy Lander, beaten in 2010 by unknown assailants, died. He had been a frequent critic of city authorities and corruption.

RUSSIA

There were reports of physical assaults against journalists during the year. In one instance assailants brutally beat two journalists in Novosibirsk within a week of each other in April. On April 1, an unidentified assailant beat unconscious Andrey Chelnokov, head of the Novosibirsk Journalists' Union. Chelnokov, who had previously received threats due to his reporting, was missing for 10 days before being found with a concussion, broken nose, and broken ribs. On April 8, two masked men attacked Boris Komarov, president of Uniton-Media, a company that owns several news media outlets, in his office parking lot. Komarov suffered a concussion and a broken jaw in the attack and was hospitalized for more than a month. Police did not make arrests in either of these cases.

On November 26, a court in Rostov-on-Don sentenced journalist Sergey Reznik to 18 months in prison on a series of unrelated charges: insulting a public official, bribery, and deliberately misleading authorities. The insult charges stemmed from blog posts in which Reznik accused a judge of corruption and nepotism. The other two other charges were that he falsely reported to police that he was the recipient of threats and that he bribed a mechanic in a car shop to obtain a vehicle inspection sticker. Since early 2012 Reznik had been receiving threats by telephone from anonymous individuals who demanded that he cease publishing his articles. On October 22, two unidentified men attacked Reznik with baseball bats and shot at him with a pistol. Although not hit by the bullets, he suffered head and neck injuries from the beating. The assailants fled after persons walking nearby responded to calls for help by Reznik's wife. At year's end authorities had not made any arrests in the case of the attack against him. Reznik was appealing his own conviction.

There was no progress in establishing accountability in a number of high-profile killings of journalists, including the 2004 killing of Paul Klebnikov and the 2009 killing of Natalia Estemirova.

On July 24, the trial of five suspects in the 2006 murder of journalist Anna Politkovskaya began. The suspects included Lom-Ali Gaitukayev, who allegedly arranged the killing by hiring three brothers--Rustam, Ibragim, and Dzhabrail Makhmudov--to kill her, and former police officer Sergey Khadzhikurbanov allegedly to provide logistical support for the killing. Despite the 2012 conviction of Dmitriy Pavlyuchenkov for organizing the murder, the identity of the person who ordered Politkovskaya's killing remained unknown.

On December 12, a Moscow appeals court overturned the conviction of two men accused of the 2012 attack on journalist Yelena Milashina. A court had earlier

sentenced the men to two years in prison. Milashina had appealed the verdict, as she continued to maintain that the convicted men did not commit the attack.

Journalists who uncovered various forms of malfeasance also faced harassment, either in the form of direct threats to their physical safety or threats to their security or livelihood, often through legal prosecution.

On May 23, police arrested Sochi journalist Nikolai Yarst on drug possession charges after a routine traffic stop. Many human rights groups and other local journalists believed that police planted the drugs in the car in retaliation for Yarst's critical reporting on a local scandal that implicated members of the Sochi police. Yarst claimed that he had previously received threats from police to stop his reporting on the story or face reprisals. As of October Yarst remained under house arrest, and no date had been set for his trial.

On January 25, the Investigative Committee for Karelia resumed its criminal extremism investigation into the 2012 case of blogger and activist Maxim Yefimov, requesting additional expert analysis of a blog post in which Yefimov criticized the Russian Orthodox Church. Yefimov remained outside the country at year's end, having fled threats of psychiatric incarceration in 2012.

Censorship or Content Restrictions: The government continued to use legislation and decrees to curtail media freedom.

The GDF reported there were 32 attempts to censor the media through October, compared with 46 in all of 2012. On May 15, the entire journalistic staff of Zarechnyy TV, a local television channel in Zarechnyy City, Sverdlovsk Oblast, resigned in protest of the city mayor's demands on the channel. The mayor insisted that Zarechnyy TV limit its political news and reporting and instead lobby on behalf of the city's largest enterprise, the state-owned Beloyarsk Nuclear Power Plant. The journalists attempted to form a new outlet, but local authorities prohibited the sole local television provider from broadcasting its material.

The law provides an expansive definition of extremism and gives law enforcement officials broad authority to suspend media outlets that do not comply with the law's restrictions. The Ministry of Justice continued to expand its list of "extremist" materials to include 2,096 items as of October 4.

By law authorities may close any organization that a court determines to be extremist, including media outlets, and the organization cannot challenge the

court's decision. The Federal Service for Oversight of Communication and Information Technology (Roskomnadzor) routinely issued warnings to newspapers and internet sources suspected of publishing extremist materials. Two warnings in one year were enough to initiate a closure lawsuit. Human rights groups reported that the real impact of this practice was hidden, because journalists and editors, although never prosecuted directly, tended to censor themselves.

On July 2, the Nizhniy Novgorod court, after examining a book about human rights abuses by Russian forces during the Chechen Wars for extremism, ruled that the book was not extremist. The ruling on the book, whose author was human rights activist Stanislav Dmitriyevskiy, was confirmed on appeal.

During the year the government also used laws against obscenity to censor independent media. On October 31, Roskomnadzor stripped the Rosbalt news service, known for its independent coverage, of its mass media operating license. Roskomnadzor stated that Rosbalt had used inappropriate vocabulary on its website by posting a link to a YouTube video. The video in question contained an interview that contained profanity. Rosbalt removed the video less than 24 hours after being notified of the offending language.

Officials or unidentified individuals sometimes used force or took other extralegal measures to prevent the circulation of publications critical of government officials. The GDF reported that as of September 1, officials made 29 attempts to seize or prevent distribution of publications. On February 19, police in Perm Kray seized the entire 1,600-copy run of the regional newspaper *Perm Neighbors* due to its alleged inclusion of unfavorable reporting on local authorities and political parties. The newspaper's editors commented that the edition included information about all the candidates running in Perm's Duma elections in addition to analysis and predictions of how the outcome would affect the kray's governor.

Libel Laws/National Security: Officials at all levels used their authority, sometimes publicly, to restrict the work of journalists who criticized them, including taking legal action for alleged slander or libel. The law places limits on free expression on national security grounds, notably in statutes addressing antiextremism and treason.

On December 13, a Moscow court convicted the news magazine *The New Times* and one of its reporters of libel, for allegedly defaming two Moscow judges in an article claiming they had engaged in plagiarism in their academic dissertations. The court ordered the magazine to pay 500,000 rubles (\$15,500) to each judge in

damages, and journalist Zoya Svetova was fined 100,000 rubles (\$3,100). *The New Times* was appealing the ruling at year's end.

Internet Freedom

The internet and radio were more independent than print media and television. Despite increasing attempts by the government to monitor and control the internet, it remained a space for free expression. Threats to internet freedom included physical attacks on bloggers; politically motivated prosecutions of bloggers for "extremism," libel, or other crimes; blocking of specific sites by national and local service providers; distributed denial of service attacks on sites of opposition groups or independent media; monitoring by authorities of all internet communications; and attempts by security services and some regional authorities to regulate content. The internet was widely available to citizens in all parts of the country, although connection speeds varied by region. According to Internet World Stats, 47.7 percent of the country's population had internet access.

Under a 2012 law, the state mass communications watchdog agency Roskomnadzor maintained a federal blacklist of internet sites, and in August the law was expanded to include sites that hosted intellectual property infringing content such as films and television shows. The law's stated aim is to protect children from offensive information on the internet. Roskomnadzor required internet service providers (ISPs) to block access to web pages that the agency deemed offensive or illegal. This included information that was already prohibited, such as items on the Federal List of Extremist Materials, but it also held blog owners responsible for the content in the comments section of their pages. The Pirate Party of Russia, an unofficial political party that monitored the blacklist, reported that nearly 99 percent of the blocked sites--all but 450 of the 35,500 on the list--did not have illegal content.

On December 30, President Putin signed a law that gives the prosecutor general or the Ministry of Communications and Mass Media the authority to demand that internet providers block websites that promote "extremist" information or "mass public events that are conducted in violation of appropriate procedures." The law was scheduled to come into effect on February 1, 2014.

On May 28, authorities placed VKontakte, the country's largest social network, on the federal internet blacklist, disrupting access to the site for approximately six hours. On September 19, they blacklisted Facebook and gave it three days to

remove unspecified “illegal content” hosted on its website. They removed Facebook from the blacklist after the offending pages were deleted.

On January 11, popular blogger Rustem Adagamov received a notice from Roskomnadzor threatening to blacklist his live journal blog if he did not delete a post about recent events in India, in which a Tibetan activist attempted self-immolation to protest the arrival of the president of China. Roskomnadzor found that the post constituted propaganda for suicide, prohibited in the country. Livejournal ultimately blocked the post’s accessibility from within the country but allowed it to be accessed from abroad.

In many regions local prosecutors’ offices and courts ordered ISPs to block content on the Federal List of Extremist Materials and the federal internet blacklist. In Chechnya press reports indicated that the site YouTube had been blocked since July 2012 on antiextremism grounds.

During the year authorities prosecuted bloggers for allegedly “extremist” content they published online. On August 15, the Murmansk Oblast Investigative Committee charged blogger Aleksandr Serebryanikov with extremism. Serebryanikov was the owner of the online news agency Blogger 51, which was critical of the Murmansk regional government. Authorities did not allow Serebryanikov to release information on his own case, and he denied all charges.

There were multiple reports that authorities fined libraries, schools, and internet clubs during the year for failing to block adequately content listed on the Federal List of Extremist Materials or covered under the law defending children from harmful information.

The government continued to employ a “system for operational investigative measures” (SORM), which requires ISPs to install, at their own expense, a device that routes all customer traffic to an FSB terminal. The system enables police to track private e-mail communications, identify internet users, and monitor their internet activity.

Academic Freedom and Cultural Events

While the government generally did not restrict academic freedom, there were exceptions.

Authorities often censored or shut down cultural events or displays they considered offensive and in some cases initiated criminal proceedings against those responsible. On August 27, police raided the Museum of Power in St. Petersburg and seized satirical paintings of President Putin, Prime Minister Medvedev, Patriarch Kirill of the Russian Orthodox Church, Duma deputy Elena Mizulina, and St. Petersburg legislator Vitaliy Milonov. Two days later the artist sought asylum in France, fearing prosecution; on September 4, police detained the museum's director, releasing her after four hours. In a related case, Marat Guelman, head of the Museum of Contemporary Art in Perm, reported on June 20 that he had been fired the day after he opened an exhibit containing art featuring satirized caricatures of the 2014 Sochi Olympics.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, but local authorities continued to restrict this right. The law requires organizers of public meetings, demonstrations, or marches by more than one person to notify the government, although authorities maintained that protests must receive government permission, not just provide notification. While numerous public demonstrations took place, on some occasions local officials selectively denied groups permission to assemble or offered alternate venues that were inconveniently located.

The law provides heavy penalties for engaging in unsanctioned protests and other violations of the law on public assembly, up to 300,000 rubles (\$9,300) for individuals, 600,000 rubles (\$18,600) for organizers, and one million rubles (\$30,100) for groups or companies.

On August 23, President Putin signed a decree banning demonstrations and rallies in Sochi for two and one-half months at the time of the Winter Olympics. The decree bans all "gatherings, rallies, demonstrations, marches and pickets" that are not part of the Olympics or Paralympics between January 7 and March 21, 2014. On December 16, the International Olympic Committee announced that special protest zones would be designated. At year's end one such zone had been identified, located 9.5 miles from the Olympic venues and media center.

Police often broke up demonstrations that were not officially permitted and at times used disproportionate force when doing so. For example, on November 6,

Moscow police detained at least 14 persons on Manezh Square for conducting an unsanctioned demonstration in support of the defendants in the Bolotnaya case.

A national ban on the so-called propaganda of homosexuality to minors provides grounds to deny the assembly rights of LGBT activists and their supporters (see sections 2.a. and 6). For example, the Sochi city government prohibited a planned September 26 LGBT demonstration on the grounds that it might violate the ban on so-called LGBT propaganda.

During the year authorities took steps to deprive LGBT individuals and their supporters of free assembly rights. On October 12, St. Petersburg LGBT activists and supporters held an authorized rally to commemorate International Coming Out Day at St. Petersburg's Field of Mars. Approximately 200-300 counterdemonstrators shouting nationalist or religious slogans confronted the nearly 50 participants. Police did not set up separation barriers between the two sides, resulting in violence that had to be quelled by riot police and which led to the arrest of 23 LGBT activists and 44 nationalists.

On other occasions police failed to protect LGBT demonstrators from violence perpetrated by counterdemonstrators. In Moscow, during separate demonstrations on May 25 and June 11, authorities arrested approximately 60 LGBT activists protesting the so-called homosexual propaganda law after religious and nationalist vigilantes attacked them. Police did little to restrain the vigilantes, who threw eggs, nettles, and urine, and physically attacked the protesters.

Freedom of Association

The law provides for freedom of association. During the year, however, the government instituted measures that stigmatized and otherwise raised barriers to membership in some organizations.

Public organizations must register their bylaws and the names of their leaders with the Ministry of Justice. Restrictions were applied to selected NGOs. The finances of registered organizations were subject to investigation by tax authorities, and foreign grants had to be registered.

The government used a 2012 law requiring NGOs that receive foreign funding and engage in political activity to register as "foreign agents" to harass, stigmatize, and in some cases halt the operation of NGOs. An April 29 decree by the Ministry of Justice stipulates that NGOs deemed to be "foreign agents" must report about their

activities every six months and must submit reports on the use of their foreign funds every three months. At year's end only one NGO had registered with the Ministry of Justice as a "foreign agent."

NGOs engaged in "political activities" or in activities that "pose a threat to the Russian Federation" that receive support from U.S. persons or organizations are subject to suspension under the "Dima Yakovlev" law, adopted in December 2012. The same law bars these NGOs from having dual Russian-U.S. citizen members.

According to Human Rights Watch, as of September 16, authorities inspected hundreds of NGOs for compliance with the "foreign agents" law. The Ministry of Justice ordered 18 NGOs to register as "foreign agents" and warned 63 to register as "foreign agents" if they wished to continue their "political activities" while receiving foreign funding. Nine NGOs had court cases pending, and two had operations suspended by court order. While authorities inspected a very wide range of civil society groups from nearly every region of the country, groups that were warned, fined, or prosecuted generally were those that were active in areas such as elections monitoring, human rights advocacy, anticorruption work, and environmental protection. During inspections law enforcement agencies typically brought representatives from as many as a dozen different agencies to issue citations to NGOs, including fire inspectors, tax inspectors, and health and safety inspectors.

Human Rights Watch and other observers noted that a very wide range of NGO activity was considered to be "political," including providing information to UN bodies, publishing public opinion poll results, providing legal advice to abuse victims, or holding roundtables or seminars to discuss policy matters. A court found the Kostroma Civic Initiatives Support Center to be in violation of the NGO "foreign agent" law. It fined the center 300,000 rubles (\$9,300) and its director, Aleksandr Zamaryanov, 100,000 rubles (\$3,100). Prosecutors based their case on a February 28 roundtable hosted by the NGO on U.S.-Russian relations, in which participants discussed the U.S. Magnitskiy Law. According to prosecutors the fact that this law was discussed proved that the NGO engaged in "political activity" in violation of the foreign agent law.

Some organizations the government deemed to be "foreign agents" reported experiencing the social effects of stigmatization, such as demeaning or intimidating incidents of vandalism, in addition to loss of collaborators and funding sources. For example, on June 6, in the city of Syktyvkar, a nationalist gang defaced the

RUSSIA

30

doors of the residences of human rights defenders working at the local branch of the NGO Memorial with stickers that read, “Foreign Agent.”

Some groups that opposed powerful business interests faced intimidation from government and private security forces. Local authorities routinely harassed environmental activists and journalists who criticized or otherwise reported on issues associated with the preparations for the 2014 Sochi Olympics. Environmental and human rights activists were subjected to attacks, detention for peaceful protests, and police searches.

On March 27, a government inspection team visited the NGO Environmental Watch of the North Caucasus (EWNC). According to Human Rights Watch, officials urged the group not to publish its report on environmental consequences of the Olympic preparations in order “not to harm the country.” When the group refused, inspectors said they would examine the group’s computers for unlicensed software and inspect its e-mail account, threatening to fine the organization if anyone tried to hinder them. Following the inspection the prosecutor’s office issued the group a warning, stating that the EWNC should register as a “foreign agent” because its statutory goals showed that it was involved in “political activity” and received foreign funding.

Activists associated with the EWNC continued to report pressure from authorities. According to Human Rights Watch in October, authorities detained Andrey Rudomakha, the coordinator of the group, in connection with a year-old criminal libel case against him. Authorities also detained Dmitriy Shevchenko, the group’s deputy coordinator, for more than four hours, and detained Evgeniy Vitishko, another activist for the group, twice on the same day and searched his car. In a separate case, on December 23, a Sochi judge converted a suspended sentence for vandalism that Vitishko received in 2012 to three years in prison. On July 13, another activist convicted alongside Vitishko, Suren Gazaryan, received asylum in Estonia.

There were multiple reports of activists and human rights defenders receiving threats of physical violence in connection with their activity. On September 2, Valeria Prikhodko, an activist and member of the prison oversight committee in Chelyabinsk, reported to authorities that she received multiple threats to her life via telephone and text messages. Prikhodko stated her suspicion that regional prison officials upset with the committee’s efforts to shed light on poor prison conditions and implement prison reform made the threats.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally cooperated, with some notable exceptions, with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Although the law gives citizens the right to choose their place of residence, all adult citizens must carry government-issued internal passports while traveling domestically and must register with local authorities after arriving at a new location. Authorities often refused to provide government services to individuals without internal passports or proper registration, and many regional governments continued to restrict this right through residential registration rules that closely resembled Soviet-era regulations. Officials often singled out darker-skinned persons from the Caucasus or of African or Asian origin for document checks. There were credible reports that police arbitrarily imposed fines on unregistered persons in excess of legal requirements or demanded bribes.

In-country Travel: Authorities continued to require intercity travelers to show their domestic passports when buying tickets to travel via air, railroad, water, or road.

Foreign Travel: The law provides for freedom to travel abroad, and citizens generally did so without restriction. The law on procedures for departing and entering the country stipulate, however, that a person who fails to fulfill duties imposed by a court has no right to leave the country. A court can prohibit a person from leaving the country for failure to satisfy debts as well as anyone suspected, accused, or convicted of a crime, or anyone with access to classified material.

Exile: There were many high-profile cases of self-imposed exile during the year, primarily involving leaders of political opposition movements, NGOs, environmental organizations, and protesters who feared reprisals for their participation in anti-Putin demonstrations or for their opposition activities.

In one example, on April 30, Sergei Guriev, prominent economist and former rector of the New Economic School, left the country. He stated he was motivated by increasing harassment by the Russian Federation Investigative Committee, including demands for e-mail records and access to personal property.

Internally Displaced Persons (IDPs)

The UNHCR Global Report 2011 placed the number of IDPs at 28,500. Although the UNHCR no longer tracks IDPs in the country, the Internal Displacement Monitoring Center reported in March that there remained at least 29,000 IDPs due to armed conflict and violence in the North Caucasus and an unknown number of IDPs in Russia.

Protection of Refugees

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The Federal Migration Service (FMS) publicly reported that since 2008, authorities approved 888 of 11,637 (or 7.6 percent) applications for asylum. Human rights organizations claimed this failed to include asylum seekers who were forcibly deported or extradited before exhausting their legal remedies. Many asylum seekers also chose not to make formal applications for asylum because doing so often led to criminal investigations and other unwanted attention from the FSB and other security services.

Refoulement: The government provided some protection against the expulsion or return of persons to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The responsible agency, the FMS, did not maintain a presence at airports or other border points, and the ability of asylum seekers to request access to the FMS was not well publicized. Asylum seekers had to rely on the goodwill of border guards and airline personnel to call immigration officials. Otherwise they faced immediate return to their countries of origin, including in some cases to countries where they faced a well-founded fear of persecution.

By law an applicant could appeal the decision of an FMS official to a higher-ranking authority or to a court. During the appeal process, the applicant receives the rights of a person whose application for refugee status is being considered. The

government rarely granted convention status to those who managed to present their asylum applications to the FMS.

Human rights groups continued to allege that authorities made improper use of international agreements that permitted them to detain, and possibly repatriate, persons with outstanding arrest warrants from other former Soviet states. This system, enforced by informal ties between senior law enforcement officials of the countries concerned, permitted detention for up to one month while the prosecutor general investigated the nature of the warrants. The UNHCR and human rights groups noted with concern several cases of disappearances and extralegal return of persons of UNHCR concern, in which officials detained individuals (most commonly from Central Asia) and returned them to their country of origin clandestinely. Rights groups and the UNHCR maintained that this could not have happened without the cooperation of several different federal organs.

On March 12, police in Orenberg arrested Ikromzhon Mamazhonov, a citizen of Uzbekistan, in response to an Uzbekistan request for extradition that the Russian Prosecutor General's Office granted. The ECHR suspended his extradition, and officials told Mamazhonov's lawyer he would be released on June 13. Mamazhonov specifically requested his lawyer be present at the time of his release due to his fear that he would be abducted upon his release and sent back to Uzbekistan. When the lawyer arrived, however, he was told that Mamazhonov had been released and had "departed in an unknown direction" the previous night. As of year's end, Mamazhonov's lawyer and family had heard nothing from him and believed that he had been illegally transferred to the custody of Uzbekistan.

Refugee Abuse: The UNHCR and NGOs stated that asylum seekers at times faced detention, deportation threats, fines by police, and racially motivated assaults.

Access to Basic Services: For asylum seekers allowed into the country to pursue their claims, the refugee law provides the right to temporary accommodations. There were three reception facilities.

While federal law provides for education for all children, regional authorities occasionally denied access to schools to children of asylum seekers who lacked residential registration. When parents encountered difficulties enrolling their children in schools, authorities generally cooperated with the UNHCR to resolve the problem. Authorities frequently denied migrants the right to work if they did not have residential registration. Refugees also may not legally work if they are

not registered and cannot obtain registration unless they have an employer or landlord willing to register them.

Temporary Protection: A person who did not satisfy the criteria for refugee status, but could not be expelled or deported for humanitarian reasons, could receive temporary asylum after submitting a separate application.

Stateless Persons

Citizenship is derived both by birth within the country's territory, with certain restrictions, and from one's parents. A child becomes a citizen at birth if both parents are citizens, if one parent is a citizen and the other one is stateless, if one parent is a citizen and the other is a foreigner and the child was born on the territory of the country, or if both parents are foreigners or stateless and the child was born on the territory of the Russian Federation and there is concern the child might otherwise become stateless.

The number of stateless persons in the country decreased considerably between 2003 and 2011, when 630,000 stateless persons were naturalized. The FMS reported that there were 30,000 stateless persons in 2012. According to the UNHCR, however, there were approximately 178,000 stateless persons in the country.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

While the law provides citizens with the right to change their government peacefully in regularly scheduled national and regional elections, citizens could not fully exercise this right since the government limited the ability of opposition parties to organize, register candidates for public office, access the media, and conduct political campaigns.

Elections and Political Participation

Recent Elections: A 2012 law restored direct popular gubernatorial elections, and in September voters directly elected seven regional chief executives. In some cases the president replaced or reappointed governors before their terms expired. In some regions, however, such as Ingushetia and Dagestan, regional legislatures took advantage of a law signed in April that allows a legislature, rather than the

public, to choose a regional leader from a list of three candidates selected by the president.

Although officials proclaimed the September 8 regional elections as the freest in the country's history, the government used restrictions on media access and other administrative resources to influence the outcome of elections across the country. To prevent opposition candidates from getting on the ballot in mayoral and gubernatorial races, authorities also used "municipal filters"--a requirement that a candidate gather the support of 5 to 10 percent of municipal lawmakers, who in many cases all belonged to the ruling United Russia party.

Leading up to the September elections, in June the Justice Ministry suspended independent election monitor GOLOS' registration as an NGO for failing to register as a "foreign agent." Authorities evicted GOLOS from its premises twice during the three-month period leading up to the elections. Human rights groups believed the harassment of GOLOS was intended to hamper the organization's efforts to prepare for election-day monitoring.

The government used tactics throughout the campaign to prevent a level playing field, such as denying applications for opposition rallies, controlling opposition candidates' mass media coverage, and distributing gifts to potential voters to assure the victory of government-backed candidates in nearly all regions. Independent election monitoring groups and political analysts found relatively little evidence of significant election-day fraud in Moscow in the September elections. On election day in other cities, including Yekaterinburg, there were reports of carousel voting (busloads of voters being driven around to cast ballots in multiple precincts), inflated absentee ballot tallies, and vote buying.

Access to media was a particular challenge for opposition candidates. For example, in August and September, regional authorities denied the leading opposition candidate in Yekaterinburg's mayoral election, Yevgeniy Roizman, access to print, television, and radio media. Agencies controlling billboard and other public banner advertising in the city were also not allowed to run materials for Roizman, who in the end won the election.

The Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe documented fraud and irregularities in the March 2012 presidential elections in many regions, particularly in the North Caucasus. Prior to the election, independent observers, media, and opposition parties reported widespread irregularities, including abuse of

RUSSIA

36

administrative resources, such as pressuring students, state budget employees, employees of state-owned companies, and others to vote for the ruling party, United Russia. According to ODIHR all contestants on the ballot were able to campaign unhindered and had access to media, but candidate Vladimir Putin, then the prime minister, had an advantage in the coverage. Various public institutions instructed their subordinate structures to organize and facilitate Putin's campaign events. Local authorities also used official communication, such as their institutional websites and newspapers, to facilitate his campaign. At the same time, there were multiple reports of stories, television infomercials, and radio programs commissioned to convince citizens the elections would be unbiased and impossible to falsify.

On February 22, Echo Moskvy radio reported that a St. Petersburg court had rejected Human Rights Ombudsman Vladimir Lukin's appeal for access to voting records from the 2012 presidential election. Lukin was seeking access to information about potential irregularities in the mobile ballot records. He stated he would appeal the court's decision.

Political Parties: A 2012 law liberalized registration requirements for political parties, reducing the number of members a party must have to register from 45,000 to 500 and abolishing the requirement for parties to collect voter signatures to take part in elections. At year's end 73 parties had obtained registration, up from 39 in 2012.

Municipal filters were used to prevent opposition candidates from competing in some regional elections. In August the Civil Initiatives Committee reported that 9.2 percent of the candidate lists submitted by parties for the September 8 elections were refused registration, compared with 2.4 percent in 2012; registration was most often denied on the basis of technicalities in registration paperwork. Press reports indicated that opposition party RPR-Parnas was removed from the ballot in the Siberian republic of Khakassia and that Civic Platform candidates were barred from running in the elections for the Yaroslavl city legislature as well as in gubernatorial elections in the Vladimir and Zabaykalskiy regions.

The Ministry of Justice denied registration to several parties that supported opposition leader Aleksey Navalnyy, including the People's Alliance Party and, on October 22, the December 5th Party. The People's Alliance Party's registration was suspended in May, supposedly due to concerns that the name was too similar to another organization's name (Alliance of the Greens--People's Party).

RUSSIA

37

The law requires gubernatorial candidates to secure the support of 5 to 10 percent of local deputies, depending on the local legislature. These signatures must be collected in no fewer than 75 percent of municipal councils. Gubernatorial candidates nominated by registered political parties are not required to collect signatures from members of the public, but self-nominated candidates must do so.

While parties represented in the State Duma may nominate a presidential candidate without having to collect and submit signatures, prospective presidential candidates from parties without Duma representation must collect two million signatures from supporters throughout the country. The candidates must submit the signatures to the Central Electoral Commission for certification. An independent candidate is ineligible to run if the commission finds more than 5 percent of the signatures to be invalid. The law prohibits negative campaigning and provides criteria for removing candidates from the ballot, including for vaguely defined “extremist” behavior. The executive branch and the prosecutor general have broad powers to regulate, investigate, and disqualify political parties. Other provisions limit campaign spending, set specific campaign periods, and provide for restrictions on campaign materials.

Once elected, many opposition politicians reported efforts by the ruling party to undermine their work or remove them from office. According to press reports, in the period 2007-11 approximately 90 percent of mayors elected from parties other than United Russia (more than 20 individuals) were removed from office and prosecuted.

In July police detained Yaroslavl mayor Yevgeniy Urlashov, a member of the Civic Platform party who had previously resigned from the ruling United Russia party, and charged him with attempted bribery. Supporters claimed the charges were meant to undermine Urlashov’s popularity and sabotage the Civic Platform’s chances in the September 8 regional elections.

Leaders and members of opposition parties faced prosecution or other forms of retaliation. On May 21, a Vladivostok court required the Primorskiy Puppet Theater to fire sound operator Igor Popov because of his activism in the Other Russia party, which the government has labeled “extremist.” The court reasoned that Popov’s “extremist” views should bar him from working with children.

Participation of Women and Minorities: There were 60 women in the 450-member State Duma and 11 women in the 166-member Federation Council, including Chairwoman Valentina Matviyenko. One of the seven deputy prime ministers was

a woman, as was one of the 21 cabinet ministers and three of the 83 regional leaders. Three of the 19 judges on the Constitutional Court were women. Women led seven political parties, and two other parties had female cochairs.

Information on the ethnic composition of the State Duma and the Federation Council was not available. National minorities took an active part in political life, but ethnic Russians, who constituted approximately 80 percent of the population, dominated the political and administrative system, particularly at the federal level.

Section 4. Official Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, but the government acknowledged that it had difficulty enforcing the law effectively, and officials often engaged in corrupt practices with impunity. The *Global Competitiveness Report 2013-14* compiled by the World Economic Forum cited corruption as the most problematic, high-risk factor for doing business in the country.

Corruption was widespread throughout the executive, legislative, and judicial branches at all levels of government. Manifestations included bribery of officials, misuse of budgetary resources, theft of government property, kickbacks in the procurement process, extortion, and improper use of official position to secure personal profits. While there were prosecutions for bribery, a general lack of enforcement remained a problem. Official corruption continued to be rampant in numerous areas, including education, military conscription, health care, commerce, housing, pensions/social welfare, law enforcement, and the judicial system.

Corruption: Prosecutors charged high-level officials with corruption during the year, but most government anticorruption campaigns were limited in scope and focused on lower-level officials. Allegations of corruption were also used as a political tactic. On July 5, the former finance minister for the Moscow region was arrested in France, having been accused of embezzling 3.5 billion rubles (\$108 million) of public money through property fraud and 3.8 billion rubles (\$118 million) by obtaining the rights of debt repayment from 16 public companies through fraud and breach of trust.

Sergey Stepashin, then chairman of the Federal Accounting Chamber, the country's main auditing body, stated in September that more than one trillion rubles (\$31 billion)--the equivalent of one-fourteenth of the state budget--was being siphoned annually from the budget through the state procurement process.

RUSSIA

39

On October 2, the Interior Ministry announced the theft of more than 100 million rubles (\$3.1 million) allocated by the government for the renovation of the Bolshoi and Malyy theaters in Moscow. The ministry alleged that contractors drew up false contracts of acceptance and were later paid from the federal budget for services that were never rendered.

Authorities brought negligence charges in November against former defense minister Anatoliy Serdyukov. In the same month, he received a new position in a subsidiary of the state-run technology firm, the Federal Engineering Research and Testing Center.

According to the Ministry of Internal Affairs, from January to October, the average bribe in economic crimes decreased to 851,000 rubles (\$26,300), with evidence indicating that more than 11,000 officials had taken bribes. The ministry reported that the average bribe for all crimes was approximately 58,000 rubles (\$1,800). The ministry reported that corruption had caused 21 billion rubles (\$650 million) in damage to the economy.

In the first half of the year, the Federal Investigative Committee prosecuted for corruption 589 persons with special legal status, including approximately 400 municipal authorities, 14 regional deputies, two judges, 11 prosecutors, 68 lawyers, and 57 investigators of various departments, including eight employees of the Investigative Committee.

Human rights groups reported endemic corruption in the construction industry in preparation for the 2014 Winter Olympics in Sochi. The reported cost of the event more than quadrupled, from an initial estimate of \$12 billion to \$50 billion. A report by opposition politician Boris Nemtsov estimated that \$25 billion to \$30 billion of public money was pocketed by government officials and well-connected businessmen, with many contracts awarded without competition or public tenders.

There was no specific anticorruption agency with competence to investigate and prosecute corruption in the country. The FSB and the Prosecutor General's Office are responsible for fighting corruption. Almost all law enforcement agencies had departments to deal with internal corruption. The Federal Finance Monitoring Service monitors financial transactions in the country, while the Federal Accounting Chamber oversees the handling of federal assets. The Ministry of Economic Development contributes to anticorruption proposals and their implementation and conducts research on corruption and countermeasures. The Investigative Committee is the main federal investigating body in the country.

Whistleblower Protection: There is no legal procedure in place to protect whistleblowers who report corruption committed by other public officials. When whistleblowers complained about official corruption, the official who was the subject of the complaint was sometimes asked to investigate, which often led to retaliation against the whistleblower, generally in the form of criminal prosecution.

On July 18, the Kirov District Court found opposition leader Aleksey Navalnyy guilty of embezzlement resulting in the loss of 16 million rubles (\$495,000) to the state budget and sentenced him to five years in jail. Human rights groups viewed the trial as politically motivated and fraught with irregularities. The judge refused to hold a pretrial hearing. During the trial the judge refused to allow 13 defense witnesses to testify and did not allow the defense to present prepared economic evidence. Navalnyy was released on bail and permitted to run in the Moscow mayoral race. On October 16, a judge suspended Navalnyy's sentence. Navalnyy's appeal of the conviction was pending at year's end.

On July 11, a court posthumously convicted Sergey Magnitskiy of tax evasion. The retaliatory case against Magnitskiy was opened after he attempted to expose large-scale government tax fraud and was investigated in part by individuals whom he had accused. He later died in custody after prison authorities denied him medical treatment. Despite widely publicized, credible evidence of criminal conduct that resulted in Magnitskiy's death, authorities failed to prosecute those responsible.

Financial Disclosure: In August, President Putin signed a law that prohibits state officials and heads of state-owned enterprises from owning financial assets or bank accounts abroad. The law also requires all politicians to file extensive declarations of all foreign real estate owned. The new law complements laws adopted in 2011-12 that require civil servants to declare large expenditures involving land, vehicles, and securities, as well as their incomes. In response to these laws, several wealthy politicians, including billionaire Roman Abramovich (chairman of the legislature and former governor of the Chukotka Autonomous Region), resigned their posts.

The law requires government officials to submit financial statements, restricts their employment at entities where they had prior connections, and requires reporting of actual or possible corrupt activity. The information that officials provided did not always reflect their true income or that of close family members.

Public Access to Information: The law authorizes public access to government information unless it is confidential or classified as a state secret. Legislation requires placement of information regarding activities of federal executive agencies on the internet. According to the Open Knowledge Foundation, however, government agencies published less than half of the information that the law requires them to make available on the internet, and courts, despite the presumption of openness, denied citizens' requests for information on the ground that the information requested did not directly affect their interests.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups operated in the country, investigating and publicly commenting on human rights problems. Official harassment continued, particularly of NGOs that focused on election monitoring, uncovering corruption, addressing human rights abuses, or that were otherwise perceived by authorities to participate in "political activity." NGO activities and international humanitarian assistance in the North Caucasus were severely restricted. Some officials, including the ombudsman for human rights, Vladimir Lukin; regional ombudsman representatives; and the chairman of the Presidential Council for the Development of Civil Society and Human Rights, Mikhail Fedotov, regularly interacted and cooperated with NGOs.

The law regulating NGOs requires them to register with the Ministry of Justice. NGOs are required to submit periodic reports to the government that disclose sources of foreign funding and detailed information on how they used their funds. By law NGOs that receive foreign funding and engage in "political activity" must register as "foreign agents," a stigmatizing term that connotes espionage (see section 2.b.). NGOs engaged in "political activities" or in activities that "pose a threat to the Russian Federation" that receive support from U.S. persons or organizations are subject to suspension under the "Dima Yakovlev" law, adopted in 2012. The same law bars these NGOs from having dual-U.S. citizen members.

During the year the government used the law on foreign agents to justify inspections of hundreds of NGOs, as well as the selective warning, prosecution, conviction, or closure of certain groups (see section 2.b.).

High-ranking officials at times displayed a hostile attitude towards the work of human rights organizations and suggested that their work was unpatriotic and detrimental to the national security of the country. According to press reports, on

September 9, while speaking to the country's Security Council, President Putin called the activities of international human rights organizations in the North Caucasus "anti-Russian" and called on the government to "adequately respond" to them.

Authorities continued to apply a number of indirect tactics to suppress or close domestic NGOs, including application of various laws and harassment in the form of investigations and raids. They also employed laws on extremism and libel to restrict the activities of NGOs and criticism of the government.

On April 12, Mikhail Savva, the director of grant programs for the Southern Regional Resource Center (SRRC) in Krasnodar, was arrested on charges of theft of government funds, three days before he was scheduled to report to the Presidential Council on Human Rights about NGO inspections in Krasnodar Kray. In the days leading up to the arrest, the FSB conducted three intrusive inspections at the SRRC, confiscating computers and documents, including many documents regarding the organization's foreign contacts and projects completely unrelated to the grant money Savva was accused of stealing. Savva claimed that during his detention he received threats of additional prosecution and harsh prison conditions to pressure him to make a false confession that he collaborated with foreign intelligence services. He was transferred to house arrest on December 5.

Authorities generally refused to cooperate with NGOs that were critical of their activities. International human rights NGOs had almost no presence east of the Urals. A few local NGOs addressed human rights issues in these regions but often chose not to work on politicized topics to avoid retaliation by local authorities.

Authorities increased the amount of government funds available to support human rights NGOs. On December 5, the press reported that 250 million rubles (\$7.7 million) had been granted to NGOs to implement more than 350 projects. Some NGOs worried that accepting government funds would limit their operational independence and ability to voice criticism of government policies.

Government Human Rights Bodies: Some government institutions continued to promote the concept of human rights and intervene in selected abuse complaints, despite widespread doubt as to their effectiveness.

Many observers did not consider the 126-member Public Chamber to be an effective check on the government. Some prominent human rights groups declined

to participate in the chamber due to concern that the government would use it to increase control over civil society.

The Presidential Council for Civil Society and Human Rights is an advisory body to the president. Membership increased at the end of 2012 from 40 to 65 members, with the president selecting the new members by decree. Human rights advocates expressed concern that the additions were made to increase progovernment membership and weaken the council. At year's end the council had 61 members.

Human Rights Ombudsman Vladimir Lukin commented publicly on a range of human rights problems, such as police violence, prison conditions, the treatment of children, and religious freedom. Lukin also criticized intolerance and a growing wave of ethnic and religious hatred. Lukin's office used its influence to draw attention to human rights problems in prisons, and many leaders of human rights NGOs continued to note that Lukin was generally effective as an official advocate for many of their concerns, despite his limited authority. During the year Lukin filed appeals contesting the second trial of, and reimbursement order against, Mikhail Khodorkovskiy, the continued detention of the Bolotnaya Square protesters, and the vague language of the NGO "foreign agent" law.

The Human Rights Ombudsman's Office includes several specialized sections responsible for investigating complaints. Of the country's 83 regions, all but six had regional ombudsmen with responsibilities similar to Lukin's. Their effectiveness varied significantly, and their independence was often undermined on the local level. In April a no-confidence vote by the local Duma forced the ombudsman in the Tomsk region to resign shortly after the Duma passed a law giving itself the power to dismiss the incumbent.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, language, social status, or other circumstances, but the government did not universally enforce these prohibitions.

During the year the government conducted a campaign of raids on migrant workplaces and homes and introduced anti-LGBT laws. Hostile rhetoric and propaganda against some groups spread through state-run media outlets contributed to discrimination and xenophobia. The escalation in anti-immigrant and anti-LGBT rhetoric created an atmosphere in which nationalist groups could

attack LGBT persons with impunity and could attack migrants at their workplaces and hostels, sometimes with police collusion.

Women

Rape and Domestic Violence: Rape is illegal and the law provides the same punishment for a relative, including the spouse, who commits rape as for a nonrelative. Rape victims may act as full legal parties in criminal cases brought against alleged assailants and may seek compensation as part of a court verdict without initiating a separate civil action. While members of the medical profession assisted assault victims and sometimes helped identify an assault or rape case, doctors were often reluctant to provide testimony in court.

The penalty for rape is three to six years' imprisonment for a single offender and four to 10 years if a group of persons commits the crime. The perpetrator receives an eight- to 15-year sentence if a victim was 14 to 18 years old and 12 to 20 years if a victim died or was under 14 years of age. According to NGOs many law enforcement personnel and prosecutors did not consider spousal or acquaintance rape a priority and did not encourage reporting or prosecuting such cases. NGOs reported that local police officers sometimes refused to respond to rape or domestic violence calls until the victim's life was directly threatened.

According to the Russian Federal State Statistics Service, 2,200 rapes were reported in the first half of the year, approximately 6 percent fewer than in the same period in 2012. According to NGOs many women did not report rape or other violence due to fear of social stigma and lack of government support.

Domestic violence remained a major problem. There is no significant domestic violence provision in the criminal code and no legal definition of domestic violence. The two statutes that address bodily harm are general in nature and do not permit police to initiate a criminal investigation unless the victim files a complaint. Federal law prohibits battery, assault, threats, and killing, but most acts of domestic violence did not fall within the jurisdiction of the Prosecutor's Office. According to NGOs police were often unwilling to register complaints of domestic violence and frequently discouraged victims from submitting them. According the Russian Federal State Statistics Service, 21,400 women were victims of domestic violence in 2011.

The NGO Center for Women's Support asserted that a majority of domestic violence cases filed were either dismissed on technical grounds or transferred to a

reconciliation process conducted by a justice of the peace, whose focus was on preserving the family rather than punishing the perpetrator. Civil remedies for domestic violence included administrative fines and divorce. Physical harm, property, and family rights cases, such as divorce, asset division, and child custody, cannot be heard in the same case or the same court.

According to the ANNA National Center for the Prevention of Violence in Russia, the government operated approximately 23 women's shelters across the country.

Harmful Traditional Practices: According to human rights groups, honor killings of women in Chechnya and elsewhere in North Caucasus region were increasing. Chechen leader Ramzan Kadyrov stated that women of "loose morals" should be killed by their male relatives.

In some parts of the North Caucasus, women continued to face bride kidnapping, polygyny, forced marriage (including child marriage), legal discrimination, and enforced adherence to Islamic dress codes. As part of his "modesty campaign," Kadyrov required women to wear head scarves in public (including at schools, universities, and in government offices) and advocated seizure of cell phones from young women to prevent potential illicit contact with men. There were cases in some parts of the North Caucasus where men, claiming that kidnapping brides is an ancient local tradition, reportedly abducted and raped young women, in some cases forcing them into marriage. In other cases the young women were permanently "sullied" as they were no longer virgins and could not enter a legitimate marriage according to local custom.

Sexual Harassment: The law does not specifically prohibit sexual harassment in the workplace, which remained a widespread problem. Instead, the criminal code contains a general provision against compelling a person to perform actions of a sexual character by means of blackmail, threats, or by taking advantage of the victim's economic or other dependence on the perpetrator.

Reproductive Rights: The government recognizes the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. While there are no legal restrictions on access to contraceptives, the Russian Orthodox Church continued its opposition to family planning initiatives, and access to family planning in the country was limited, especially outside of big cities. Senior government leadership explicitly encouraged women to have as many children as possible to counteract the country's declining population.

Discrimination: Women encountered discrimination in employment, although the constitution and law provide that men and women enjoy the same legal status and rights under family law, labor law, property law, inheritance law, and in the judicial system. Men and women have an equal right to obtain a bank loan, but women often encountered significant restrictions. There was no government office devoted to the protection of women's legal rights.

Discrimination based on gender in compensation, professional training, hiring, and dismissal were characteristic of the labor market. Employers often preferred to hire men to save on maternity and childcare costs and avoid the perceived unreliability associated with women with small children. Such discrimination was often very difficult to prove.

The labor code specifies that female labor is limited in jobs with "harmful or dangerous conditions or work underground except in nonphysical jobs or sanitary and consumer services" and forbidden in "manual handling of bulk weights that exceed the set limits for their handling." According to the NGO Peterburgskaya Egida, this law resulted in a list of 456 occupations from which it was legal to exclude women, including those of diver, gas rescue worker, paratrooper, and firefighter. The International Labor Organization (ILO) documented a widespread gender pay gap and noted that women predominated in low-paying jobs.

Only July 2, President Putin signed a law prohibiting discrimination in job vacancy information. The bill prohibits employers from requesting workers with specific gender, race, nationality, address registration, age, and other factors unrelated to personal skills and competencies. Notwithstanding the law, vacancy announcements continued to specify gender and age requirements, and some also specified a desired physical appearance and preference for applicants who were open to intimate relations with their prospective supervisors.

The law upholds equal ownership rights for women and men. The civil code provides equal rights to access to land and access to other property for men and women. All property acquired during a marriage is the couple's joint property; unless their marriage contract states otherwise, it is split into two equal shares in the event of divorce. Each spouse retains ownership and management of property acquired before marriage or inherited after marriage. Traditional legal practices in the North Caucasus award the husband custody of children and all property in divorce cases, with the result that women in the region were often unwilling to seek divorce, even in cases of abuse.

Children

Birth Registration: By law citizenship derives from parents at birth or from birth within the country's territory if the parents are unknown or if the child cannot claim the parents' citizenship. Generally newborns are registered at the local civil registry office where the parents live. A parent must apply for registration within one month of the birth. Birth certificates are issued on the basis of the medical certificate of the hospital where a baby was born.

Education: Education is free through grade 11 and compulsory until age 15 or 16. Regional authorities frequently denied school access to the children of persons not registered as residents of the locality, including Roma, asylum seekers, and migrant workers.

Child Abuse: Child abuse was a widespread problem. The online news source news24.ru reported that in 2010 that there were 9,500 sexual crimes against children. An estimated 20,000 minors were missing at the end of the year, including 5,000 small children. Ministry of Interior statistics included 3,185 rapes and other sexually violent acts against children in 2012, up more than 30 percent from 2011.

According to a 2011 report published by the NGO Foundation for Assistance to Children in Difficult Life Situations, approximately 2,000 to 2,500 children died annually from domestic violence. According to a 2012 UN Children's Fund report, the suicide rate for 15- to 19-year-olds in the country was high, approximately 30 per 100,000 children.

On August 15, the Chelyabinsk Oblast Children's Ombudsman reported that a nine-year-old girl residing at a regional orphanage was severely abused during her eight-month stay there. Beginning in December 2012, other children allegedly subjected the girl to physical and psychological abuse, and orphanage staff failed to come to her aid. In July the girl was bound and placed in a trash bag filled with broken glass and other debris and thrown into a dumpster. The child escaped and reported the incident, but orphanage staff reportedly refused to take action. The ombudsman compared the orphan's treatment to that expected in prisons. The regional investigative committee took up the case.

Forced and Early Marriage: The minimum legal age for marriage is 18 for both men and women. Local authorities can authorize marriage from the age of 16

under certain circumstances--and even earlier in some regions--if it is considered justified.

Sexual Exploitation of Children: The age of consent is 16. Children, particularly the homeless and orphans, were exploited for child pornography. While authorities viewed child pornography as a serious problem, the law does not define child pornography, criminalize its possession, or provide for effective investigation and prosecution of cases of child pornography. The law prohibits the manufacture, distribution, and possession with intent to distribute of child pornography. Manufacture and distribution of pornography involving children under 18 is punishable by two to 10 years in prison, or three to 15 years in prison if involving children under 14. Courts often dismissed criminal cases, however, because of the lack of clear standards or definitions. Authorities registered 554 cases of child pornography distribution in 2012.

Two federal organizations responded to child pornography on the internet: the Russian Safer Internet Center and the Friendly Runet Foundation, both of which had hotlines to receive information on illegal internet activity. In 2012 the Friendly Runet Foundation hotline processed more than 27,000 reports and identified 10,679 sites with child pornography. Information gathered through the hotline resulted in the opening of 319 criminal cases related to the manufacture or distribution of child pornography.

Displaced Children: According to 2011 statistics from Ministry of Internal Affairs, nearly 120,000 children were orphaned annually, each day an average of 200 children were taken from neglectful parents, and 600,000 children were located in various types of institutional and foster care. In a 2008 report, the NGO Children's Rights estimated that approximately 40,000 children ran away from home annually to escape abuse and neglect and 20,000 orphans fled orphanages to escape similar conditions.

Homeless children often engaged in criminal activities, received no education, and were vulnerable to substance abuse. Some children on the streets turned to, or were forced into, prostitution. Law enforcement officials reportedly abused street children, blamed them for unsolved crimes, and committed illegal acts against them, including extortion, detention, and psychological and sexual violence.

Regional ombudsmen for children operated in 83 regions. They had the authority to conduct independent investigations relating to the violation of children's rights, inspect any institutions and executive offices dealing with minors, establish

councils of public experts, and conduct independent evaluations of legislation affecting children. A number of schools in the Moscow and Volgograd oblasts had school ombudsmen to deal with children and families and identify potential conflicts and violations of the rights of children.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at travel.state.gov/abduction/resources/congressreport/congressreport_4308.html as well as country-specific information at travel.state.gov/abduction/country/country_5826.html.

Anti-Semitism

The 2010 census estimated the number of Jews at 150,000. According to the Federation of Jewish Communities of Russia, however, the Jewish population could be as high as 750,000.

On July 24, a Chabad rabbi, Ovadia Isakov, was shot and seriously wounded in the predominantly Muslim province of Dagestan. Officials were considering "religious motivations" behind the attack. On September 27, Russian security forces shot and killed the alleged shooter, Sherif Akhmedov, along with four other suspected militants during a raid in Dagestan.

Synagogues and cemeteries continued to be targets of desecration by vandals. The SOVA Center, an NGO that seeks to combat extremism and nationalism, registered five acts of anti-Semitic vandalism through December 14. The government investigated anti-Semitic crimes, and some courts placed anti-Semitic literature on the Ministry of Justice's list of banned extremist materials.

The Federation of Jewish Communities reported that there were no government acts of anti-Semitism at the federal level. On March 9, two unknown persons attempted to set fire to the Jewish Community Center in Perm with a Molotov cocktail. The center's guard extinguished the small fire with minimal damage, and no one was reported harmed. The local Jewish community considered the arson attempt to be a hate crime related to a public event to mark the introduction of a new Torah to the center. Regional police discounted the act, characterizing it as hooliganism.

Anti-Semitism on television or in other mainstream media was infrequent and more likely to appear in low-circulation newspapers and pamphlets or on the internet. The presence of Neo-Nazi symbolism during the year's Russian March increased but was less direct than in previous years. While obvious Nazi symbols such as swastikas and SS uniforms were less evident, xenophobic, racist, and neo-Nazi sloganeering increased, highlighted by the approved theme of the 2013 march--"14 words"--referring to a similar phrase coined by prominent American neo-Nazi leader David Lane.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

Persons with Disabilities

While several laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, access to health care, and the provision of state services, the government generally did not enforce these laws.

There are no laws to prohibit discrimination in air travel. Persons with disabilities continued to face discrimination and denial of equal access to education, employment, and social institutions. Persons with mental disabilities were subject to severe discrimination in education and employment. Additionally the conditions of guardianship imposed by courts deprived them of almost all personal rights. For example, under the family code, individuals with mental disabilities at times were prevented from getting married without their guardian's consent.

Conditions in institutions for adults with disabilities were often poor, with unqualified staff and overcrowding. Institutions rarely attempted to develop the abilities of residents, whom they frequently confined to the premises and whose movements they sometimes restricted within the institutions themselves.

Federal law on the protection of persons with disabilities requires that buildings be accessible to persons with disabilities, but authorities did not enforce the law, and many buildings were not accessible. In its August report, Human Rights Watch noted that in apartment buildings constructed before 2001, i.e., prior to the development minimum accessibility standards for new construction, doorways and elevators were too narrow for wheelchairs or lacked elevators or appropriate

ramps. In some cases buildings constructed after 2001 lacked these accommodations as well. This lack of building access was an insurmountable barrier to employment, education, and social engagement for the vast majority of wheelchair-bound persons interviewed in the report. The report also noted that critical public facilities and emergency services remained largely inaccessible to persons with disabilities.

While public transport has historically been inaccessible to passengers with disabilities, there were a handful of examples of increased accessibility. New subway stations in Moscow include elevators to the train platform and an audible warning system for train departure and arrival. Nevertheless, subway travel for wheelchair users remained limited, since only 19 of 189 stations--none of which were in the city center--had elevators. The St. Petersburg subway had two stations with elevators, but their use had to be arranged with staff ahead of time. The Sapsan (speed train) between Moscow and St. Petersburg offered one wheelchair space on just one car. In Yekaterinburg newer train stations had elevators. In Vladivostok the city government purchased several minibuses for free use by individuals with disabilities, but renovations in preparation for the Asia-Pacific Economic Cooperation conference included installation of sidewalks that lacked ramps for wheelchair access, making it impossible for wheelchair-bound citizens to access the buses. Human Rights Watch underscored the difficulties facing blind users of commuter trains, noting the example of one man who fell three times from Moscow commuter train platforms due to the lack of tactile strips or other markers that indicate the end of the platform. Furthermore, in areas where authorities do not effectively and regularly clear snow and ice from public spaces, they can become a long-lasting barrier to the movement of persons with disabilities.

As of July federal law allows regional governments to set quotas for employment of persons with disabilities. Firms with 35-100 employees have a quota of 1-3 percent, while firms of more than 100 employees have a 2-4 percent quota. Some local authorities and private employers continued to discourage persons with disabilities from working, and there was no penalty for failure to honor quotas.

Because only 3 percent of schools could accommodate them, most children with disabilities could not study in their communities and were isolated from other community members.

Authorities generally segregated children with disabilities from mainstream society through a system that institutionalized them until adulthood. Observers concluded that the welfare of such children was often ignored, and there were few means of

addressing systemic problems and abuse. Human rights groups alleged that the staff of state institutions for children with disabilities took poor care of, and in some cases, physically abused children in their charge. Graduates of such institutions also often lacked the necessary social, educational, and vocational skills to function in society.

There appeared to be no legal mechanism by which individuals could contest their assignment to a facility for persons with disabilities. The classification of children with mental disabilities to categories of disability often followed them through their lives. The designations “imbecile” and “idiot,” assigned by a commission that assesses children with developmental problems at the age of three, signify that authorities consider a child to be uneducable. These designations were almost always irrevocable. The designation “debil” (having slight cognitive or intellectual disability) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions.

Election laws do not specifically mandate that polling places be accessible to persons with disabilities, and the majority of polling stations were not. Election officials generally brought mobile ballot boxes to the homes of voters with disabilities. In the months prior to the 2012 presidential elections, television commercials instructed citizens with disabilities on their rights and voting procedures.

In 2011 the government adopted the State Program on Accessible Environment for 2011-15 with a total budget of 47 billion rubles (\$1.5 billion). The goal of the pilot program was to provide access to services in health care, culture, transport, information and communications, education, social protection, sports, and housing facilities for persons with disabilities. During the year the program continued under the supervision of the newly formed Ministry of Labor and Social Development. Groups such as Human Rights Watch criticized the program, however, noting that it did not address individuals with psychosocial, developmental, and intellectual disabilities and that it funded only those regions that were willing to allocate their own resources as well.

On June 28, a group of wheelchair users staged a protest in the center of Yekaterinburg to draw attention to the absence of accessibility features in city infrastructure. Activists highlighted nonfunctioning call bells, lack of ramps, and the failure of the State Program on Accessible Environment to improve conditions.

Inspections by the Ombudsman's Office of Homes for Children with Mental Disabilities continued to identify severe violations of children's rights and substandard conditions.

National/Racial/Ethnic Minorities

The law prohibits discrimination based on nationality, but government officials increasingly subjected minorities to discrimination. There was a steady rise in xenophobic societal violence and discrimination against minorities, particularly persons from the Caucasus and Central Asia, dark-skinned persons, Roma, and foreigners. The number of reported hate crimes against LGBT persons and minority religious groups increased during the year, and skinhead groups and other extreme nationalist organizations fomented racially motivated violence. Racist propaganda remained a problem, although courts continued to convict individuals of using propaganda to incite ethnic hatred.

According to the SOVA Center, as of December racist violence resulted in the death of at least 20 persons, while 173 others were injured and nine received death threats. Incidents were reported in 32 regions. Violence was concentrated in Moscow and St. Petersburg. The main targets of attack continued to be Central Asians and natives of the Caucasus region.

Skinhead violence continued to be a serious problem. Skinheads primarily targeted foreigners, particularly Asians and individuals from the North Caucasus, although they also expressed anti-Muslim and anti-Semitic sentiments. Membership claims by these organizations were difficult to verify. The country's neo-Nazi subculture once again "celebrated" the birthday of Adolf Hitler (April 20) with numerous attacks against members of ethnic minorities. SOVA observers recorded banners featuring portraits of Hitler at soccer matches, as well as a video portraying an attack against a street sweeper. SOVA reported that racist or neo-Nazi attacks injured 15 persons during April.

Police and migration officials began a wave of anti-immigrant raids in markets, factories, the subway, and city streets in Moscow in late July, arresting thousands of individuals and detaining them in unsanitary temporary camps. The raids, which human rights groups claimed were racially and politically motivated and exploited xenophobia for political gain immediately prior to mayoral elections, spread to other cities, targeting persons of Caucasian and Central Asian descent.

In St. Petersburg in July, August, and September, Russian Nationalist Nikolay Bondarik organized a series of raids on marketplaces that employed migrant vendors from Central Asian countries. Bondarik and his supporters gathered outside the marketplaces, often dressed in black paramilitary-style uniforms, and began asking vendors for their identifying documents and other required paperwork. Police personnel accompanied many of the vigilante raids, did nothing to stop them, and often arrested individuals who were unable to produce their documents. On October 16, authorities arrested Bondarik and charged him with fomenting interethnic hatred.

On October 13, riots broke out at the Biryulyovo Market in Moscow in response to the alleged murder of Yegor Shcherbakov, an ethnic Russian, by an Azeri migrant worker. An estimated 3,000-5,000 protesters, made up of local residents and members of nationalist organizations, participated in the riots, destroying storefronts, overturning cars, and ransacking a vegetable market. Authorities charged only three of the 380 protesters detained following the event while detaining more than 1,200 migrant workers in the days following the riots.

Human rights organizations expressed concern that Romani children in schools experienced discrimination. According to Memorial, a number of schools refused to register Romani students on the grounds that they lacked documents, while others segregated Romani students because of their ethnicity or placed them in classes designed for children with learning disabilities.

Indigenous People

The law provides for support of indigenous ethnic communities, permits them to create self-governing bodies, and allows them to seek compensation if economic development threatens their lands. Groups such as the Buryats in Siberia and ethnic groups in the far north (including the Enver, Tatarli, Chukchi, and others) continued to work actively to preserve and defend their cultures as well as their right to benefit from the economic resources of their regions.

Most members of indigenous communities asserted that they received the same treatment as ethnic Russians, although some groups claimed that they were unrepresented, or underrepresented, in regional governments.

The Russian Association of Indigenous People of the North (RAIPON) was the country's largest NGO for indigenous people, representing 41 groups (approximately 300,000 persons.) The organization's charter was reinstated in

March, following a six-month suspension by the Ministry of Justice for administrative reasons. In April the organization's congress elected Grigoriy Ledkov, a Duma deputy from the ruling United Russia party, as its new president. Observers concluded that the government had "imposed" Ledkov in order to make RAIPON less likely to object to plans for the development of petrochemical and mineral resources in areas, such as the Russian Arctic, inhabited by indigenous groups.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

On June 30, President Putin signed a law that criminalizes the so-called propaganda of nontraditional sexual relations to minors. The law effectively limits the rights of free expression and assembly for citizens who wish to publicly advocate for LGBT rights or express the opinion that homosexuality is normal (see sections 2.a. and 2.b.). On December 2, Roskomnadzor issued a list of clarifying criteria and examples of so-called LGBT propaganda, which includes materials that "directly or indirectly approve of people who are in nontraditional sexual relationships." LGBT persons reported dramatically heightened societal stigma and discrimination, which some attributed to increasing official promotion of intolerance and homophobia. Gay rights activists asserted that the majority of LGBT persons hid their orientation due to fear of losing their jobs or their homes as well as the threat of violence. Medical practitioners reportedly continued to limit or deny LGBT persons health services due to intolerance and prejudice. Gay men faced particular discrimination in workplace hiring. Openly gay men were targets of skinhead aggression, and police often failed to respond. Vigilante groups also used social media to pursue and bully LGBT teenagers and in some cases lure them to encounters where they would torture them and subject them to degrading treatment, which they would sometimes record and post on the internet.

On September 1, a schoolteacher in Magnitogorsk resigned after a student reportedly discovered that she had posted to a number of LGBT-related Vkontakte (social network) groups. A parent complained to the regional prosecutor that the child had been "propagandized" by viewing the teacher's Vkontakte profile. Press reports suggest the resignation was triggered by a request from the school's principal that the teacher disassociate herself from the LGBT groups.

Although the law allows transgender individuals to change their names and gender classifications on government documents, they faced difficulties because the government had not established a standard procedure for doing so, and many civil

registry offices denied these requests. When their documents failed to reflect their gender accurately, transgender persons often faced discrimination in accessing health care, education, housing, and employment.

Local activists reported an increase in violence against LGBT individuals coinciding with the adoption of the June 30 law.

During the year there were multiple killings of individuals that were reportedly motivated by their sexual orientation. On May 23, friends of Vladislav Tornovoy raped him with beer bottles and beat him to death after he reportedly told them that he was gay. Authorities arrested two, one of whom confessed that the attackers raped and killed Tornovoy because his homosexuality “offended the patriotic feelings of the group.” LGBT rights groups monitoring the case reported that the judge had determined that the defendants would not be charged with a hate crime.

LGBT activists often experienced threats and attacks in public, with police unwilling to assist. On June 10, Daniil Grachyov was attacked during his one-man picket in St. Petersburg. Police stood by, refusing to detain the attackers.

Soon after its inspection of two prominent LGBT rights groups, Side by Side and Coming Out, the prosecutor’s office of St. Petersburg filed administrative charges against both groups for failing to register as “foreign agent” organizations in accordance with a November 2012 law targeting groups that receive foreign funding and engage in “political activity.” Both groups were subsequently given the maximum fine of 400,000 rubles (\$12,400) specified under the law in connection with campaigns to fight LGBT discrimination. In October the St. Petersburg city court overturned the decisions against both organizations due to procedural errors.

In Moscow authorities refused to allow a gay pride parade for the eighth consecutive year, despite an ECHR ruling that the denial violated the rights to freedom of assembly and freedom from discrimination (see section 2.b.).

In August authorities in Murmansk arrested four Dutch LGBT rights advocates who were filming a documentary about gay life in the country under the new so-called homosexual propaganda law. They were later charged with violating the terms of their visas and banned from entering the country for three years.

Other Societal Violence or Discrimination

The lack of an internal passport often prevented homeless citizens from fully securing their legal rights and social services. Homeless persons faced barriers to obtaining legal documentation.

Persons with HIV/AIDS often encountered discrimination. A federal AIDS law includes antidiscrimination provisions, but they frequently were not enforced. Human Rights Watch reported that HIV-positive mothers and their children faced discrimination in accessing health care, employment, and education. Persons with HIV/AIDS were alienated from their families, employers, and medical service providers. The government no longer requires HIV tests for visitors who apply for short-term tourist visas or business visas valid for one year or more if their total stay in the country is not greater than three months per year.

Prisoners with HIV/AIDS experienced regular abuse and denial of medical treatment.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including related regulations and statutory instruments, provides for the right of workers to form and join independent unions, conduct legal strikes, and bargain collectively. The law does not specify that groups other than unions may be given authority to bargain collectively in an enterprise only when there is no trade union in that enterprise. The Federal Registration Service considers a union officially registered once it has submitted the requisite documents. The law requires labor unions to be independent of government bodies, employers, political parties, and NGOs.

The law establishes the right to strike and prohibits reprisals against strikers. A minimum level of essential service workers are required if a strike could affect the safety or health of citizens. The labor code prohibits strikes in the military and emergency response services. It also prohibits strikes in essential public service sectors, including utilities and transportation, and strikes that would threaten the country's defense and safety or the life and health of its workers. The law also prohibits some nonessential public servants, such as railway, postal, and municipal workers, as well as other public servants who do not exercise authority in the name of the state, from striking and imposes compulsory arbitration in those services. Solidarity strikes and strikes on issues related to state policies also are illegal.

Additionally courts may confiscate union property to cover employers' losses in the event that a declared strike continues after it is ruled illegal.

The law places several restrictions on the right to collective bargaining. For example, only one collective bargaining agreement is permitted per enterprise, and bargaining can be undertaken only by a union or group of unions representing at least half of the workforce. The law prohibits antiunion discrimination but does not provide for reinstatement of workers fired due to such discrimination.

Government policy limited the exercise of freedom of association and collective bargaining. State agencies responsible for overseeing the observance of labor legislation frequently failed to fulfill their responsibilities, and violations of labor law were common. Registering unions, for example, was often a cumbersome process.

Discrimination against employees and trade union leaders due to their union membership was common, as was pressure against workers to leave, or not to join, unions. No specific laws prevent discrimination based on union membership and activity. The Federal Labor Inspectorate supervised employers for their compliance with labor legislation. Labor activists reported that police regularly used intimidation techniques against union supporters, including subjecting them to detention and extensive interrogations and provoking physical confrontations with them.

In spite of laws providing for the right to strike, the majority of strikes were considered illegal because they failed to meet the complex requirements for a legal strike. Strikers frequently faced reprisals, including pressure and termination of employment. The courts upheld most employers' requests to declare a strike illegal. According to the Federation of Independent Trade Unions of Russia, the legal preparation for a strike takes at least 40 days. The International Trade Union Confederation noted that employers, prosecutors, officials of the Ministry of Internal Affairs, and others used various tactics including pressure, intimidation, and threats to prevent workers and trade unions from accessing dispute resolution mechanisms and from going on strike.

In a report by its Committee of Freedom of Association, the ILO continued to express grave concern about a 2012 local court decision that declared trade union leaflets with slogans such as "Fight substandard employment" to be extremist material. The ILO regarded this decision an unacceptable restriction on trade union activities.

Employers were slow to recognize newly formed unions. In addition they often accepted union requests for collective bargaining reluctantly and failed to provide union representatives with financial reports. For example, company management at an automobile factory in Kaluga initially showed no reluctance about entering into collective bargaining talks with workers but allowed negotiations to drag on for nearly six months before an agreement was signed. In contradiction of labor-law norms, some companies claimed to have financial difficulties to avoid concluding new agreements or as an excuse for disregarding an existing agreement.

Employers frequently engaged in reprisals against workers for union activity, including threatening to assign them to night shifts, denying them benefits, and blacklisting or firing them. Although unions were occasionally successful in court, in most cases company managers who engaged in antiunion activities did not face penalties.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor; however, the government did not effectively enforce such laws.

Men, women, and children were engaged in forced labor in the construction industry, textile shops, and agricultural sector. Guest workers in the far eastern part of the country were subjected to debt bondage and forced labor, including in the agricultural and fishing sectors. In particular, reports surfaced throughout the year of North Koreans and Vietnamese working in forced labor camps. The governments of Russia and North Korea have labor agreements that permit North Koreans to work in Russia. North Korean migrant workers were selected by North Korean authorities and their wages garnished by their government.

Although the Federal Migration Service reported in March that there were five million migrant workers in the country, experts believed that the number was between 10 and 12 million, two to four million of whom were in Moscow. Business ombudsman Boris Titov declared in September that 15.88 million migrants entered the country in 2012 but only 1.34 million received work permits. Authorities subjected men, women, and children from countries such as Vietnam, Belarus, Kyrgyzstan, Tajikistan, Uzbekistan, Ukraine, and Moldova to substandard living and working conditions, exploitation, and pressure, including withheld wages and passports, unsafe working conditions, excessively long working hours,

overcrowded housing, insufficient meals, and eventual deportation. There were reports that approximately 700, primarily Vietnamese, migrants were engaged in forced labor in garment factories in the Moscow region.

Labor and human rights activists documented evidence of forced labor of migrant workers involved in construction projects for the 2014 Olympic Games in Sochi. Reports of abuses were widespread and included nonpayment, or severely delayed payment, of wages, excessively long hours, and withholding of passports and identity documents (see section 7.d.).

Also see the Department of State's Trafficking in Persons Report at www.state.gov/j/tip/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment of children under age 16 in most cases and regulates the working conditions of children under age 18, including the prohibition of dangerous nighttime and overtime work. The law permits children to work at the age of 14 under certain conditions and with the approval of a parent or guardian. Such work must not threaten the child's health or welfare. The labor code lists occupations that are restricted for children under age 18, including work in unhealthy or dangerous conditions, underground work, or jobs that might endanger a child's health and moral development. Authorities did not effectively implement laws and policies prohibiting child labor.

The Federal Labor and Employment Service (RosTrud) is responsible for inspecting enterprises and organizations to identify violations of labor and occupational health standards for minors. RosTrud reported 3,400 child labor violations in 2011. The most common included the absence of an obligatory medical check, absence of written labor agreements, involvement of minors in harmful and/or unsafe work environments, and excessive hours. In urban areas children worked primarily in the informal sector, engaging in retail services, selling goods on the street, washing cars, and making deliveries. In rural areas children worked in agriculture.

Also see the Department of Labor's Findings on the Worst Forms of Child Labor at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

RUSSIA

61

The subsistence minimum income used by the government as the official poverty line was 7,911 rubles (\$245) per month in the third quarter of the year. The national minimum wage for all sectors was 5,205 rubles (\$160) per month, which was two-thirds of the subsistence minimum. As a result the minimum wage did not function as social protection for workers. According to the Federal Statistics Service, in the first three quarters of the year, 11 percent of the population had incomes below the subsistence minimum, compared with 12.1 percent in the first three quarters of 2012.

The labor code requires equal pay for equal work and contains provisions for standard work hours, overtime, and annual leave. The standard workweek cannot exceed 40 hours. Employers may not request overtime work from pregnant women, workers under age 18, and other categories of employees specified by federal laws. Standard annual paid leave is 28 calendar days. Employees who perform work involving harmful or dangerous labor conditions and employees in the Far North regions receive additional annual paid leave. Organizations have discretion to grant additional leave to employees. The labor code stipulates that overtime must be at least 150 percent for the first two hours and not less than 200 percent after that. At an employee's request overtime may be compensated by additional holiday time. Overtime work cannot exceed four hours in two days and 120 hours in a year for each employee.

The law establishes minimum conditions for workplace safety and worker health. It entitles foreigners working legally in the country to the same rights and protections as citizens. The Federal Service of Labor and Employment, the agency that enforces these provisions, noted that state labor inspections were understaffed and inspectors needed additional professional training.

Although no official data were available, experts estimated that the workforce in the informal economy was significant and growing. The largest share of the informal labor market was concentrated in the trade, construction, and agricultural sectors, where workers were more vulnerable to exploitative working conditions.

The group most vulnerable to mistreatment remained labor migrants, who were concentrated primarily in low-quality jobs in construction but also worked in housing and utilities, agriculture, and retail trade. During the year, as part of a crackdown on illegal immigration, authorities raided locations where large numbers of illegal immigrants lived or worked. The raids also revealed the poor conditions illegal immigrants faced (see section 6). Many migrant workers experienced nonpayment of wages, wage arrears, lack of medical insurance and

RUSSIA

62

proper medical treatment, poor working conditions, and persistent anti-immigrant sentiments in society.

Labor and human rights activists continued to advocate for the proper treatment of tens of thousands of migrant workers involved with significant construction projects for the 2014 Olympic Games in Sochi. There were widespread reports of abuses, including nonpayment or severe delays in wages, illegal deductions from wages, excessive working hours, withholding of passports and identity documents, inadequate housing and food, nonprovision of employment contracts, and retaliation against those who protested abuse.

On April 11, police detained Husein Nurberdiev, a migrant worker from Uzbekistan, as he attempted to enter the Sochi offices of the Memorial Migration and Law Network. Nurberdiev was working with Memorial to file a lawsuit against his employer, an Olympic subcontractor, for nonpayment of wages and had previously given an interview to Voice of America regarding the problems faced by migrant workers in Sochi. Police alleged that they arrested him for not showing his documents and demanding to see the officer's official identification, which is specifically allowed under the Law on Police. Memorial recorded more than 400 cases of nonpayment of wages in the first quarter of the year alone.

Beginning in September, shortly after calls from the governor of Krasnodar to form "raid brigades" to "clean up Sochi's streets," authorities began raiding the workplaces and homes of migrant workers, detaining hundreds. Those detained were put in overcrowded temporary holding cells and police courtyards. Human Rights Watch reported authorities denied some detainees access to an attorney, and police often denied that anyone was being held in custody.

EXHIBIT 17



Scott Lively <sdllaw@gmail.com>

My Letter to the Hungarian People

1 message

DefendTheFamily.com <noreply@defendthefamily.com>
To: Scott Lively <sdllaw@gmail.com>

Mon, Jul 22, 2013 at 10:00 AM



Defend the Family.com
a service of Abiding Truth Ministries
Defending the Natural Family, Marriage and Family Values



DefendTheFamily.com Alert

Friends,

If you have contacts in Hungary or other Eastern European countries, please forward this to them along with my offer to assist them in their efforts to oppose the "gay" agenda in their countries.

My Letter to the Hungarian People
Dr. Scott Lively
President, Defend the Family International
www.defendthefamily.com

I have been asked by Heti Válasz magazine of Hungary to comment on whether there is today any country in the world where traditional family values and gay rights are regulated by the law in a balanced way, and what the proponents of traditional family values can do against the "dictatorship of tolerance."

I can't point to any country of the world today that is a model for the rest of the world, except perhaps for Russia, which has just taken the very important and frankly necessary step of criminalizing homosexual propaganda to protect the society from being "homosexualized." This was one of my recommendation to Russian leaders in my 50-city tour of the former Soviet Union in 2006 and 2007.

The real problem is that so-called "gay rights" and family values are incompatible and contradictory. Family values are rooted in God's commandment that all sexual conduct is restricted to the "one flesh" form of marriage (Genesis 1:27 and 2:24). This natural family model is the foundation of any healthy civilization. "Gay rights" are rooted in the philosophy of "sexual freedom" (of which homosexuals are the primary champions) in which sexual activity and relationships are only limited by the principle of mutual consent. This is really not freedom, but extremely destructive moral anarchy that dissolves and disintegrates civilization — a process that is clearly occurring in the nations of the west.

The only workable compromise is for society to hold firmly to the marriage-based model of sexuality while extending limited tolerance to individuals who choose to live discretely outside the mainstream in a subculture. This was a balance the United States achieved in the 1940s and 50s, when the stated goal of the homosexual movement was "the right to be left alone."

However, the spirit of homosexuality is rebellion, not self-restraint, so in every society which it enters as a political movement it begins with an appeal for tolerance but quickly escalates to a demand for acceptance, then celebration of its perverse culture, then dominance of its culture, especially over children, and finally, when it has sufficient political control, the

punishment of all dissenters.

The homosexual movement has perfected its strategy and tactics in the United States, where most of the country is somewhere between fully accepting homosexual culture and celebrating it, but the key leadership positions are almost fully controlled by "gays," including the United States Supreme Court, which (following France) has just validated "homosexual marriage" at a national level for the first time in history since the period just prior to the flood of Noah. I don't believe the United States will survive this moral affront to God, and indeed in my view we are already under national judgment for trading our former status as a Christian "City on a Hill" for the degeneracy of Sodom.

From the United States the "gay" movement has sent missionaries of evil to many countries around the world to transform them in their own image. They follow the same strategy everywhere to homosexualize cultures: first by flooding the society with heterosexual pornography and "sexual freedom" philosophy to corrupt the majority and lessen their moral objections to homosexuality. Next, by sending a second wave of homosexual propaganda about the supposed innateness and immutability of homosexual "orientation" (i.e. that they are "born that way" and cannot change — a lie), finally comes sexual orientation regulations (SORs), usually in the form of an anti-discrimination law based on sexual orientation. Once that is in place, the entire "gay" agenda explodes in your society.

These SORs are the seed that contains the entire tree of the homosexual agenda with all of its poisonous fruit: "gay pride" parades, "gay marriage," pro-homosexual instruction to schoolchildren, public funding of homosexual organizations and projects, etc.. Once the bad seed is planted in your country, the entire tree inevitably follows. Why? Because the SORs create a presumption in your law that disapproval of homosexuality is immoral and wrong, thus ALL subsequent opposition to homosexuality, including the teachings of the Bible, is deemed to be discrimination and is eventually outlawed. It is a process that took 50 years to accomplish in the United States, but only 25 years to accomplish in Europe and South Africa, and less than ten years to accomplish in countries like Brazil. They have both perfected their system and grown stronger as a movement at the same time, so today they are more easily overcoming resistance to their agenda wherever they go.

How can this be stopped? Only by resolute and unapologetic discrimination against the "sexual freedom" agenda. It is not enough to oppose homosexuality or individual elements of the "gay" agenda such as "gay marriage" because the deeper problem is corruption of sexual morality. The "gays" and their allies always start by corrupting heterosexual morality, so by the time the homosexuals come "out of the closet" most of the work of destroying marriage-based culture is already done.

To fully protect your country from the moral destruction that is raging in the United States and Europe it is necessary to affirm and protect authentic marriage as the only proper context for sexual relationships, and to actively discourage sex outside of marriage through your public policy, reserving limited tolerance for people who choose to live discretely outside the mainstream. I strongly advise that you adopt an anti-propaganda law similar to what Russia has recently passed, to stop the "gay" agenda from advancing any further that it may already have done. It will also be necessary to uproot and discard any existing sexual orientation regulations (the bad seeds) which criminalize discrimination against homosexuality in your laws and in the official policies of your government agencies, universities, corporations, and NGOs.

Lastly, it is important to keep in mind that many homosexuals are unwilling and unhappy members of this "gay" movement. For them homosexuality is not "gay" (meaning happy and carefree), but SADD, which is the acronym for "Same-Sex Attraction Disorder," the condition with which they suffer. Even as we firmly resist the efforts of this destructive movement, we should not lose compassion for those who suffer from this terrible dysfunction. We should strongly discourage and oppose those who would choose the path of hatred and violence against individuals rather than rational, objective policy-making against their socially destructive philosophy and political agenda.

This information is brought to you courtesy of DefendTheFamily.com, daily news updates and extensive free resources on the homosexual issue from a pro-family perspective. Please do not reply to this email; if you would like to contact us, visit our contact page.

If you would like to be removed from our mailing list, please use our [unsubscribe page](#).

Donations to Abiding Truth Ministries are tax deductible—and necessary for the continuation of our work. Please [donate here](#).

EXHIBIT 18



Scott Lively <sdllaw@gmail.com>

Putin Signs Ban on Homosexual Propaganda in Russia

1 message

DefendTheFamily.com <noreply@defendthefamily.com>

Sat, Jul 6, 2013 at 9:47 AM

To: Scott Lively <sdllaw@gmail.com>



Defend the Family.com
a service of Abiding Truth Ministries
Defending the Natural Family, Marriage and Family Values



DefendTheFamily.com Alert

Friends,

Good news on the homosexual battlefield is rare these days, and even when we get it, the victory is usually in the form of a delay in the advance of a particular homosexual goal rather than a clear defeat of their agenda. The "tabling" of the Illinois "gay marriage" bill recently, and of last year's sexual orientation regulations (SORs) in Springfield MO come to mind. (Notice how there's never an actual vote to strike down the proposed pro-homosexual policy when our side rises up in protest, just a delay until the progressives -- meaning regressives -- think it's "safe" to proceed).

Rarest of all is news that the homosexual agenda has actually been rolled back. We got such news this week about Russia, which just passed a law criminalizing homosexual propaganda in that nation. Rather, most of us didn't get the news, because the coverage was weak trending toward invisible since the mainstream media can't yet figure out how to spin it to the advantage of the "gays" (but watch for many future stories about "innocent" activists -- i.e. professional foreign provocateurs -- being "brutally" suppressed by Russian authorities -- though never a word about how the Russian policy preserves family-based society and avoids the moral meltdown occurring in the West).

Frankly, I heard the news only when called by a Russian TV network for comment. Their crew drove up from New York yesterday afternoon to do the interview and filled me in on the details. They knew to contact me because of an AP story in which I had been interviewed before the final passage of the law. President Putin apparently signed it into law on July 1st. Here's that story, which is also posted on our home page at www.defendthefamily.com.

bigstory.ap.org/article/some-us-conservatives-laud-russias-anti-gay-bill

I have enjoyed very few actual victories in my 25 years of front-lines ministry on this battlefield, so it is hugely gratifying to have played a role, however small, in the enactment of this law. This ban on homosexual propaganda was one of a few specific policies I had advocated in my 50-city tour of the former Soviet Union in 2006-2007. Significantly, the first version of this law at the local level was in St. Petersburg where I released my Letter to the Russian People in October of 2007 near the close of that tour.

www.defendthefamily.com/pfrc/archives.php?id=5225300

Here in the United States it would not be possible to pass such a law these days because of the way our First Amendment has been misinterpreted in recent decades by the U.S. Supreme Court. The Founders would have had no such problem, but "free speech" today means "pro-gay" speech (as well as such important forms of expression as nude dancing and anime child porn) but speech pointing out the many dangers of homosexuality is no longer protected in many cases since the rise of so-called sexual orientation regulations

(SORs) which define "anti-gay" Bible-quotes and similar "hate speech" as illegal discrimination. Who would have thought that the Russians would become the world's champions of family values (relatively speaking) while the U.S. would trash its own constitution to normalize sexual perversion?

I've just learned that the World Congress of Families will hold it's next international conference (WFCVIII) in Moscow next year. I would like very much to be there for that and have started a fund to cover my expenses to get there. Starting today, all donations not specifically designated for some other purpose through our website at www.defendthefamily.com/help/donate.php will go into a special WFCVIII travel fund.

I would like to take the opportunity of that trip to suggest ways to build upon the Russian policy and promote its adoption in other countries.

In honor of what the Russians have done I've decided to finally publish our Russian version of The Pink Swastika on our website. That project has been stalled for a long time, even though all the chapters of the 4th Edition have been translated and edited for publication in Russian. I need to find someone to translate the captions on the photos and graphics into Russian but that's the only hold-up.

I will also send a letter of thanks and congratulations to President Putin, along with a copy of the English version of The Pink Swastika.

I urge you to spread the word about this important and encouraging pro-family development.

In the Love and Power of the Lord of Hosts,

Dr. Scott Lively

This information is brought to you courtesy of DefendTheFamily.com, daily news updates and extensive free resources on the homosexual issue from a pro-family perspective. Please do not reply to this email; if you would like to contact us, visit our [contact page](#).

If you would like to be removed from our mailing list, please use our [unsubscribe page](#).

Donations to Abiding Truth Ministries are tax deductible—and necessary for the continuation of our work. Please [donate here](#).

EXHIBIT 19

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

-----x

SEXUAL MINORITIES UGANDA,

Plaintiff, :

Civil Action No

3-12-CV-30061-MAP

- against -

SCOTT LIVELY,

Defendant. :

-----x

51 West 52nd Street

New York, New York

June 23, 2015

9:30 a.m.

EXAMINATION BEFORE TRIAL of SCOTT LIVELY,
the Defendant herein, taken by the Plaintiff,
pursuant to Notice, held at the
above-mentioned time and place, before Michelle
Lemberger, a Notary Public of the State of New
York.

<p>1 Lively 2 Monday morning at about 3 a.m. Someone was 3 up pretty late doing that. While I 4 appreciate the effort, I just want you to 5 know that we didn't really have a chance to 6 go through those documents. So we are going 7 to do our best here today and hopefully it 8 won't be necessary to do any further 9 depositions. But I want you to know that I'm 10 reserving my rights to have an opportunity to 11 adequately review those 800-plus pages that 12 were produced to us? 13 MR. MIHET: I would respond 14 with a couple of things. One, the 15 same weekend we received a 16 supplemental production from SMUG, 17 two, the supplemental production that 18 you are referring to came largely in 19 response to some additional search 20 terms that were only recently 21 provided to us by SMUG. And, three, 22 we offered yesterday both verbally 23 and in writing the opportunity for 24 SMUG to postpone Mr. Lively's 25 deposition and SMUG has rejected that</p> <p style="text-align: right;">[Page 14]</p>	<p>1 Lively 2 reserving the time to do. 3 MR. BETKE: Well, what I'm 4 reserving is the time to take the 5 deposition as best I can do today and 6 get as far along as I can today. I 7 can then, just for what it's worth, I 8 can then take information I garner 9 today and use that as I deem 10 appropriate going forward. What you 11 are suggesting is I have to wait to 12 get as much information as possible 13 because you guys were late producing 14 documents and that's not going to 15 fly. But we will let the court 16 decide that. 17 MR. MIHET: Okay. 18 BY MR. BETKE: 19 Q. Besides reviewing the DVD, did you 20 do anything else to prepare for today's 21 deposition? 22 A. I talked with my attorney. 23 Q. Okay. Was anyone else present when 24 you talked with your attorney? 25 A. No.</p> <p style="text-align: right;">[Page 16]</p>
<p>1 Lively 2 opportunity. 3 And so we would strongly object 4 to keeping the deposition open and 5 resuming it at some other point. But 6 we can discuss these at some later 7 point. 8 MR. BETKE: I guess the only 9 thing I would say and I hear you, I 10 mean, we disagree. 11 MR. MIHET: Sure. 12 MR. BETKE: And you recognize 13 that it might be something that the 14 court has to resolve. I would just 15 simply say in response to the last 16 part, I mean, we were prepared, 17 ready, willing and able to take the 18 deposition today based upon a belief 19 that we had the document production, 20 and the fact that you provided 21 additional things late doesn't mean 22 we then have to postpone it and not 23 go forward today. 24 MR. MIHET: That's what you are 25 asking for -- that's what you are</p> <p style="text-align: right;">[Page 15]</p>	<p>1 Lively 2 Q. Okay. And did you review any of the 3 documents that were produced in discovery, 4 for example? 5 A. No. 6 Q. Did you talk to anyone else besides 7 your attorney in preparation for your 8 deposition today? 9 A. No. 10 Q. Have you reviewed any other 11 deposition testimony in this case? 12 A. No. 13 Q. And I'm not even just asking for 14 purposes of preparing for the deposition, but 15 just generally, have you read any of the 16 depositions that were taken in this case? 17 A. No. 18 Q. You are an attorney, are you not, 19 sir? 20 A. I am. 21 Q. Are you currently licensed to 22 practice? 23 A. Well, yes, but it's an inactive 24 license. 25 Q. Okay. And having an inactive</p> <p style="text-align: right;">[Page 17]</p>

1 Lively
2 A. I did.
3 Q. When you post things in various
4 forums including Scott Lively Ministries, do
5 you endeavor to try to be as truthful and
6 accurate as you can be?
7 A. Yes.
8 Q. Now, I'm going to direct your
9 attention down a few paragraphs on that first
10 page. There is a paragraph that begins, One
11 of the Portland open quote gay close quote
12 newspapers, do you see that paragraph?
13 A. Yes, I do.
14 Q. I will give you an opportunity to
15 read that paragraph to yourself and then I'm
16 going to ask you a question about it. Okay?
17 (Witness peruses document.)
18 A. Okay.
19 Q. So first of all, is this something
20 that you wrote in 2014?
21 A. No.
22 Q. When did you write this?
23 A. 2006.
24 Q. And you then just what, cut and
25 pasted it and reposted it in 2014; is that

[Page 22]

1 Lively
2 correct?
3 A. Yes.
4 Q. You write in this post, it says,
5 However, looking quite obviously like a
6 Portland lesbian she was immediately
7 confronted and admitted she was the open
8 quote gay close quote press.
9 Do you see that?
10 A. Yes.
11 Q. Can you describe for me, sir, what a
12 Portland lesbian looks like, quote obviously?
13 MR. MIHET: Form.
14 A. Well, I wrote this in 2006. And I
15 think she was -- she had very short hair, she
16 was wearing a -- like a field reporter's
17 vest, you know, like a photographer vest that
18 they, you know, people wear in the field,
19 just very masculine clothing and appearance.
20 That's pretty much it.
21 Q. All right. So have you now stated
22 for the record everything you believe that a
23 Portland lesbian would obviously look like?
24 MR. MIHET: Objection. Form.
25 A. No, I mean, some of this would be

[Page 23]

1 Lively
2 sort of nuance, when you live -- I lived in
3 Portland for a long time and I think the
4 lesbian community in Portland had kind of a
5 culture that was reflected in the way that
6 she looked. I don't know how to describe
7 that in objective terms.
8 Q. Well, the thing is, sir, you wrote
9 this, not me. And you wrote, Looking quite
10 obviously like a Portland lesbian, and since
11 I've never lived in Portland, I am asking you
12 to state for the record the things that you
13 saw about this person that led you to believe
14 that she looked quite obviously like a
15 Portland lesbian.
16 MR. MIHET: Objection. Form.
17 A. Well, I'm describing in this post
18 that the basis for which I believed that she
19 looked like a Portland lesbian and so the
20 only person that it's really relevant to is
21 me.
22 Q. Okay. So what did she look like
23 that led you to believe she looked like a
24 Portland lesbian? That's my question.
25 MR. MIHET: Objection. Asked

[Page 24]

1 Lively
2 and answered.
3 You can answer again.
4 Q. Well, I mean if you are saying to me
5 the only things that you can identify for me
6 is that she had very short hair and wore a
7 field reporter's vest, then I will accept
8 that.
9 MR. MIHET: Objection. That
10 mischaracterizes the testimony. He
11 mentioned some other things as well.
12 MR. BETKE: Under Rule 30, you
13 get to state a very succinct
14 objection, basically, objection and
15 nonsuggestive objections.
16 MR. MIHET: But you don't get
17 to mischaracterize his testimony.
18 MR. BETKE: He can correct me
19 if I'm mistaken. You don't get to
20 make speeches on the record. You get
21 to say objection. That's what you
22 get to say.
23 MR. MIHET: Your opinion is
24 noted for the record.
25 Q. Go ahead.

[Page 25]

[7] (Pages 22 to 25)

1 Lively
 2 A. I said that she was dressed
 3 masculinely. That she had very short hair,
 4 she was wearing a reporter's vest and she
 5 just had -- she had a manner that was sort of
 6 typical of Portland lesbians. I lived in
 7 Portland for a long time and I interacted
 8 with a number of Portland lesbians, and she
 9 came across to me as being of that particular
 10 culture.
 11 Q. All right. Other than describing a
 12 field or reporter's vest, what else about her
 13 clothing did you believe was masculine in
 14 appearance?
 15 MR. MIHET: Form.
 16 A. I don't recall.
 17 Q. And then you said she had a manner
 18 typical of Portland lesbians. Please state
 19 for me, sir, what you believed or understood
 20 from your observation of her was the manner
 21 that was typical of Portland lesbians.
 22 A. It's, like I said, it's sort of
 23 nuance. It's a feeling more than an
 24 objective set of criteria.
 25 Q. So as you sit here today, can you

[Page 26]

1 Lively
 2 tell me anything that you observed about her
 3 mannerisms that led you to believe that she
 4 was a lesbian?
 5 A. I don't remember.
 6 Q. Rather it was just something you
 7 felt?
 8 MR. MIHET: Objection to form.
 9 A. I'm describing what I perceived at
 10 the time.
 11 Q. How long had you seen her before you
 12 made physical contact with her?
 13 A. Oh, five minutes, ten minutes.
 14 Q. And you basically threw her out of
 15 that meeting, didn't you?
 16 MR. MIHET: Objection. Form.
 17 A. I expelled her from the meeting,
 18 yes.
 19 Q. Physically, correct?
 20 MR. MIHET: Form.
 21 A. I tried to escort her to the door
 22 with my one hand on her arm and one hand on
 23 her back. She wouldn't leave the room, so I
 24 moved to the door. As we got close to the
 25 door, she dug in her feet and arched her back

[Page 27]

1 Lively
 2 and wouldn't go. So I just picked her up,
 3 took her to the door, opened the door, set
 4 her outside the door and then she crumpled on
 5 the floor or crumpled on the ground.
 6 Q. So the answer to my question of
 7 whether you physically expelled her, yes?
 8 A. Yes.
 9 Q. That's a battery, is it not, sir?
 10 MR. MIHET: Objection. Legal
 11 conclusion.
 12 A. I don't think so, when it's
 13 justifiable under the law.
 14 Q. Okay. Do you believe that -- strike
 15 that.
 16 You were adjudged in a lawsuit to
 17 have committed battery, were you not?
 18 A. Yes. I don't agree with the
 19 judgment.
 20 Q. Besides that deposition in that
 21 case, have you given a deposition in any
 22 other cases?
 23 A. I don't remember if I did
 24 depositions in the other -- there were three
 25 other lawsuits; two of them were

[Page 28]

1 Lively
 2 consolidated. But I don't remember if I did
 3 depositions in those.
 4 Q. Did you indicate on your bar
 5 application to California that you had been
 6 found to have committed a battery on a woman
 7 when you expelled her from a meeting?
 8 MR. MIHET: Objection. Form.
 9 A. Yes.
 10 Q. You are in addition to being a
 11 lawyer, a pastor; is that correct?
 12 A. That is correct.
 13 Q. You have to forgive me for --
 14 A. I will do that.
 15 Q. Good. It carries more weight,
 16 probably.
 17 Do you hold any -- were you ordained
 18 by any church to be a pastor or is that
 19 something you declare yourself? And I don't
 20 mean that disrespectfully, I just don't know.
 21 A. No, I'm ordained through the
 22 Pentecostal Assemblies of God.
 23 Q. You also -- strike that.
 24 Maybe an easier way of putting this
 25 is, can you state for the record, sir, your

[Page 29]

<p>1 Lively 2 with that conference, if anything? 3 A. I think he was the organizer. 4 Q. Who was it that invited you to the 5 conference? 6 A. A man named Warren Willis. 7 Q. Now, Mr. Willis was in an audience 8 at some event you were speaking at; is that 9 correct? 10 A. I think I -- yes, I think I met him 11 at an Hispanic pro-family rally in southern 12 California. 13 Q. Maybe a better question was, who 14 from Uganda invited you to be there; was it 15 Mr. Langa? 16 A. No one. 17 Q. So Mr. Willis just said, go to this 18 conference, and you went? 19 A. I don't remember the exchange, but 20 it was -- they needed somebody to speak, Are 21 you willing to do it, I said, yes. And I 22 think I worked with him, I don't -- I don't 23 think I actually met Stephen Langa until I 24 got there. 25 MR. BETKE: All right. Let's</p> <p style="text-align: right;">[Page 98]</p>	<p>1 Lively 2 going to be about before you got there? 3 A. No. 4 Q. So you didn't know Mr. Willis before 5 that day he came up to you at that 6 conference; am I right about that? 7 A. He came up to me after the 8 conference at some point. I did not know 9 him. He came up, he introduced himself and 10 that was the first time I met him. 11 Q. And he asked if you would speak at 12 this conference in Uganda, correct? 13 A. Yes. 14 Q. And you ultimately went to Uganda 15 and spoke at the conference? 16 A. Yes. 17 Q. Is it your testimony that you 18 received no written materials pertaining to 19 this conference between the time Mr. Willis 20 spoke to you and when you went to Uganda? 21 A. I don't recall receiving anything. 22 Q. What was your topic that you spoke 23 about at this conference? 24 A. This is a long time ago, but it was 25 essentially the role of pornography and</p> <p style="text-align: right;">[Page 100]</p>
<p>1 Lively 2 mark this as the next exhibit. 3 (Whereupon, at this time, the 4 reporter marked the above-mentioned 5 photograph as Plaintiff's Exhibit 29 6 for identification.) 7 BY MR. BETKE: 8 Q. Let me ask you, sir, is this Exhibit 9 29 a fair and accurate representation of you 10 speaking at that conference we were just 11 talking about? 12 A. Yes. 13 Q. Was the overall title of the 14 conference what is set forth in that banner 15 behind you, The Threat of Pornography and 16 Obscenity in Uganda? 17 MR. MIHET: Form. 18 A. I assume so. 19 Q. Is that your recollection? 20 MR. MIHET: Form. 21 A. I only know based on the banner that 22 I saw when I got into the room. 23 Q. Okay. When you -- did you receive 24 any materials, any written materials that 25 indicated to you what this conference was</p> <p style="text-align: right;">[Page 99]</p>	<p>1 Lively 2 obscenity in softening a society to the 3 sexual revolution. 4 Q. Did you maintain a copy of your 5 presentation? 6 A. No. 7 Q. Did the topic of homosexuality or 8 LGBT community or anything like that come up 9 during this conference, to your recollection? 10 A. I'm sure that I introduced it. 11 Q. Why are you sure about that? 12 A. Because it's part of my standard 13 presentation, that the sexual revolution 14 includes the LGBT agenda. 15 Q. Did you discuss the Pink Swastika in 16 2002? 17 A. I don't recall. Well, possibly on 18 my second trip, but, you know, and it's 19 likely that I did, but I don't have a 20 specific memory of it. 21 Q. And am I correct in understanding 22 that the premise of the Pink Swastika is that 23 Naziism was driven by homosexuals in Germany? 24 MR. MIHET: Objection. Form. 25 A. Well, the premise of the Pink</p> <p style="text-align: right;">[Page 101]</p>

<p>1 Lively 2 renting rooms and things of that nature? 3 MR. MIHET: Objection. Calls 4 for speculation. 5 A. I don't know. 6 Q. Who do you consider the organizing 7 group for the conference? 8 MR. MIHET: Form. 9 A. Family Life Network. 10 Q. Is it your understanding that 11 Mr. Langa is the head of Family Life Network? 12 A. Yes. 13 Q. Prior to your going to the 14 conference in March of 2009, did you consider 15 Mr. Langa a friend? 16 A. Yes. 17 Q. Did you consider him a ministry 18 partner? 19 A. Yes. 20 Q. Have you been back to Uganda since 21 2009? 22 A. No. 23 Q. Before you went to Uganda for the 24 2009 conference, were you aware who the 25 conference speakers were going to be?</p> <p style="text-align: right;">[Page 106]</p>	<p>1 Lively 2 Q. I don't know which one it was but 3 you referenced it so I thought I'd give you a 4 chance to look at it, if you wanted to. 5 (Witness peruses document.) 6 Q. If you can't lay your hands on it 7 easily enough, we can live with your former 8 answer which is you don't recall when you met 9 him. But you recall having met him is the 10 point? 11 A. Yes. 12 Q. And did you have any care or concern 13 that he was going to be speaking at the 14 conference? 15 A. No. 16 Q. And how about Caleb -- what's his 17 last name, Brundridge? 18 A. Well, I guess I should ask you to 19 define what you mean by did I care? 20 Q. Did you have any concern, Hey, I 21 don't want to be on that -- speak on that 22 conference with him? 23 A. No. 24 Q. How about Caleb Brundridge, is it, 25 did you ever meet him before this?</p> <p style="text-align: right;">[Page 108]</p>
<p>1 Lively 2 A. From the e-mail that I received, 3 yes. 4 Q. And is that exhibit -- 5 A. 28. 6 Q. 28. And so who were the speakers 7 going to be? 8 A. Myself, Don Schmierer and Caleb 9 Brundridge. 10 Q. Did you know Don Schmierer before 11 you went to Uganda? 12 A. I met him once or twice before. 13 Q. Where did you meet him before? 14 A. I remember I answered that in the 15 interrogatories, but I don't recall what the 16 details -- 17 Q. I think that's Exhibit 1 or 2, 18 something like that, if you would like to 19 look at that and see if that refreshes your 20 recollection, please do. 21 A. Do you know which exhibit it was. 22 Q. I said one or two, but that was for 23 today's purposes. What number exhibit is 24 that, sir? 25 A. 22.</p> <p style="text-align: right;">[Page 107]</p>	<p>1 Lively 2 A. Never. I didn't know anything about 3 him. 4 Q. Did you consider Martin Ssempe a 5 friend? 6 MR. MIHET: Form. 7 Q. Before you went to this conference? 8 A. No, I think more of an association 9 rather than a friendship. 10 MR. BETKE: I'll just let you 11 flip through these, I don't need to 12 pass you multiple copies of 13 photographs. 14 MR. MIHET: Is this going to be 15 a composite exhibit? 16 MR. BETKE: I'm thinking it 17 might be easier to do that, make it 18 like one exhibit. 19 MR. MIHET: You want me to hand 20 it to the witness? 21 MR. BETKE: I think I'm going 22 to staple it, we'll have it marked. 23 (Whereupon, at this time, the 24 reporter marked the above-mentioned 25 series of photographs as Plaintiffs'</p> <p style="text-align: right;">[Page 109]</p>

1 Lively
 2 Exhibit 30 for identification.)
 3 BY MR. BETKE:
 4 Q. I'm going to hand you, sir, a
 5 document we have marked as Exhibit number 30
 6 and it's a group of photographs; I'll
 7 identify them for the record, Lively 4982,
 8 Lively 4833, Lively 4791, Lively 4790, Lively
 9 4836, Lively 4832, and Lively 4719.
 10 I'm going to ask you to just flip
 11 through that and ask you whether all of those
 12 photographs were taken, to your knowledge,
 13 during your trip to Uganda in 2009?
 14 A. Yes.
 15 Q. So let me start you off with the
 16 first photo, 4982. Who is that in the
 17 photograph?
 18 A. That's me and Stephen Langa.
 19 Q. Then if you would turn to the next
 20 one, which is 4833, do you see that?
 21 A. Yes.
 22 Q. Who is that?
 23 A. I don't know.
 24 Q. Do you recognize that as Mr. Bahati?
 25 A. No, I don't know who any of these

[Page 110]

1 Lively
 2 people are.
 3 MR. MIHET: For the record,
 4 there are three people in the photo.
 5 Q. Okay. Do you recognize any of the
 6 people in the photograph as Mr. Bahati?
 7 A. I've never seen a picture of
 8 Mr. Bahati, so I don't know.
 9 Q. Do you recognize the room where this
 10 picture was taken?
 11 A. Yes, this is the assembly hall of
 12 the Ugandan parliament, I believe. It's my
 13 understanding of what room it was, maybe.
 14 Q. Okay. Do you know who took this
 15 photograph?
 16 A. No.
 17 Q. Do you know how you came to be in
 18 possession of it?
 19 A. No.
 20 Q. You know that this was produced by
 21 you, it says Lively 4833 on the bottom of it,
 22 right?
 23 A. I don't know how I got them.
 24 Q. You don't know as you sit here today
 25 how you got the photographs that have been

[Page 111]

1 Lively
 2 marked as Exhibit 30?
 3 A. No.
 4 Q. Is that correct? You don't know who
 5 took any of them, do you?
 6 A. No, I don't know who took them.
 7 Q. And you don't know who provided them
 8 to you? Did Mr. Langa provide them to you?
 9 MR. MIHET: Objection. Asked
 10 and answered.
 11 A. I don't know. It's possible.
 12 Q. Can you think of any other person
 13 who would have provided you photographs from
 14 the Ugandan conference?
 15 A. No. It's most likely Stephen Langa
 16 but I don't know for sure.
 17 Q. And upon searching for these -- for
 18 documents, including the photographs that you
 19 produced, did you find any document by which
 20 these were transmitted to you, for example,
 21 an e-mail with these attached?
 22 A. I don't remember.
 23 Q. Going to the next, if you don't mind
 24 turning to the next page, who is in this --
 25 this is Lively 4791. Do you know who that

[Page 112]

1 Lively
 2 is?
 3 A. That is, I believe, Mr. Buturo.
 4 Q. And you?
 5 A. And me.
 6 Q. Do you know where this photograph
 7 was taken?
 8 A. In the same room.
 9 Q. What you believe is some sort of the
 10 room affiliated with parliament, is that
 11 fair?
 12 A. Yes.
 13 Q. Do you know who took this
 14 photograph?
 15 A. No.
 16 Q. Who was Mr. Buturo at that time?
 17 A. I think he was the minister of
 18 ethics and integrity.
 19 Q. Is he also -- was he also a member
 20 of parliament?
 21 A. No, I think the ministers were
 22 members of the executive branch and the
 23 members of parliament were the legislative
 24 branch but then again that's just a guess.
 25 Q. Okay. If you would look at the next

[Page 113]

<p>1 Lively 2 photo? 3 A. That's me and Martin Ssempe. 4 Q. Is that Lively 4790? 5 A. Yes. 6 Q. Do you know where this was taken? 7 A. I don't know. There is no 8 identifying features in the room so I can't 9 tell. 10 Q. And you don't have a recollection of 11 posing for a photo at a particular location 12 with Mr. Ssempe? 13 A. No. 14 Q. Do you know, this was, though, taken 15 at some point in time when you were in Uganda 16 for the conference in 2009 -- 17 A. Yes, it would have had to have been. 18 Q. -- all right. Next photo, please. 19 A. I think that's Mr. Buturo again. 20 Q. That's Lively 4836? 21 A. Yes. 22 Q. Where is this? 23 A. That's in that same room. That's 24 the podium that we used. 25 Q. And did he speak to the group that</p> <p style="text-align: right;">[Page 114]</p>	<p>1 Lively 2 microphone there that says WBS. Do you see 3 that? 4 A. Yes. 5 Q. What is, to your understanding, what 6 is WBS? 7 A. I don't know. 8 Q. Was that some sort of media? 9 MR. MIHET: Objection. Asked 10 and answered. 11 A. I don't know. 12 Q. Did you speak at this lectern, sir? 13 A. Yes. 14 Q. So is it your practice to speak at 15 lecterns where there are microphones with 16 some sort of logo on it and you don't know 17 who it belongs to? 18 MR. MIHET: Objection. Form. 19 Argumentative. 20 A. I don't -- yes, actually. I just 21 get up and speak, and whoever is listening is 22 listening. 23 Q. Okay. Let's go to the next photo, 24 sir. This is Lively 4719. 25 Who is in this photograph, besides</p> <p style="text-align: right;">[Page 116]</p>
<p>1 Lively 2 day? 3 A. Yes. 4 Q. Do you recall what he spoke about? 5 A. No. 6 Q. Did he give a substantive speech or 7 was it, you know, welcome to Uganda type 8 thing? 9 A. I don't know. I don't remember. 10 Q. All right. Next photograph, please. 11 Who is the gentleman in that 12 photograph which is Lively -- 13 A. There is two people. 14 Q. Okay. Let's start with the one at 15 the lectern. 16 A. I don't know who that is. 17 Q. And then who is the person to the 18 left in that photo? 19 A. That's Stephen Langa. 20 Q. So just for the record we are 21 talking about Lively 4832 and you don't know 22 the person speaking at the microphone but to 23 the left is Mr. Langa; is that correct? 24 A. That's correct. 25 Q. And you see there there is a</p> <p style="text-align: right;">[Page 115]</p>	<p>1 Lively 2 yourself? 3 A. Stephen Langa on the right and I 4 don't know -- I don't remember what her name 5 was. I think she worked for Stephen. 6 Q. And you agree that's you on the 7 left? 8 A. Yes, that's me on the left. 9 Q. Just going back, if you don't mind 10 to that prior photograph 48.2 with the WBS 11 microphone on it. The speaker has something 12 in his hand, it appears to be some sort of 13 newspaper. 14 Do you see that? 15 A. I see the edge of it, yes. 16 Q. Do you know what that is? 17 A. I don't know. 18 Q. All right. Next photograph, please, 19 or did we run out of photographs? 20 A. I think we ran out of photographs. 21 Q. Now, as I understand it, there was 22 an initial meeting with about 50 members of 23 the Ugandan Christian Lawyers Association 24 when you first arrived; am I right about 25 that?</p> <p style="text-align: right;">[Page 117]</p>

<p>1 Lively 2 and answered. 3 A. I'd have to know the context of the 4 conversation. I mean, I don't -- I don't 5 have it in front of me. I'm just taking you 6 for granted that you are accurately 7 representing my comment. You haven't 8 produced anything to me to show me a 9 transcript or anything to show me that that's 10 what was said. 11 Q. Okay. So you are telling me, sir, 12 that unless I produce to you a transcript of 13 what you said on a radio show, you can't tell 14 me whether or not it was truthful? 15 A. I can't tell you if that's what I 16 actually said or it's whether something that 17 you are fabricating, for example. 18 Q. Okay. Well, do you remember saying 19 it? 20 A. No. I told you that. 21 Q. Okay. But if you said it, let me 22 put it differently. 23 Do you tell the truth when you give 24 interviews? 25 A. Yes.</p> <p style="text-align: right;">[Page 122]</p>	<p>1 Lively 2 actually see. I want to be able to hear it 3 myself on what I actually said. 4 Q. Okay. 5 A. I don't know that you are telling 6 the truth. 7 Q. Sir, do you say different things at 8 different times in front of different people? 9 MR. MIHET: Objection. Form. 10 A. Yes. 11 Q. Okay. And do you tell the truth 12 sometimes and lie other times? 13 A. No. 14 MR. MIHET: Form. 15 Q. Okay. Do you tell the truth when 16 you give interviews, as you understand it to 17 be when you are responding? 18 A. Yes. 19 Q. Okay. And now, to the general 20 question, setting aside whether you said it 21 on Roadkill Radio or not -- 22 A. Don't you have a transcript of that 23 that I can look at. 24 Q. That classic radio show -- 25 MR. MIHET: Objection.</p> <p style="text-align: right;">[Page 124]</p>
<p>1 Lively 2 Q. So if you said it, you believed it 3 to be true when you said it? 4 MR. MIHET: Objection. 5 Q. Is that fair? 6 MR. MIHET: Objection. 7 A. That's not fair. 8 MR. MIHET: Objection. 9 Q. That's not fair? 10 A. That's not a fair question. 11 MR. MIHET: Mr. Lively, let me 12 object to the question before you 13 answer it. 14 Q. Why is my question about whether or 15 not you said something, whether it was true 16 when you said it, not fair? 17 MR. MIHET: Objection. Form. 18 A. Because you are asking me to assume 19 that your hypothetical is correct, and the 20 answer is, if it is correct whether if I had 21 said it, it would be the truth. It's a 22 backhanded way of getting me to confirm that 23 that's what I actually said. I don't know 24 what I actually said. You're going to have 25 to produce a transcript for me so I can</p> <p style="text-align: right;">[Page 123]</p>	<p>1 Lively 2 Argumentative. 3 Q. Was it, in fact, your purpose in 4 going to Uganda to help Ugandans strengthen 5 their laws against homosexuality? 6 MR. MIHET: Objection. Asked 7 and answered. My purpose in going to 8 Uganda was to educate the Ugandans 9 about the homosexual movement and 10 agenda. 11 Q. So what is the answer to my 12 question, was it your purpose in going to 13 Uganda to help Ugandans strengthen their laws 14 against homosexuality, yes or no? 15 MR. MIHET: Objection. Asked 16 and answered. Also object to the 17 requirement that he answer with a yes 18 or no. 19 A. While I was there, in Uganda, I 20 became aware that the -- that they were 21 planning to do some sort of law and at that 22 point, yes. 23 Q. So not -- it wasn't your purpose in 24 going but it became at least part of your 25 purpose once you were there?</p> <p style="text-align: right;">[Page 125]</p>

<p>1 Lively</p> <p>2 A. Yes.</p> <p>3 Q. You understood prior to going that</p> <p>4 homosexuality was already legal in Uganda, we</p> <p>5 already went over that, right?</p> <p>6 A. Yes.</p> <p>7 Q. So what did you understand needed to</p> <p>8 be strengthened in Ugandan law against</p> <p>9 homosexuality?</p> <p>10 A. Well, if you want to refer back to</p> <p>11 Exhibit 25 --</p> <p>12 Q. Well, let's first if you can answer</p> <p>13 without referring to an exhibit, please give</p> <p>14 me an answer. But if you need to refer to an</p> <p>15 exhibit, you are free to do so.</p> <p>16 A. Well, I wanted to explain. I mean,</p> <p>17 I've already provided the answer to you and</p> <p>18 something I've already answered questions on.</p> <p>19 And it's related to the testimony of parents</p> <p>20 in Uganda that gays from the U.S. and Europe</p> <p>21 were coming in to the country and messing</p> <p>22 with the boys.</p> <p>23 Q. So is that, if we look at what was</p> <p>24 marked as Exhibit 25, is that the part, the</p> <p>25 second page where it begins, Sadly?</p> <p style="text-align: right;">[Page 126]</p>	<p>1 Lively</p> <p>2 Uganda?</p> <p>3 A. I don't know that I had any specific</p> <p>4 conversations about that particular aspect of</p> <p>5 a proposed law.</p> <p>6 Q. You had advocated that previously,</p> <p>7 had you not, in other venues at least that</p> <p>8 one way to stop the homosexual agenda is to</p> <p>9 make it illegal to advocate for homosexual</p> <p>10 rights?</p> <p>11 MR. MIHET: Form.</p> <p>12 A. To youths, to children.</p> <p>13 Q. So is it your testimony here that</p> <p>14 when you have indicated the need to pass laws</p> <p>15 to prevent advocacy you have always indicated</p> <p>16 that that was only to be advocacy pertaining</p> <p>17 to youths?</p> <p>18 MR. MIHET: Form.</p> <p>19 A. I can't say that every time I've</p> <p>20 made that statement that I included the</p> <p>21 specific reference to youth, but, yes, it's</p> <p>22 enough of a time, it's across my writings and</p> <p>23 speeches that anyone who knows my ministry</p> <p>24 would know that that's what I believe.</p> <p>25 Q. So if there were occasions where you</p> <p style="text-align: right;">[Page 128]</p>
<p>1 Lively</p> <p>2 A. Yes. Now, I didn't have a chance --</p> <p>3 you stopped me right when I got to that</p> <p>4 paragraph. So I'd like to go ahead and read</p> <p>5 the rest of this page.</p> <p>6 Q. Sure.</p> <p>7 (Witness peruses document.)</p> <p>8 A. Okay.</p> <p>9 Q. So you've had a chance to read the</p> <p>10 portion of Exhibit 25 that you wanted to</p> <p>11 read. And I had asked you a question about</p> <p>12 what part of the law of Uganda did you</p> <p>13 understand needed to be strengthened with</p> <p>14 respect to homosexuality?</p> <p>15 A. The protection of male youths from</p> <p>16 pederasty.</p> <p>17 Q. And that's -- and you reference in</p> <p>18 Exhibit 25, is that the portion that -- the</p> <p>19 paragraph that begins with the word sadly and</p> <p>20 ends with the word young?</p> <p>21 A. Yes.</p> <p>22 MR. MIHET: Objection. Form.</p> <p>23 Q. And did you also believe that they</p> <p>24 needed to strengthen their laws with respect</p> <p>25 to activism in favor of homosexual rights in</p> <p style="text-align: right;">[Page 127]</p>	<p>1 Lively</p> <p>2 said that but you didn't include the word to</p> <p>3 youths, people would have to know the rest of</p> <p>4 your ministry to understand what you were</p> <p>5 getting at?</p> <p>6 MR. MIHET: Objection. Form.</p> <p>7 It calls for speculation.</p> <p>8 A. If I didn't make that clear in that</p> <p>9 conversation, then, perhaps.</p> <p>10 Q. You indicated in this paragraph that</p> <p>11 you were referring to, it said -- the</p> <p>12 preceding paragraph says, Uganda is an</p> <p>13 important target for the, open quote, gays,</p> <p>14 close quote, because of its internationally</p> <p>15 renowned victory over AIDS through abstinence</p> <p>16 campaigns. It went from having the highest</p> <p>17 to lowest disease rates in Africa, period.</p> <p>18 The next paragraph begins, Sadly,</p> <p>19 there are numerous indications that the, open</p> <p>20 quotes, gays, close quotes, efforts are</p> <p>21 working. We heard testimonies in our</p> <p>22 meetings from teachers, pastors and</p> <p>23 counselors that incidents of homosexuality</p> <p>24 are on the rise among the youth, including</p> <p>25 male-on-male rapes in boys at boarding</p> <p style="text-align: right;">[Page 129]</p>

1 Lively
2 A. No, well, now.
3 Q. Do you, sir, involve in homosexual
4 exorcisms?
5 MR. MIHET: Form.
6 A. No.
7 Q. Have you ever heard of that term
8 before?
9 A. Well, I guess not.
10 Q. Are you aware that Mr. Ssempe was
11 convicted of defamation in Uganda?
12 MR. MIHET: Objection. Form.
13 A. I knew that he was being sued by
14 somebody. I don't know that it was a
15 criminal trial or civil suit and I don't know
16 what the outcome of it was.
17 Q. Do you have an understanding of what
18 the allegations against Mr. Ssempe in that
19 lawsuit were?
20 A. I think that he made allegations
21 against a high-level preacher in Uganda.
22 Q. The allegation was that that
23 preacher was a homosexual, wasn't it?
24 MR. MIHET: Form. Asked and
25 answered.

[Page 142]

1 Lively
2 A. Yes. Actually, more specific that
3 he was involved with -- well, actually, no, I
4 don't. I'm trying to dig out what I could
5 remember about it. I guess that's as close
6 as I could get.
7 Q. Have you ever spoken to Mr. Bahati?
8 A. No.
9 Q. Was Mr. Bahati a member of
10 parliament who was at your speech before
11 parliament in Uganda?
12 MR. MIHET: Form. Misstates
13 the testimony.
14 A. If that's who the person in the
15 photograph you showed me is, then it appears
16 that he was in the room when I gave my talk,
17 yes.
18 Q. But in fairness to you, as you sit
19 here today, you are saying you have no
20 recollection of meeting someone that you
21 understood to be Mr. Bahati?
22 A. No.
23 Q. When you spoke to the group of
24 Ugandan Christian lawyers on the evening of
25 your arrival in Kampala, did you urge the

[Page 143]

1 Lively
2 Christian lawyers there to strengthen the
3 laws against homosexuality in Uganda?
4 MR. MIHET: Form.
5 A. I don't remember what I said at that
6 conference on that day.
7 Q. Does that sound like something that
8 you might have said there?
9 MR. MIHET: Form. Calls for
10 speculation.
11 A. Not at that time, no.
12 MR. MIHET: Mr. Lively, we've
13 got all day, we are not in a hurry.
14 Please give me a chance to object.
15 THE WITNESS: Okay. I'm sorry.
16 MR. MIHET: Thank you.
17 Q. And then you address the members of
18 parliament on the day after your arrival, the
19 morning after your arrival; is that correct?
20 MR. MIHET: Form.
21 A. I believe that was the schedule.
22 But I don't remember what the schedule was so
23 I'm not going to guess.
24 Q. Ultimately you addressed members of
25 parliament, right?

[Page 144]

1 Lively
2 A. Yes, some members of parliament.
3 Q. Do you have a copy of your
4 presentation to parliament?
5 A. No.
6 MR. MIHET: Objection. Assumes
7 facts not in evidence.
8 Q. Did you give a speech?
9 A. Uh --
10 Q. Did you give a speech?
11 A. Yes.
12 Q. And is it your testimony here that
13 you did not retain a copy of the speech that
14 you gave to the Ugandan parliament in 2009?
15 MR. MIHET: Objection. Assumes
16 facts not in evidence.
17 A. Yes.
18 MR. BETKE: Counsel, what's the
19 fact that assumes that it wasn't in
20 evidence?
21 MR. MIHET: It assumes that
22 there was a written speech to begin
23 with.
24 MR. BETKE: Well, I asked him
25 that.

[Page 145]

<p>1 Lively</p> <p>2 or any of these other behaviors, pedophilia,</p> <p>3 pederasty.</p> <p>4 Q. Did you ever advocate to Ugandans</p> <p>5 that the public advocacy of homosexuality be</p> <p>6 criminalized?</p> <p>7 A. No.</p> <p>8 Q. Did you ever advocate to Ugandans</p> <p>9 that the easiest way -- strike that.</p> <p>10 That the way to discourage gay pride</p> <p>11 parades and other homosexual advocacies that</p> <p>12 may be illegal?</p> <p>13 A. No.</p> <p>14 Q. Have you ever taken the position in</p> <p>15 any form that homosexual advocacy in Uganda</p> <p>16 should be illegal?</p> <p>17 MR. MIHET: Form.</p> <p>18 A. Not during the time I was in Uganda.</p> <p>19 After the fact, I remember I sent a letter to</p> <p>20 or an e-mail to someone. It might have been</p> <p>21 Stephen Langa. It might have been Charles</p> <p>22 Tuhaise or Mark Sempa that suggested that</p> <p>23 they drop the anti-sexuality bill and adopt</p> <p>24 the Russian anti-propaganda law in its place.</p> <p>25 And that's actually a law that I endorse and</p> <p style="text-align: right;">[Page 182]</p>	<p>1 Lively</p> <p>2 yes.</p> <p>3 MR. BETKE: Let's mark this as</p> <p>4 the next exhibit.</p> <p>5 (Whereupon, at this time, the</p> <p>6 reporter marked the above-mentioned</p> <p>7 e-mail chain as Plaintiff's Exhibit</p> <p>8 34 for identification.)</p> <p>9 MR. BETKE: You will see that</p> <p>10 this is the page six and seven that</p> <p>11 you were worried about before,</p> <p>12 Counsel, so we have it now marked.</p> <p>13 MR. MIHET: Actually, I think</p> <p>14 there was only one page missing from</p> <p>15 the previous exhibit.</p> <p>16 MR. BETKE: In any event, I am</p> <p>17 going to ask him about the e-mail at</p> <p>18 the bottom of this page.</p> <p>19 BY MR. BETKE:</p> <p>20 Q. I'm going to give you a chance to</p> <p>21 read it, sir. I'm directing your attention</p> <p>22 to the e-mail at the bottom of 34 and it's</p> <p>23 Lively 3228 and it goes to Lively 3229. And</p> <p>24 you will see there it appears to be an e-mail</p> <p>25 from Martin Sempa to you.</p> <p style="text-align: right;">[Page 184]</p>
<p>1 Lively</p> <p>2 I think that my advocacy of that law probably</p> <p>3 had something to do with it being enacted</p> <p>4 eventually.</p> <p>5 I always supported the Russian law</p> <p>6 as written, I never supported the Ugandan</p> <p>7 law, I still don't.</p> <p>8 In fact, if I had known that the</p> <p>9 Ugandan parliament was going to pass the</p> <p>10 anti-homosexuality law that it passed, I</p> <p>11 never would have gone there.</p> <p>12 Q. Did you ever advocate publically or</p> <p>13 privately to anyone in Uganda that homosexual</p> <p>14 advocacy should be illegal?</p> <p>15 MR. MIHET: Objection. Asked</p> <p>16 and answered.</p> <p>17 A. I just answered that question. It's</p> <p>18 the exact same phraseology. No.</p> <p>19 Q. I think that's the answer.</p> <p>20 A. Let me correct that, because in</p> <p>21 relation to youth, yes. I do recall having</p> <p>22 an e-mail exchange regarding that issue, and</p> <p>23 I made it clear that my focus was on youth.</p> <p>24 That advocacy of homosexuality to young</p> <p>25 people, to children should be criminalized,</p> <p style="text-align: right;">[Page 183]</p>	<p>1 Lively</p> <p>2 Do you see that?</p> <p>3 A. Yes.</p> <p>4 Q. Do you want to take a minute and</p> <p>5 read that?</p> <p>6 A. Yes.</p> <p>7 (Witness peruses document.)</p> <p>8 MR. MIHET: Counsel, why not</p> <p>9 add this exhibit to the previous one</p> <p>10 to make it one complete exhibit?</p> <p>11 MR. BETKE: I've marked the</p> <p>12 exhibit I've marked.</p> <p>13 MR. MIHET: In that case, I</p> <p>14 renew my objection to marking</p> <p>15 exhibits that contain only fractions</p> <p>16 of communications.</p> <p>17 MR. BETKE: Just because you</p> <p>18 guys produce things in a particular</p> <p>19 method doesn't mean any communication</p> <p>20 is related to any other communication</p> <p>21 other than you printed them out a</p> <p>22 certain way.</p> <p>23 So you can ask questions of</p> <p>24 Mr. Lively, if you'd like. I object</p> <p>25 to your statement that this relates</p> <p style="text-align: right;">[Page 185]</p>

1 Lively
2 with legislators?
3 A. Yes.
4 Q. So in fairness, this wasn't
5 Mr. Ssempe sitting alone at his desk coming
6 up with something and sending it to you and
7 asking what you think. This is Mr. Ssempe
8 telling you he had been working on a draft
9 with legislators, right?
10 MR. MIHET: Form. Calls for
11 speculation.
12 A. Based on how he had described it,
13 yes.
14 Q. You had no reason to believe
15 otherwise because you had no other
16 communication with him about this legislation
17 before providing your response?
18 A. Absolutely. I had nothing to do
19 with the drafting of this bill.
20 Q. Right. And so my point is, you, as
21 of April 27, 2009, you considered Martin
22 Ssempe a friend, correct?
23 A. Yes.
24 Q. He was one of your partners in
25 ministry, correct?

[Page 226]

1 Lively
2 A. He was the person I knew the second
3 best in Uganda.
4 Q. Was he one of your so-called
5 partners in ministry? Did you ever refer to
6 him as that?
7 A. I may have.
8 Q. And did you have any reason in April
9 of 2009, to disbelieve something that Martin
10 Ssempe was sending you in an e-mail?
11 MR. MIHET: Form.
12 A. I don't know what you mean by the
13 question.
14 Q. Did you consider Martin Ssempe to be
15 a truthful person?
16 A. Yes.
17 Q. Okay. So if and to the extent
18 Martin Ssempe said to you in an e-mail that
19 he spent time working on a draft of
20 legislation with some legislators, would you
21 have any reason to disbelieve that on April
22 27, 2009?
23 MR. MIHET: Form.
24 A. No.
25 Q. Now, between April of 2009 and March

[Page 227]

1 Lively
2 of 2010, first of all, is that when you wrote
3 your letter to the Ugandan parliament, March
4 of 2010?
5 A. I'd have to see it to remember the
6 date.
7 Q. Okay. Does that sound about right,
8 as you sit here today?
9 A. It sounds vaguely right.
10 Q. Okay.
11 MR. BETKE: Let's mark this as
12 the next exhibit.
13 (Whereupon, at this time, the
14 reporter marked the above-mentioned
15 letter to parliament as Plaintiff's
16 Exhibit 38 for identification.)
17 BY MR. BETKE:
18 Q. I'm going to hand you what's been
19 marked as Exhibit 38, and you've referenced
20 this a couple of times here today. So I'm
21 going to ask you to just take a quick look at
22 that and ask you if you can just first
23 identify that as the referenced letter to the
24 Ugandan parliament.
25 A. Yes, this does look like that.

[Page 228]

1 Lively
2 Q. Okay.
3 A. Do you mind if I read that?
4 Q. Well, let me ask you some
5 preliminary questions about it first, sir.
6 A. Okay.
7 Q. And then we will get into it.
8 First of all, can you identify, see
9 the recipients, there are some ccs there.
10 And who is the first person on the CC?
11 A. For the record it's B-A -- it looks
12 like David Bahati.
13 Q. Do you know who he -- do you know
14 who he was as of March 2010?
15 A. I probably had heard that he was the
16 one who drafted the bill, yes, that's
17 probably why I put him as the first CC.
18 Q. Was he a -- was he a member of
19 parliament, is it?
20 A. Yes.
21 Q. Had you ever spoken to him before
22 March 2010?
23 A. I hadn't spoken to him on March 2010
24 either.
25 Q. Okay. So you had never spoken to

[Page 229]

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

-----x

SEXUAL MINORITIES UGANDA,

Plaintiff, :

Civil Action No

3-12-CV-30061-MAP

- against -

SCOTT LIVELY,

Defendants. :

-----x

51 West 52nd Street

New York, New York

June 24, 2015

9:00 a.m.

CONTINUED EXAMINATION BEFORE TRIAL of SCOTT
LIVELY, the Defendant herein, taken by the
Plaintiff, pursuant to Notice, held at the
above-mentioned time and place, before Michelle
Lemberger, a Notary Public of the State of New
York.

1 Lively
 2 A. Sorba, Ryan Sorba.
 3 Q. How do you spell that?
 4 A. S-O-R-B-A.
 5 Q. Is Abiding Truth Ministries a
 6 corporation?
 7 A. Yes, it's a 501(c)3.
 8 Q. And where is it incorporated?
 9 A. California.
 10 Q. And is it currently in good standing
 11 in California?
 12 A. Yes.
 13 Q. And then did you do anything to
 14 transfer its existence to Massachusetts?
 15 A. I registered it in Massachusetts to
 16 avoid the foreign corporation tax which they
 17 levy on anybody that isn't registered.
 18 Q. When you went to Uganda were you
 19 acting -- is it your contention you were
 20 acting in your capacity with Abiding Truth
 21 Ministries?
 22 A. Yes.
 23 Q. And in what capacity?
 24 A. As the president.
 25 Q. Do you believe it's within the --

[Page 321]

1 Lively
 2 strike that.
 3 When you were commenting on the
 4 proposed legislation in Uganda both making
 5 comments to the actual statute or a draft of
 6 the statute and in your letters to
 7 parliament, et cetera, do you believe you
 8 were acting in the capacity on behalf of
 9 Abiding Truth Ministries?
 10 A. Yes. And I need to clarify, and
 11 when I'm speaking regarding Abiding Truth
 12 Ministries, Abiding Truth Ministries is a
 13 Bible-based Christian religious non-profit
 14 corporation whose purpose is to advocate a
 15 Biblical view regarding social policies or
 16 regarding anything that we address.
 17 Q. Do you believe that in commenting on
 18 proposed draft legislation in Uganda you were
 19 acting in your capacity for Abiding Truth
 20 Ministries?
 21 A. What do you mean by commenting?
 22 Q. Well, let's go to Exhibit 37.
 23 Actually, it should probably be looked at in
 24 conjunction with 36. We figured that out
 25 yesterday. So if you want, I'll revise my

[Page 322]

1 Lively
 2 question. Strike that question and let me
 3 ask, do you believe in providing revisions to
 4 proposed legislation in Uganda that you were
 5 acting in a capacity for Abiding Truth
 6 Ministries?
 7 A. Yes.
 8 MR. MIHET: Form. Legal
 9 conclusion.
 10 Q. How many shareholders or members
 11 does Abiding Truth Ministries have?
 12 MR. MIHET: Form.
 13 A. There are no shareholders or
 14 members.
 15 Q. What is the relationship between
 16 Abiding Truth Ministries and pro-family
 17 resource center?
 18 A. Pro-family resource center is a
 19 section of our website.
 20 Q. Does pro-family resource center
 21 exist as an entity of any sort?
 22 A. No.
 23 Q. And same question regarding the --
 24 what is the relationship between -- is it
 25 okay if I say ATM?

[Page 323]

1 Lively
 2 A. Sure.
 3 Q. It will speed it up a little bit.
 4 What is the relationship between ATM and
 5 Defend the Family dot com?
 6 A. Defend the Family dot com is just
 7 the name of the website.
 8 Q. Does Defend the Family exist as a
 9 separate entity of any sort?
 10 A. No.
 11 Q. What is Defend the Family
 12 International?
 13 A. Defend the Family International is
 14 the name that I use when I am traveling
 15 abroad.
 16 Q. Is that -- is that an entity of any
 17 sort?
 18 A. It's just a nickname for Abiding
 19 Truth Ministries for lack of a better term.
 20 Q. Have you filed any sort of D/B/A
 21 certificate identifying that Defend the
 22 Family International is a name that Abiding
 23 Truth Ministries goes by from time to time?
 24 MR. MIHET: Form.
 25 A. No.

[Page 324]

1 Lively
2 Q. What is Watchmen On the Walls?
3 A. Watchmen On the Walls is an
4 organization started by Pastor Alexey Ledyaev
5 of Riga Latvia that began as sort of a rock
6 opera with the title Watchmen On the Walls,
7 and which he used as a vehicle to attempt to
8 establish a coalition of like-minded people
9 regarding homosexuality and social policy.
10 Q. Is it, to your knowledge, a legal
11 entity?
12 A. No.
13 Q. Did you have any affiliation with
14 Watchmen On the Walls?
15 MR. MIHET: Form.
16 A. I was one of four members.
17 Q. And you may have told me this
18 yesterday but I just don't remember, so I'm
19 going to ask it again. Who were the four
20 members of Watchmen On the Walls?
21 A. Myself, Pastor Alexey, Vlad Kusakin
22 and Ken Hutcherson.
23 Q. And then an entity called -- does
24 Watchmen On the Walls, does that still exist?
25 A. No.

[Page 325]

1 Lively
2 Q. Do you know if any -- as one of the
3 four members, do you know if any formal
4 action was taken to dissolve it?
5 MR. MIHET: Form.
6 A. Well, it was never formally
7 established, it was never formally dissolved.
8 You know, frankly, I don't know if Alexey has
9 continued to do anything under that name. I
10 actually, I can't say for certain that it
11 doesn't still exist at least in his mind.
12 But in terms of my involvement, that ended a
13 long time ago.
14 Q. Did there -- why is it that you
15 believe it dissolved then?
16 A. Well, I assume that if anything was
17 going forward that someone would have talked
18 to me about it, since I was one of the
19 founding members.
20 Q. So is it fair to say that your
21 belief that it dissolved is basically, you
22 just haven't heard anything about it further;
23 is that the sum and substance of it, as
24 opposed to someone sending you an e-mail
25 saying we are dissolving this or it's over,

[Page 326]

1 Lively
2 that type of thing?
3 MR. MIHET: Form.
4 A. In terms of Watchmen On the Walls in
5 my mind and experience was the four of us
6 holding conferences where the rock opera was
7 performed. And so when that stopped
8 happening, I don't think there was any more
9 Watchmen On the Walls.
10 Q. Was there any aspect of Watchmen On
11 the Walls that was an effort to assemble an
12 international coalition built around the
13 effort to push back against the homosexual
14 agenda?
15 MR. MIHET: Form.
16 A. That wasn't the intention but it was
17 really -- that was really torpedoed by the
18 Southern Poverty Law Center when they
19 sabotaged our conference in Seattle, and that
20 really was sort of the end of it.
21 They mischaracterized the
22 organization's purposes, goals, portrayed us
23 as a hate group and it just had a -- it
24 was -- it had a chilling effect on exercising
25 our free speech and that was really sort of

[Page 327]

1 Lively
2 the -- that was the end of the organization
3 or at least the beginning of the -- beginning
4 of the end of it.
5 Q. When was that?
6 A. I don't remember what year that was.
7 Q. Why wasn't Watchmen On the Walls
8 ever formally established?
9 MR. MIHET: Form.
10 A. Probably because of that action, the
11 attack by the Southern Poverty Law Center.
12 Q. Was there any effort by you and the
13 other members or any combination thereof, to
14 reassemble under a different name, so as to
15 get around the PR issue you discussed?
16 MR. MIHET: Form.
17 A. No.
18 Q. What is the Coalition for Family
19 Values?
20 A. The Coalition for Family Values was
21 a proposed organization that I designed that
22 was never formalized as an organization, but
23 was -- became an ad hoc committee for the
24 purpose of holding a press conference at the
25 Washington Press Club a couple of years ago.

[Page 328]

[10] (Pages 325 to 328)

1 Lively
 2 Ugandan newspaper.
 3 Q. All right. And did you give an
 4 interview for that?
 5 A. I can't -- I can't recall any of the
 6 newspapers that I had -- that I did
 7 interviews with by name.
 8 Q. And then separate and apart from any
 9 interviews, have you ever had any
 10 communications with someone that you knew to
 11 be affiliated with New Vision?
 12 A. Not to my knowledge.
 13 Q. Do you know who Kihumur Apuuli,
 14 K-I-H-U-M-U-R last name A-P-U-U-L-I is? By
 15 the way, when it comes to name pronunciation
 16 this is when I really regret the videotaping.
 17 Do you know who that person is, sir?
 18 A. I don't believe so.
 19 Q. How about Fred Ruhindi,
 20 R-U-H-I-N-D-I?
 21 A. I don't think so.
 22 Q. Kale Kayihura, K-A-L-E first name,
 23 last name K-A-Y-I-H-U-R-A?
 24 A. I'm bad enough with names even,
 25 American names but African names is even --

[Page 341]

1 Lively
 2 no, I don't, I can't say that I know that
 3 person.
 4 Q. Sidney Enoch, E-N-O-C-H?
 5 A. I know who that person is.
 6 Q. Who is that person?
 7 A. That is the person who is -- was
 8 convicted of murdering David Kale.
 9 Q. Do you know that person?
 10 A. No.
 11 Q. Do you have any -- have you ever had
 12 any communications to your knowledge, with
 13 that person?
 14 A. No.
 15 Q. Paul Kagaba?
 16 A. I don't know who that is.
 17 Q. K-A-G-A-B-A?
 18 A. I don't know who that is.
 19 Q. It may help to wait until I spell it
 20 in case my pronunciation has butchered it.
 21 A. Fair enough.
 22 Q. Next, George Oundo, O-U-N-D-O. This
 23 is why I flunked German, by the way. Well, I
 24 didn't flunk it but I didn't do very well in
 25 it in high school, I was not very good at

[Page 342]

1 Lively
 2 accents. O-U-N-D-O?
 3 A. I don't recall meeting that person.
 4 Q. Giles Muhame, M-U-H-A-M-E?
 5 A. No.
 6 MR. MIHET: Counsel, we have
 7 been at it for about an hour. When
 8 you think it's appropriate we can
 9 take a short break.
 10 MR. BETKE: I think this would
 11 be a good time.
 12 VIDEOGRAPHER: Stand by please.
 13 The time right now is 10:07 a.m. and
 14 we are off the record.
 15 (Whereupon, a brief recess was
 16 taken.)
 17 VIDEOGRAPHER: This marks the
 18 beginning of tape number two. The
 19 time now is 10:19 a.m. and we are
 20 back on the record.
 21 MR. BETKE: Can we mark this as
 22 the next exhibit, Exhibit 43, please.
 23 (Whereupon, at this time, the
 24 reporter marked the above-mentioned
 25 letter to the Hungarian people as

[Page 343]

1 Lively
 2 Plaintiffs' Exhibit 43 for
 3 identification.)
 4 BY MR. BETKE:
 5 Q. Directing your attention to Exhibit
 6 43. First of all, do you recognize this
 7 document as something you wrote?
 8 A. Yes.
 9 Q. And, in fact, it's a letter to the
 10 Hungarian people, correct?
 11 A. Yes.
 12 Q. This is a document that you posted
 13 on Scott Lively website called Scott Lively
 14 Ministries; am I right about that?
 15 A. Yes.
 16 Q. Is it Scott Lively dot net?
 17 A. Scott Lively dot net.
 18 Q. And is that where you post items
 19 under the heading Scott Lively Ministries?
 20 A. Yes.
 21 MR. MIHET: Counsel, just for
 22 the record, I believe we produced a
 23 copy of this letter with a Bates
 24 label on it.
 25 MR. BETKE: It may be. Just

[Page 344]

1 Lively
 2 this is how I had it in my hotel
 3 room. I couldn't print Bates things.
 4 So if at any point you wish to
 5 identify the Bates, I'd be more than
 6 happy to state that for the record.
 7 But in any event --
 8 Q. Just out of curiosity, is there any
 9 reason you post one thing to Scott Lively
 10 Ministries as opposed to Defend the Family?
 11 A. Scott Lively dot net is a newer
 12 website and it's really sort of my blog. The
 13 things that are on Scott Lively dot net are
 14 my -- the things that I've written, and most
 15 of the time when I post something on Scott
 16 Lively dot net I just simply link to it from
 17 Defend the Family dot com rather than posting
 18 it there. But can I read this?
 19 Q. Oh, absolutely.
 20 (Witness peruses document.)
 21 A. Okay.
 22 Q. First of all, sir, is Exhibit 43 a
 23 true and accurate copy of your letter to the
 24 Hungarian people as posted on July 22, 2013
 25 on Scott Lively Ministries?

[Page 345]

1 Lively
 2 A. Yes.
 3 Q. All right. Did you do a speaking
 4 tour of eastern European nations at some
 5 point in time?
 6 A. I spoke in seven countries. You
 7 want the list of them?
 8 Q. Yes, please. Yes.
 9 A. Poland, Latvia, Lithuania, Bosnia,
 10 Belarus, Ukraine and Russia.
 11 Q. Were those speaking engagements in
 12 conjunction with any other organizations
 13 besides ATM and/or yourself?
 14 A. It was --
 15 MR. MIHET: Form.
 16 A. Partly in cooperation with the New
 17 Generation Church of Riga Latvia.
 18 Q. And who is the principal or
 19 president of that church?
 20 A. Alexey Ledyaev.
 21 Q. Was Alexey Ledyaev with you when you
 22 did those various stops that you just
 23 indicated?
 24 A. No.
 25 Q. Who was with you?

[Page 346]

1 Lively
 2 A. My wife and local representatives of
 3 the chapters of the church.
 4 Q. Were there any other individuals who
 5 accompanied -- besides your wife who
 6 accompanied you on that tour?
 7 A. No. Well, when we went into a --
 8 MR. MIHET: Form.
 9 A. When we went into a city, they would
 10 have a team that would organize the
 11 activities and that usually involved a
 12 translator, someone who would go around and
 13 go ahead and set up the venue and all that.
 14 Q. An advance person so to speak?
 15 A. An advance person, that's the right
 16 term. An advance person and sometimes a
 17 camera crew.
 18 Q. Who organized the tour?
 19 A. New Generation -- well, part of it.
 20 The stop in Poland was my schedule, sort of
 21 before we got to Latvia. Latvia was the
 22 second country, I think. Poland was my item
 23 on my itinerary. It was to end at the World
 24 Congress of Families IV in Warsaw. And
 25 actually before that I didn't do speaking

[Page 347]

1 Lively
 2 events but I stopped in Ireland and I stopped
 3 in England.
 4 Q. All right. So aside from the visit
 5 to Poland, who organized the rest of the
 6 tour?
 7 A. New Generation Church.
 8 Q. And I think based upon what you just
 9 said, maybe this will answer the question,
 10 but you had said earlier that they would have
 11 a team, they would have people meet me. Who
 12 is the they in that?
 13 A. New Generation Church.
 14 Q. Now, I've seen a name Vadim
 15 Privedenyuk, a gentleman from Springfield who
 16 was a translator, Vadim?
 17 A. Vadim Privedenyuk, yes.
 18 Q. If I just say Vadim, can we
 19 understand for today's purposes unless I say
 20 otherwise I'm referring to that gentleman?
 21 A. Yes, it's an extremely common
 22 Russian name. So as long as we are only
 23 dealing with one Vadim, we will assume Vadim
 24 Privedenyuk.
 25 Q. Yes, and if I mean any other Vadim,

[Page 348]

1 Lively
 2 I will so state or at least try to state.
 3 A. Okay.
 4 Q. Was Vadim with you on this tour?
 5 A. No.
 6 Q. Has he ever gone with you outside of
 7 the country?
 8 MR. MIHET: Form.
 9 A. No. I've met him in -- I met him in
 10 Riga; I think he was there when I went.
 11 Q. Did he ever travel with you when you
 12 were in eastern Europe?
 13 MR. MIHET: Form.
 14 A. No.
 15 Q. So was the only time you spent him
 16 outside of the United States in Latvia?
 17 A. I don't recall.
 18 Q. But you do recall spending time with
 19 him in Latvia?
 20 A. Yes.
 21 Q. And during that time, did he act as
 22 a translator for you?
 23 A. I really don't remember who
 24 translators were at different times. They
 25 had a whole team of translators.

[Page 349]

1 Lively
 2 Q. Was he present at your various
 3 appearances in Latvia?
 4 MR. MIHET: Form.
 5 A. Sometimes, meaning I spoke at New
 6 Generation Church and he is a member of the
 7 church. So I remember he was there at the
 8 church.
 9 Q. Is he a resident of Springfield?
 10 MR. MIHET: Form.
 11 A. He does -- well, there is a branch
 12 of the New Generation Church in Springfield
 13 and he has lived there. I don't know where
 14 he is -- where his residence is right now.
 15 Q. Okay. Well, you anticipated my
 16 question. I was going to ask if he -- did
 17 you understand him to be at least a resident
 18 of the United States?
 19 MR. MIHET: Form.
 20 A. A resident, as opposed to a citizen
 21 you mean?
 22 Q. Yes. That he lived in the United
 23 States? My next question was how could he be
 24 a member of the New Generation Church if he
 25 lived in the United States. That was my

[Page 350]

1 Lively
 2 question. I think you answered it.
 3 A. The New Generation Church has
 4 members from I think 14 different
 5 Russian-speaking countries and I think they
 6 have a branch in England, in London, and they
 7 have a branch in, at least one branch in the
 8 United States.
 9 Q. And the one branch in the United
 10 States that you are aware of is in
 11 Springfield?
 12 A. Yes.
 13 Q. Did you play any role in setting
 14 that up there?
 15 A. No.
 16 Q. Did that pre-exist your living in
 17 Springfield?
 18 A. Yes.
 19 Q. Is that how you became aware of the
 20 New Generation Church, from the Springfield
 21 branch?
 22 A. Yes.
 23 Q. And who was it at the Springfield
 24 branch that --
 25 A. Actually, that's not true. I became

[Page 351]

1 Lively
 2 aware of New Generation when one of my
 3 supporters told me about Alexey Ledyaev
 4 because he had heard him at a speaking event
 5 in California. And out of that somehow I
 6 ended up meeting Alexey in Sacramento.
 7 Q. With respect to New Generation
 8 Church and the eastern European tour, besides
 9 what happened in Poland, did they bear the
 10 expenses for your travel and appearances
 11 there?
 12 MR. MIHET: Form.
 13 A. Yes, I was reimbursed for all my
 14 travel expenses.
 15 Q. Just to be clear, you were
 16 reimbursed by New Generation Church?
 17 A. Yes.
 18 Q. Did you receive any honorarium?
 19 A. I don't think so.
 20 Q. Just to clarify, when you say you
 21 were reimbursed for your expenses, that would
 22 be travel, lodging and meals?
 23 A. Yes.
 24 Q. Forgive the jumping around but if
 25 you go back to Exhibit 43 just at the top of

[Page 352]

1 Lively
 2 the letter, it says, My letter to the
 3 Hungarian people, Dr. Scott Lively,
 4 president, Defend the Family international.
 5 Do you see that?
 6 A. Yes.
 7 Q. Is Defend the Family international
 8 an actual entity?
 9 A. No, it's just the name that I use
 10 when I am dealing with the international
 11 issues or people outside of the United
 12 States.
 13 Q. And so do you consider that, is this
 14 the entity and I just may not have caught
 15 this, but is this the entity that you said
 16 earlier that that's the name you use in lieu
 17 of Abiding Truth Ministries?
 18 A. Yes.
 19 Q. So when you say president, Defend
 20 the Family international, you are saying
 21 really, president, Abiding Truth Ministries?
 22 A. Correct.
 23 Q. Is that correct?
 24 A. That's correct.
 25 Q. Anything that says Defend the Family

[Page 353]

1 Lively
 2 International on it is Abiding Truth
 3 Ministries?
 4 A. That's correct.
 5 Q. Did Abiding Truth Ministries play
 6 any role in your campaign for governor?
 7 A. No.
 8 Q. I saw a reference in your press
 9 release regarding your run for governor where
 10 you indicated as a church and university
 11 lecturer in government, consultant on family
 12 issues in human rights, with service in more
 13 than 30 countries, I interact comfortably
 14 with leaders from widely diverse backgrounds
 15 and cultures and can draw from a deep
 16 reservoir of personal experience with problem
 17 solving.
 18 My question is, if you could just
 19 tell me, please, for the record what 30
 20 countries have you acted as a government
 21 consultant on family issues and human rights?
 22 MR. MIHET: Form.
 23 A. In Lithuania I met with one member
 24 of parliament on general issues of
 25 interpreting human rights law in how they

[Page 354]

1 Lively
 2 should relate to the European union.
 3 In Latvia I met with a member of the
 4 parliament there regarding the same general
 5 issue of how the country could accommodate
 6 the pro-family views of the population under
 7 the pressure of the European Union to abandon
 8 those values.
 9 And even though this isn't to
 10 government officials, I spoke to a conference
 11 of Christian political parties in Lithuania,
 12 just on general topics of homosexuality and
 13 public policy, but I don't remember the
 14 details of that.
 15 Q. That's two.
 16 A. I met with, once again, this is not
 17 a government official but he was in the
 18 capacity of advising government, Mr. David --
 19 actually Pastor David Anderson of the
 20 Scottish Evangelical Alliance regarding --
 21 Q. I'm sorry, what was the last name?
 22 A. Anderson.
 23 Q. Of all the names I asked about that
 24 one, right?
 25 A. That was regarding the repeal of

[Page 355]

1 Lively
 2 paragraph 28 of British law. He was writing
 3 a white paper that he was presenting to
 4 members of parliament in England. I can't
 5 right now off the top of my head remember any
 6 others, but there possibly were other
 7 similar.
 8 Q. So as you sit here today, you can't
 9 remember any of the other countries that you
 10 acted as a government consultant on family
 11 issues in human rights than those three?
 12 A. Not off the top of my head, no.
 13 Q. How about Uganda?
 14 A. Yes, I suppose Uganda in the
 15 presentation that I made to them there, yes.
 16 Q. And then I ask it only because of
 17 the letter to the Hungarian people. Did you
 18 do this -- what about Hungary?
 19 A. No, this was just in response to
 20 this particular magazine. But I haven't been
 21 to Hungary. I haven't had any interaction
 22 with Hungarians.
 23 Q. How about Russia?
 24 A. I was introduced to a lot of
 25 politicians at, mostly at the sort of city

[Page 356]

1 Lively
 2 for conversations between you and Alexey?
 3 A. I don't remember specifically, no.
 4 He may have, I don't know. I don't know.
 5 Q. What did you discuss in your
 6 meetings with Alexey?
 7 A. Well, first of all, I didn't have
 8 very many meetings with Alexey. He was sort
 9 of like a -- he operated with his own staff
 10 and team. He didn't speak very much English,
 11 a few words here and there. And he was
 12 always on the go, running to do this or that.
 13 He would put on, like, for example,
 14 his Watchmen On the Walls thing was a lavish
 15 musical production involving a couple hundred
 16 people. He was always involved in that sort
 17 of thing. So I didn't actually spend that
 18 much time talking with Alexey. But what was
 19 the specific question again?
 20 Q. So let me break it down then.
 21 When you say you didn't spend much
 22 time talking with Alexey, how often did
 23 you -- how many times have you met with him?
 24 A. Maybe ten to twenty.
 25 Q. And your best estimate on, you know,

[Page 369]

1 Lively
 2 how long you actually spent with him, in
 3 other words, when you had a meeting with him,
 4 would they last, you know, was it a
 5 five-minute meeting?
 6 A. Yes, very short. Sort of like, he's
 7 sort of no nonsense, what is it that you want
 8 and, you know -- I was there basically just
 9 as a speaker, and he was running a, really a
 10 multi-national church and we were not on the
 11 same tier, and so I would get a few minutes
 12 here and there, if I was lucky. Sometimes I
 13 wouldn't even get a chance to see him.
 14 Q. And when you got a few minutes with
 15 him, what were the things you guys would
 16 discuss?
 17 A. Usually related to the nuts and
 18 bolts functions that I, you know -- when I
 19 was going to speak and that kind of thing. I
 20 know they were planning on building a new
 21 church. I remember something about that. I
 22 don't know why I was in that conversation,
 23 but they were going to build a church that
 24 looked like a dome, like a big round -- it
 25 was very interesting.

[Page 370]

1 Lively
 2 Q. Where was that going to be?
 3 A. That was going to be in Riga. I
 4 don't think that that ever -- I don't know
 5 for sure, but I don't think that ever
 6 happened because of the crash, the economic
 7 crash.
 8 Q. Was there also talk about making
 9 Watchmen On the Walls international?
 10 A. Well, I did have -- I did talk with
 11 him about Watchmen On the Walls and it was
 12 related to how to relate to American
 13 audiences. He was interested in that, how to
 14 relate to American audiences. And that was
 15 the general topic, yes.
 16 Q. Did you ever talk with Alexey about
 17 the prospect of bringing Watchmen On the
 18 Walls to Uganda?
 19 A. Yes. I actually pitched that
 20 through Igor, who is another English-language
 21 speaker on the staff of the church, but he
 22 had no interest in that.
 23 Q. And when you say he, is that Alexey
 24 you are referring to?
 25 A. Alexey. Yes, Alexey had no interest

[Page 371]

1 Lively
 2 in that -- well, I never got any positive
 3 response back. In fact, I might not have
 4 gotten any response back on that.
 5 Q. When did you pitch bringing Watchmen
 6 On the Walls to Uganda to Igor?
 7 A. I don't remember. But you've got
 8 those -- you've got that e-mail.
 9 Q. So to the extent you did it, it's
 10 within the e-mails that we've seen?
 11 A. Right.
 12 Q. Now, you remember yesterday we were
 13 talking about a radio interview you did on
 14 Roadkill Radio. And you actually referenced
 15 in one of your e-mails here or in one of your
 16 posts, you referenced an URL and that's in
 17 Exhibit 31?
 18 A. Yes.
 19 Q. Do you see that?
 20 A. Yes.
 21 Q. Interesting, because of the way this
 22 has been produced, we want to -- I want to
 23 confirm that what we have is a true and
 24 accurate electronic recording of that URL,
 25 because you wanted to assure yourself of

[Page 372]

<p>1 Lively 2 they irrationally fear. That's the 3 equation. 4 If you think about it, like for 5 example, the most recent agenda item 6 on the radar is bullying. Now, 7 bullying, that's the premise of the 8 bully. You can't simply tell 9 children, teach the children to be 10 respectfully towards individuals 11 since we are all human beings. No. 12 You have to actually prevent all of 13 the non-homosexual kids from being 14 able to say anything negative about 15 homosexuality. Because if you don't, 16 then if you allow them to have any 17 opinion contrary to the idea that 18 homosexuality is as good as normal, 19 then they are going to start beating 20 up the gays. That's the paranoid 21 delusion that infuses all of 22 their -- 23 MS. SIMPSON: But Pastor 24 Lively, you use the term belief. I 25 think it's beyond belief. I think</p> <p style="text-align: right;">[Page 381]</p>	<p>1 Lively 2 MR. LIVELY: But there are 3 quite a few who actually do believe 4 it. 5 MS. SIMPSON: Oh, I do agree 6 with you and you are right to use the 7 term instable, unstable, and we have 8 the evidence to prove that. We have 9 the facts here -- actually I quoted 10 this just on the weekend when I was 11 speaking to a large group of young 12 people, which is actually where we 13 are moving now here in Canada. 14 It seems that the tax burden 15 associated with promiscuous sex is at 16 such a high level, just one of our 17 Canada AIDS Society reported, you 18 know, just HIV AIDS, 4 billion 19 dollars a year to our healthcare 20 system. That's not including all the 21 sexually-transmitted diseases 22 associated with promiscuous sex. 23 MR. LIVELY: All right, let me 24 interject. We are going to run out 25 of time before I have a chance to</p> <p style="text-align: right;">[Page 383]</p>
<p>1 Lively 2 it's contrived and a manipulative 3 tactic that they use in this. They 4 know that, you know, by people 5 speaking the truth that people are 6 going to say just like smokers, you 7 know, you really shouldn't do that. 8 But here in Canada we have 9 what's called the sin tax. So you 10 know you want to go buy those cancer 11 sticks, go ahead, you are going to 12 pay extra tax because that's going to 13 cost our medical and health system a 14 lot of money. Okay? 15 This is a tactic, it's beyond a 16 belief. I agree that there are 17 many -- 18 MR. LIVELY: For several 19 advocates it is a belief. I agree 20 with you for most of them. For the 21 key activists -- 22 MS. SIMPSON: Yes. 23 MR. LIVELY: -- it's a means of 24 psychological manipulation. 25 MS. SIMPSON: Absolutely.</p> <p style="text-align: right;">[Page 382]</p>	<p>1 Lively 2 explain what this lawsuit is. 3 Because I have to lay the 4 groundwork for explaining the 5 paranoid delusion itself. That's the 6 cause of all the gay propaganda, in 7 order to be able to explain what's 8 happened as a result of going to 9 Uganda in 2009, and speaking at a 10 conference there to the -- to leaders 11 of the society who are very concerned 12 about the homosexualization of their 13 society. 14 MS. SIMPSON: And the cost to 15 that society because it's huge in 16 life and medical. 17 MR. LIVELY: Yes. And Uganda 18 is in a unique society in all the 19 world, in that they had a Christian 20 revival in the 1990s. And it still 21 continues. And the result of that 22 revival, one of the --" 23 THE WITNESS: It's buffering. 24 MR. BETKE: I think so. Maybe 25 I shouldn't touch it. I'm going to</p> <p style="text-align: right;">[Page 384]</p>

[24] (Pages 381 to 384)

1 Lively
 2 level. But I didn't have any consultive
 3 relationship with any of them.
 4 Q. Was Russia one of the countries you
 5 were thinking of when you wrote this about 30
 6 countries?
 7 A. Yes. And in the 30 countries is
 8 the, 30 countries is the whole list of
 9 various different things that I did of which
 10 being a consultant is only one item.
 11 Q. In other words, in that statement,
 12 so as a church and university lecturer and
 13 government consultant on family issues in
 14 human rights with service in more than 30
 15 countries, it's all those things together?
 16 A. Right. It's not to say that I did
 17 every one of those things in all 30
 18 countries.
 19 Q. All right. I understand.
 20 Does Abiding Truth Ministries have
 21 any insurance that covers you in connection
 22 with this case?
 23 A. No.
 24 MR. MIHET: Form. Legal
 25 conclusion.

[Page 357]

1 Lively
 2 Q. Have you made any claim to an
 3 insurance company in connection with this
 4 case?
 5 A. No.
 6 Q. Does Abiding Truth Ministry own any
 7 real property?
 8 A. No.
 9 Q. Is Vlad Kusakin the founder of
 10 Watchmen On the Walls?
 11 A. He was one of the four founding
 12 members.
 13 Q. How was it that you first came to --
 14 strike that.
 15 Did you ever meet Vlad Kusakin?
 16 A. Yes.
 17 Q. When did you first meet him?
 18 A. I think I met him first in
 19 Sacramento.
 20 Q. What were the circumstances of that
 21 meeting?
 22 A. He owned or ran a Russian language
 23 newspaper.
 24 Q. All right. And was he interviewing
 25 you or something like that?

[Page 358]

1 Lively
 2 A. I don't remember. May have been.
 3 Q. When was that?
 4 A. 2005 maybe.
 5 Q. What were you doing in Sacramento at
 6 that time?
 7 A. 2005 I had just moved. I had lived
 8 in Sacramento for five years.
 9 Q. Did you go to Sacramento for the
 10 express purpose of meeting Mr. Kusakin?
 11 A. No.
 12 Q. But in any event, were you in
 13 Sacramento and he happened to be in
 14 Sacramento and you met him?
 15 A. Yes.
 16 Q. Was there a specific meeting or was
 17 it a chance meeting?
 18 A. I don't remember.
 19 Q. How many times have you met
 20 Mr. Kusakin in person?
 21 A. Five to ten.
 22 Q. Aside from the meeting in
 23 Sacramento, when did those other meetings
 24 occur?
 25 A. He was at the Watchmen On the Walls

[Page 359]

1 Lively
 2 gatherings, which I think there were three or
 3 four. I don't remember the other times. I
 4 don't remember the other times or places
 5 where I interacted with him.
 6 Q. Did you ever discuss with
 7 Mr. Kusakin a plan or desire to create an
 8 international coalition to counter the
 9 homosexual agenda?
 10 MR. MIHET: Form.
 11 A. No. He was mostly Pastor Alexey's
 12 friend and that's why he was in that group.
 13 Q. So you never discussed that topic
 14 with him?
 15 A. I don't think so.
 16 Q. Where were the Watchmen On the Walls
 17 gatherings that you referred to?
 18 A. One was Sacramento. One was
 19 Seattle, one was Riga, and one was Vilnius,
 20 Lithuania.
 21 Q. Can you spell that for the
 22 stenographer, please?
 23 A. V-I-L-N-I-U-S. There might have
 24 been one other one. I don't know if he was
 25 there. But I think there was one other.

[Page 360]

1 Lively
2 Q. And where was that?
3 A. In Novo Sibirsk, Russia. N-O-V-O,
4 S-I-B-I-R-S-K, New Siberia.
5 Q. Aside from meeting him in Sacramento
6 and the instances where you -- where he was
7 present at Watchmen On the Walls gatherings,
8 did you have any other meetings with Kusakin?
9 A. No.
10 Q. Do you regularly communicate with
11 him by telephone or e-mail?
12 A. No.
13 Q. When was the last time you spoke
14 with him?
15 A. Probably the last Watchmen On the
16 Walls conference, which I think that was
17 Seattle.
18 Q. When was the last time you spoke to
19 Martin Ssempe?
20 A. When he called me on his visit, I
21 don't remember, in 2005 or something. I
22 don't remember when that was, he was here in
23 the U.S.
24 Q. In fairness to you, sir --
25 A. No, it wasn't, it was later than

[Page 361]

1 Lively
2 that.
3 Q. I was just going to say, in fairness
4 to you, I believe you testified earlier today
5 that there was a conversation that you had
6 with him after the lawsuit; is that correct?
7 A. Yes. It was -- yes, it was about
8 two years ago, I guess, in that context.
9 Q. I believe the language you used was
10 that he was calling in a ministerial
11 capacity?
12 A. Right.
13 Q. Check in with you, that type of
14 thing, is that correct?
15 A. That's correct.
16 Q. But since that, you haven't spoken
17 to him?
18 A. No.
19 MR. BETKE: Off the record for
20 second.
21 VIDEOGRAPHER: The time right
22 now is 10:46 a.m. and we are off the
23 record.
24 (Discussion held off the
25 record.)

[Page 362]

1 Lively
2 (Whereupon, a brief recess was
3 taken.)
4 VIDEOGRAPHER: The time right
5 now is 10:53 a.m. and we are back on
6 the record.
7 BY MR. BETKE:
8 Q. With reference to Vadim, when was
9 the first and you know what that means for
10 today's purposes?
11 A. Um-hum.
12 Q. When was the first time you met
13 Vadim?
14 A. November 2006.
15 Q. And where did you meet him?
16 A. I met him in Springfield.
17 Q. What were the circumstances of you
18 meeting him in Springfield?
19 A. I spoke at his church.
20 Q. Was that the New Generation Church
21 in Springfield?
22 A. Yes.
23 Q. What was his role with that church
24 at that time?
25 A. He's on the pastoral staff; he's one

[Page 363]

1 Lively
2 of several pastors.
3 Q. And do you consider him a friend?
4 A. Yes.
5 Q. Do you see him socially or did you
6 see him socially while you both were in
7 Springfield?
8 MR. MIHET: Form.
9 A. A couple of times.
10 Q. When was the last time you saw him?
11 A. I saw him or that I saw him
12 socially?
13 Q. Saw him, just generally.
14 A. Maybe six months ago.
15 Q. And what was the circumstances of
16 that?
17 A. I think we ran into each other at a
18 store or something, a supermarket.
19 Q. Did you coordinate with him so that
20 he would be in Latvia when you were in
21 Latvia?
22 A. No.
23 MR. MIHET: Form.
24 Q. But he happened to be in Latvia when
25 you were in Latvia?

[Page 364]

1 Lively
 2 A. He was Alexey's primary translator
 3 when Alexey spoke.
 4 Q. So he would travel --
 5 A. Actually, I can't say that. That
 6 was my perception of it. I can't say that
 7 that's true. I just saw that he often was a
 8 translator for Alexey.
 9 Q. Fair enough. I understand you do
 10 not know -- is it fair to say you do not know
 11 his formal capacity with the New Generation
 12 Church with respect to translation but you
 13 perceived that he was the primary translator?
 14 A. For --
 15 Q. That was the perception that you had
 16 for Alexey?
 17 A. Yeah, but now that I think about it
 18 there were -- I think Alexey's primary
 19 translator was a woman, now when I think
 20 about that. So I don't want to
 21 mischaracterize his role with Alexey.
 22 Q. Certainly he translated for Alexey
 23 from time to time?
 24 A. Yes.
 25 Q. And you observed that?

[Page 365]

1 Lively
 2 A. I observed that.
 3 Q. And so does that mean he would
 4 travel from -- when he lived in Springfield,
 5 he would travel from Springfield to eastern
 6 Europe for the purpose of doing translation
 7 services?
 8 MR. MIHET: Form.
 9 A. I don't know. I assume.
 10 Q. Do you know from Vlad whether or not
 11 he was compensated for acting as a
 12 translator?
 13 MR. MIHET: Form.
 14 A. No, I don't know.
 15 Q. I'm sorry --
 16 A. I was responding as if you said
 17 Vadim.
 18 Q. I know and that was generous of you,
 19 sir, thank you. Please feel free to correct
 20 me.
 21 A. We are all just humans here.
 22 Q. With respect to Vadim, do you know
 23 what he did for a job?
 24 A. I don't. I don't know what he did
 25 for a job.

[Page 366]

1 Lively
 2 Q. Have you ever communicated with him
 3 via e-mail?
 4 A. Yes.
 5 Q. Have you ever communicated with
 6 Vadim via e-mail regarding anything to do
 7 with this lawsuit?
 8 MR. MIHET: Form.
 9 A. I don't believe so.
 10 Q. Same question with respect to Vlad?
 11 MR. MIHET: Form.
 12 A. I don't think so.
 13 Q. How about Alexey?
 14 MR. MIHET: Form.
 15 A. I don't remember. If I did, you got
 16 it.
 17 Q. Okay. And when you were present and
 18 Vadim was acting as translator for Alexey,
 19 what was the topic of the discussion?
 20 A. Well, could be anything from genesis
 21 to revelation.
 22 Q. Was it all by your testimony, was it
 23 all, I assume you mean it was all --
 24 A. Church services.
 25 Q. Church services. Did any of it have

[Page 367]

1 Lively
 2 to do with the -- an anti-homosexual agenda?
 3 MR. MIHET: Form.
 4 A. I don't remember.
 5 Q. Or you know, I don't mean to say
 6 that pejoratively, I mean in the efforts to
 7 counter the homosexual agenda.
 8 MR. MIHET: Form.
 9 A. I really don't remember. The
 10 sermons at New Generation were, I mean, they
 11 were just sermons like you hear at any other
 12 church.
 13 Q. When you would speak to Alexey, did
 14 you do that through a translator?
 15 A. Yes.
 16 Q. And Vadim was that translator, was
 17 he not?
 18 MR. MIHET: Form.
 19 A. No. The woman that I talked about,
 20 that's the reason why I corrected myself
 21 there. There was a member of the church, I
 22 don't remember her name, she was dark-haired.
 23 She was -- she would sit in on the meetings
 24 whenever I talked with Alexey.
 25 Q. Did Vadim ever act as a translator

[Page 368]

<p>1 Lively 2 stay out of it. 3 (Video continues playing) 4 "MR. LIVELY: Life results was 5 they went from the highest age rate 6 in Africa to the lowest through 7 promotion of abstinence and fidelity 8 in marriage, Christian values. And 9 that got the attention of the 10 globalists who as, you and I know and 11 many of the listeners know, in the 12 sexual revolution really is the 13 primary lever of the globalists. 14 MS. SIMPSON: Yes. 15 MR. LIVELY: To tip over 16 countries that break their backbone 17 and make it easier to bring them 18 under control. And so when Ugandans 19 did this it set off alarm bells and 20 so they began infiltrating Ugandans's 21 society to sort of launch a sexual 22 revolution there to undermine the 23 Christian successes that they had, 24 especially on AIDS. 25 Well, Ugandans responded to</p> <p style="text-align: right;">[Page 385]</p>	<p>1 Lively 2 Well, I spoke to the Ugandan 3 parliament, at least members of it, 4 in their assembly hall, urging them 5 to focus on rehabilitation and not 6 punishment. But, when the law came 7 out and it quoted a capital 8 punishment provision for a category 9 called aggravated homosexuality, 10 which is mostly focused on 11 pedophilia, but could have been 12 construed to include repeat offenders 13 of simple homosexuality. And the 14 homosexuals and the leftists around 15 the globe just went crazy on this 16 story, and then pointed at me and 17 accused me of being the mastermind of 18 what they began calling the kill the 19 gays bill, which is a blatant lie. 20 MR. GRAY: But you spoke -- 21 MR. LIVELY: From the 22 beginning, it's opposing that -- 23 MR. GRAY: You spoke against 24 both the death penalty and 25 imprisonment when you spoke in</p> <p style="text-align: right;">[Page 387]</p>
<p>1 Lively 2 that by taking on this challenge of 3 the sex activists, as you call them, 4 and in 2002 they had their first 5 national pro-family conference, 6 pornography and obscenity. 7 I, just by coincidence, if you 8 believe in coincidence, I ended up as 9 the keynote speaker for that. And as 10 a result of that became, you know, 11 really helped them launch their 12 movement. 13 So when in 2009 they had not 14 been able to stop George Soros and 15 these others from, you know, creating 16 a sexual revolution there, they knew 17 they needed to strengthen their laws. 18 And in anticipation of that they held 19 this conference that I went and spoke 20 at. 21 Well, that conference was to 22 sort of educate the leaders of the 23 society so that when the law came out 24 that they have an easier time, you 25 know, being able to implement it.</p> <p style="text-align: right;">[Page 386]</p>	<p>1 Lively 2 Uganda, didn't you, in 2009? 3 MR. LIVELY: Yes, yes, I did. 4 However, I actually did write some 5 suggested modifications. They sent 6 me a draft of the bill before they 7 actually brought it forward. And I 8 sent my comments back. What I did is 9 I -- wherever they had quoted prison, 10 I slashed it to, you know, knowing 11 that they weren't going to eliminate 12 it completely, I slashed it down. I 13 took the death penalty out in my 14 suggested revision, and I added two 15 categories based on rehabilitation 16 and promotion of pro-family values in 17 the national school system. 18 And so I got that in the 19 document to show what I actually 20 said. And I'm on record of that from 21 the beginning. 22 MS. SIMPSON: Well, I think 23 last time we talked to you we had the 24 same discussion and you've been 25 consistent. So I want to talk about</p> <p style="text-align: right;">[Page 388]</p>

[25] (Pages 385 to 388)

1 Lively
 2 the lies. Because this group, the
 3 Sexual Minorities Uganda, SMUG, I
 4 mean, you know, that's what they
 5 refer to themselves as, right?
 6 MR. LIVELY: You can't make
 7 this up --
 8 MS. SIMPSON: You know, isn't
 9 there a big clue in that, you know?
 10 But I'm reading from one of the news
 11 reports that was done here by our sex
 12 activist community, okay? And I'm
 13 going to read some of the hyper
 14 assertions that just -- and I want
 15 you to address these, okay? Now,
 16 let's just give some background.
 17 This case brought by SMUG has
 18 been filed in the United States
 19 District Court of District of
 20 Massachusetts. Okay? So this is a
 21 filed lawsuit. Here you go, people.
 22 47 pages of it, right, Pastor Lively?
 23 MR. LIVELY: That's right.
 24 MS. SIMPSON: And, man, you are
 25 just, you are so powerful and so

[Page 389]

1 Lively
 2 influential, for you to have
 3 accomplished all this is just amazing
 4 stuff.
 5 Okay. Here is a direct quote
 6 out of the extra report. U.S.
 7 Evangelist leaders like Scott Lively
 8 have actively and intensively worked
 9 to eradicate any trace of LGBT
 10 advocacy and identity, SMUG Executive
 11 Director Frank Magusha says; true or
 12 false?
 13 MR. LIVELY: Magusha is
 14 actually -- one of the elements that
 15 they put in there as evidence of
 16 crimes against humanity, which that's
 17 a big sort of a punch line of this
 18 whole thing, that's what this lawsuit
 19 is for. It's a civil suit for crimes
 20 against humanity.
 21 And one of the very few pieces
 22 of evidence that they put in there,
 23 is the fact that the people at issue
 24 fled Uganda, which is all
 25 self-claimed that you deduct and he's

[Page 390]

1 Lively
 2 probably now very comfortably
 3 ensconced and remunerated by George
 4 Soros -- but anyway, keep going.
 5 MS. SIMPSON: My thinking and
 6 knowing what you talk about, you
 7 haven't worked to eradicate any trace
 8 of LGBT, Q plus, plus, advocacy,
 9 quite the contrary. You are saying
 10 Hey, there's hope, there's healing,
 11 there's a different way of doing
 12 things and that's the greatest form
 13 of advocacy I can think of.
 14 MR. LIVELY: Well, you know, I
 15 am against the advocacy. Actually I
 16 take the position that homosexuality
 17 should be criminalized. I'm
 18 actually -- I take that position even
 19 here in the United States, but that
 20 it should be criminalized like
 21 marijuana or speeding on the highway
 22 is criminalized, so that you have a
 23 public policy basis to prevent, or
 24 the advocacy that I think should be
 25 prohibited and that is gay pride

[Page 391]

1 Lively
 2 parades, public school advocacy,
 3 promotion of homosexuality to school
 4 children, that kind of thing. That's
 5 what I mean by advocacy. I am
 6 against those --
 7 MS. SIMPSON: I have a simpler
 8 solution. Just cut the public money
 9 to all these various organizations
 10 and activities, and you solve three
 11 quarters of the problem.
 12 MR. GRAY: But Frank Magusha --
 13 MR. LIVELY: As an attorney
 14 also, the problem is, if you have, at
 15 least in U.S., Canada has a different
 16 legal context, but in the U.S., you
 17 can't have unequal treatment of like
 18 groups. So you couldn't do that in
 19 the United States, for example,
 20 unless there was a public policy
 21 reason.
 22 You know, people, the
 23 pro-marijuana advocates here in the
 24 U.S., they can't go to Congress and
 25 get money to go into the schools and

[Page 392]

[26] (Pages 389 to 392)

<p>1 Lively 2 you know, we're making progress, big 3 time here. 4 MR. LIVELY: The lies that they 5 are telling is, the truth is so 6 powerful that it demolishes lies 7 pretty easily. So they have to work 8 24 hours a day, seven days a week to 9 maintain the lie. And when one 10 little truth comes along, like the 11 facts about David Kato, they can go 12 around the world speaking their 13 fantasy about what happened. But as 14 soon as a person hears that Kato was 15 murdered by a gay prostitute, it was 16 a gay-on-gay crime not always am I 17 vindicated, but their creditability 18 is demolished. 19 MR. GRAY: Yes. Now, your book 20 the Pink Swastika established a very 21 strong link between the gays, their 22 body obsession and the founding of 23 the Nazi party. But isn't this kind 24 of use of government authority to 25 silence differing opinions, isn't</p> <p style="text-align: right;">[Page 401]</p>	<p>1 Lively 2 We have to stop Pastor Scott 3 Lively from speaking, because every 4 time he says something about 5 homosexuality, he is advocating all 6 the homophobes out there and everyone 7 who disagrees with the homophobes, 8 and that's what is happening. 9 Because homophobia is a mental 10 disorder that is defined by 11 irrational views of homosexuals. And 12 if you keep speaking, they're going 13 to go out to kill. 14 MS. SIMPSON: Well, actually up 15 here we did something fun at one of 16 the organizations that I had, Pastor 17 Lively. We put out a large press 18 release, and we are about to deal 19 with our ministry of education now 20 and one of the local school boards. 21 Saying that the term homophobe, 22 homophobic, heterosexism were slurs. 23 MR. GRAY: Slurs, slurs. 24 MS. SIMPSON: And, you know, I 25 happen to be very happy to report to</p> <p style="text-align: right;">[Page 403]</p>
<p>1 Lively 2 that really a fascist tactic? 3 MR. LIVELY: Yes. That is a 4 central component of fascism. Active 5 suppression of dissent of all 6 opposing voices. And that's what the 7 Nazis did, that's what they 8 perfected. That's what the 9 communists did. That's what every 10 totalitarian government does. And 11 that's what the homosexuals do. They 12 are, more than anyone else in 13 America, in North America, including 14 Canada in there, more than anyone 15 else in North America, homosexual 16 movement that is engaged in fascism, 17 at the same time portraying 18 themselves as victims and claiming 19 the victim card to sort of claim the 20 authority to silence everyone else's 21 point of view. 22 We have to stop -- and this 23 goes back to this delusion, the 24 paranoid delusion that underlies all 25 their propaganda.</p> <p style="text-align: right;">[Page 402]</p>	<p>1 Lively 2 you that it's had a huge impact. 3 Those that are within public office 4 now are suddenly second guessing 5 themselves where they used to just 6 free fall into the language of hate 7 and slurring against people who were 8 speaking the truth. 9 And we've said, you know, terms 10 like homophobia, homophobic are slurs 11 designed to demean, degrade, 12 silence -- 13 MR. GRAY: Marginalize. 14 MS. SIMPSON: Marginalize 15 legitimate voices. And in Canada we 16 don't marginalize any legitimate 17 voices. So we have had a lot of fun 18 and a lot of success with that last 19 press release. 20 MR. LIVELY: Exactly, and 21 that's as I've been teaching for a 22 very long time, whenever you hear 23 someone use the term homophobe or 24 homophobia, you ask them to define 25 the term.</p> <p style="text-align: right;">[Page 404]</p>

EXHIBIT 20

REDEEMING THE RAINBOW

A Christian Response to the "Gay" Agenda

By Dr. Scott Lively

A comprehensive but easy-to-understand textbook for Christians and other defenders of God's design for family and society which explains in detail 1) the nature, causes and characteristics of homosexual dysfunction and militancy, 2) the history, philosophy, goals, methods and strategies of the global "gay" movement, 3) the urgent, escalating and imminent danger this movement represents to all aspects of Christian civilization throughout the world, and 4) specific, practical principles for responding to each of the many areas of "gay" aggression -- all firmly grounded in and supported by both Scripture and non-religious logical analysis, documentation and terminology.

That having been said, I believe that there are actually many “gay” Christians, meaning genuine believers who struggle with unwanted same-sex attraction. By my definition a “gay” Christian is a person who confesses the truth that homosexual conduct is wrong and takes active steps to overcome the temptation to indulge in it, even if he or she is not always successful.

In this way, the “gay” Christian is not different from Christian people who struggle with various other sins. The Scripture tells us that “all have sinned and fallen short of the glory of God” (Romans 3:23). “If we say we have no sin, we are a liar and the truth is not in us” (1 John 1:18). And, importantly, “if we are guilty in any sin, we are guilty of all” (James 2:10). There is therefore no place for self-righteous judgment of the homosexual struggler by other believers, and thankfully for us all, “there is no condemnation for those who are in Christ Jesus” (Romans 8:1).

Q29. How can we stop the homosexual movement and restore a family-centered society?

A29. To reverse the current trend toward sexual anarchy, society will need to establish new public policies that actively discourage sex outside of marriage, including homosexuality. Such policies should be strong enough to prevent government from facilitating, endorsing or condoning sexual activity outside of marriage, but only as restrictive on personal liberties as necessary to maintain a family-centered culture. One model for such policy might be current laws in some states that criminalize marijuana usage but provide minimal sanctions for violations. People in these states may indulge themselves privately in this harmful conduct but cannot openly recruit others into their lifestyle or use the organs of government to advance their philosophy as normal and healthy.

benefited from a cultural backlash to this phenomenon by posing as a moralist strongly opposed to homosexuality. He did in fact opportunistically condemn “homosexuality,” a term which at that time was almost exclusively associated with the effeminate type of same-sex relationships. The masculine faction (to which Hitler and many of the Nazi leaders and foot soldiers belonged) referred to its form of same-sex relations as “the love of friends.” This is not to suggest that Hitler was ever open about his lifestyle; he took great pains to hide it from the people, including the elimination of nearly every living person who had knowledge of his proclivities, which he accomplished through the bloody purge known as The Night of the Long Knives in 1934.

During the years in which the Nazi Party was rising to power, Germany’s largest “gay” rights organization was the Society for Human Rights, which boasted Nazi SA Chief (and Hitler’s close friend) Ernst Roehm as one of its most prominent members. Roehm was killed during the Night of the Long Knives, when Hitler pretended to eliminate all homosexuality from his party. The actual purpose of the purge was not to eliminate homosexuality but to eliminate evidence of its existence in the party and to appease a powerful anti-Roehm political faction; in reality, the purge was conducted largely *by* homosexuals. Nevertheless, this incident was a major setback for the public “gay rights” movement, which then went mostly, but not entirely, underground in Germany until after the war.

The American Branch

The first openly homosexual organization in the United States was a chapter of the Society for Human Rights. It was launched in Chicago in 1924 by a German-American soldier named Henry Gerber who had served in Germany after World War I. The organization was disbanded after Gerber and two other leaders were arrested on charges of sexually molesting boys. Gerber escaped jail by bribing the judge, and went underground but remained active both as a pederast and a political activist. He passed his dream of an American homosexual movement to one of his young conquests, Champ Simmons, who in turn, as an adult homosexual, passed it on to one of his own sexual “partners,” a boy named Harry Hay.

Hay is today known as the “father” of the American homosexual movement. On August 10, 1948, at the tail end of an eighteen-year stint as a Communist Party leader, Hay began to organize a group that would be called the Mattachine Society (*ibid*:132). Not until the spring of 1951 did it receive its name, but from the beginning it was seen as a vehicle to destroy social restraints against homosexuality in American culture (J. Katz:412f). The name Mattachine was taken from “medieval Renaissance French...secret fraternities of unmarried townsmen” (*ibid.* 4120). The organization’s stated agenda was to preserve the “right to privacy.” Like most of the early leaders of the American “gay” movement, Hay was an advocate of homosexual pedophilia and pederasty (adult/teen sex).

It is likely that Hay secretly collaborated with Alfred Kinsey, but we have no proof of this connection. However, the advisory board of Hay’s Mattachine Society at one time included influential Kinsey co-worker, Wardell Pomeroy (infamous for his book *Boys and Sex*, which in part legitimizes sex with animals, and which I myself unfortunately read at the age of 12).

Harry Hay and the Mattachine Society spawned large-scale political and social activism among homosexuals. Highly motivated activists began to operate in groups patterned after communist cells, each a “secret fraternity” whose members were bound by their common vice. As Hay stated in a later

interview, “[we wanted to] keep them underground and separated so that no one group could ever know who all the other members were” (J. Katz, *Gay American History*, 410). Slowly at first, from innumerable obscure sources, came theories, public statements and actions in support of the social acceptance of homosexuality.

Unfortunately, the nature of secret societies makes research on their activities difficult. However, we know two things for certain: first that the goal of the “gay” movement was to legitimize homosexuality in society, and second, that a growing network of political cell groups was working to achieve that goal. The following events thus assume greater significance when taken together in chronological order than when viewed alone.

On the heels of Kinsey and Hay came Hugh Hefner, who in 1953 launched *Playboy* magazine, and with it the modern pornography industry. Hefner’s initial target audience was the very generation of young men to whom Kinsey had been speaking on his college lecture circuit. “Hefner himself has been quoted as saying that if Kinsey were the researcher of the sexual revolution, he (Hefner) was Kinsey’s pamphleteer” wrote Dr. Judith Reisman (private letter to the author, May 1, 2009). She adds,

I think it’s important to...make it clear that Hefner was himself a typically sexually restrained, virginal, 1950s American college male until he READ Kinsey. Kinsey revolutionarized Hefner who then wrote his college paper on Kinsey, calling for a gutting of our sex laws, bringing Joe College into the sexual change agent role for the first time in history...That Hefner set himself the mission of being Kinsey’s pamphleteer is vital since this launched the sexual revolution, with the funding and credibility of the Rockefeller Foundation behind Kinsey. Remember, Hefner promoted sex with children...as well as male impotence and homosexuality (via lesbian images) from the very beginning. EVERYTHING Kinsey/Rockefeller aimed for has been advocated, funded, supported by Hefner’s *Playboy* and all of those that followed. All is based on rendering male society impotent (without power) in its own civilized masculinity. Just as Hitler pushed the super, macho man in order to control him, so too did Hefner, Kinsey. All males are made impotent when they cannot function in families with wives, women and children to defend and protect. (For more on Kinsey, visit Dr. Reisman’s website at www.drjudithreisman.com).

One wouldn’t automatically recognize *Playboy* as a tool of “gay” social engineering, but it was and is precisely that. Indeed, Dr. Reisman argues that all pornography is essentially homosexual because it is in fact created by men for the sexual gratification of other men. On a more practical level, the existence of a thriving pornography industry serves the “gay” cause by morally corrupting the men who use it, making them less likely to oppose homosexuality on moral grounds and more likely to support public policies which legitimize sexual hedonism. Exposure to pornography, especially at a young age, can also be a gateway into the “gay” lifestyle itself.

In the same manner, the cause of sexual license is advanced by a successful abortion industry. The choice to kill their unborn children morally compromises both men and women (making them unwilling to criticize choices to engage in other forms of immoral behavior), and ensures that the outcome of an unwanted child will not be a lasting deterrent to those who have chosen sexual

“freedom” over family. This explains why homosexuals, who by definition cannot conceive children together, are among the most militant advocates of abortion on demand.

We can see, then, that at least in a conceptual sense, what seem like separate and independent battlefronts of the culture war are really a single one. The “gay” ethic is a Hydra whose many heads are “gay” rights, serial marriages, abortion, pornography and other sex-related social iniquities. Our task, as people who seek to restore the primacy of the family, is to slay this ideological serpent of sexual libertinism, even as we continue to battle each of its lethal heads.

Why have we identified sexual license as the “gay” ethic, when its most destructive aspects seem to be associated with heterosexual behavior? It is because the culpability of “gays” relative to the spreading effects of sexual license in society is akin to that which we assign to drug pushers, even though it is the addicts themselves who destroy their own communities through criminal behavior.

The Downward Spiral

The introduction of sexual indulgence as a social norm inevitably initiates a downward moral spiral in a culture. In our own society, the selling of the idea of guiltless recreational sex to young college-age men in the 1950s created a “market” for immodest and sexually adventurous young women, which in turn helped to legitimize the idea of female promiscuity. In the 1960s, once immodesty and promiscuity had become acceptable for some women, the pressure increased for all women to adopt these behaviors in competing for the attentions of men. This was especially true of the youngest of marriage-age women of that generation, whose personal morals and values had been influenced by a decade of sex-saturated pop culture.

The wholesale entrance of women into the world of sexual “freedom” created a number of societal demands: the “liberation” of women from social expectations about marriage and child-rearing through a feminist political movement (National Organization for Women, formed 1966); contraception on demand (*Griswold v. Connecticut*, 1966); abortion on demand (*Roe v. Wade*, 1973); and finally “no fault” divorce (state-by-state liberalization of divorce laws, beginning in the early 1970s).

The result of these policies has been the achievement of the “gay” goal as embodied by Kinsey’s teachings: the progressive denormalization of marriage and the unabated normalization of sexual license. Census data published in 1998 showed a fourfold increase in divorce from 1970 to 1996, while the population of cohabiting couples who had never married had more than doubled.

Among the side-effects of these dramatic changes in the life of a people, side-effects which have increased steadily since the 1960s, are the escalation of crime (especially violent crime), the proliferation of sexually-transmitted and other diseases, and the escalation of mental illness and chronic substance abuse. These are all results which one would expect to find in a generation of citizens raised in unstable homes.

Today we are faced with even more advanced social degeneration as we watch the morally-confused grandchildren of the 60s sexual revolutionaries arguing that marriage can legitimately include homosexual unions, and broadening their vision of acceptable sexual conduct to include sex between children and perhaps between adults and children.

There are other consequences to a free people when internal moral restraint is devalued and self-gratification is exalted. In other similar ages of license, the state has grown proportionately

today. *This is bad news for traditional conservatives, but very good news for missionary-minded pro-family activists.* It means that we don't need to persuade the entire population to our way of thinking: we only need to take back control of the institutions that most influence their lives and the people will, so to speak, persuade themselves

Helpful Tips:

Recognize "Gay" Weaknesses

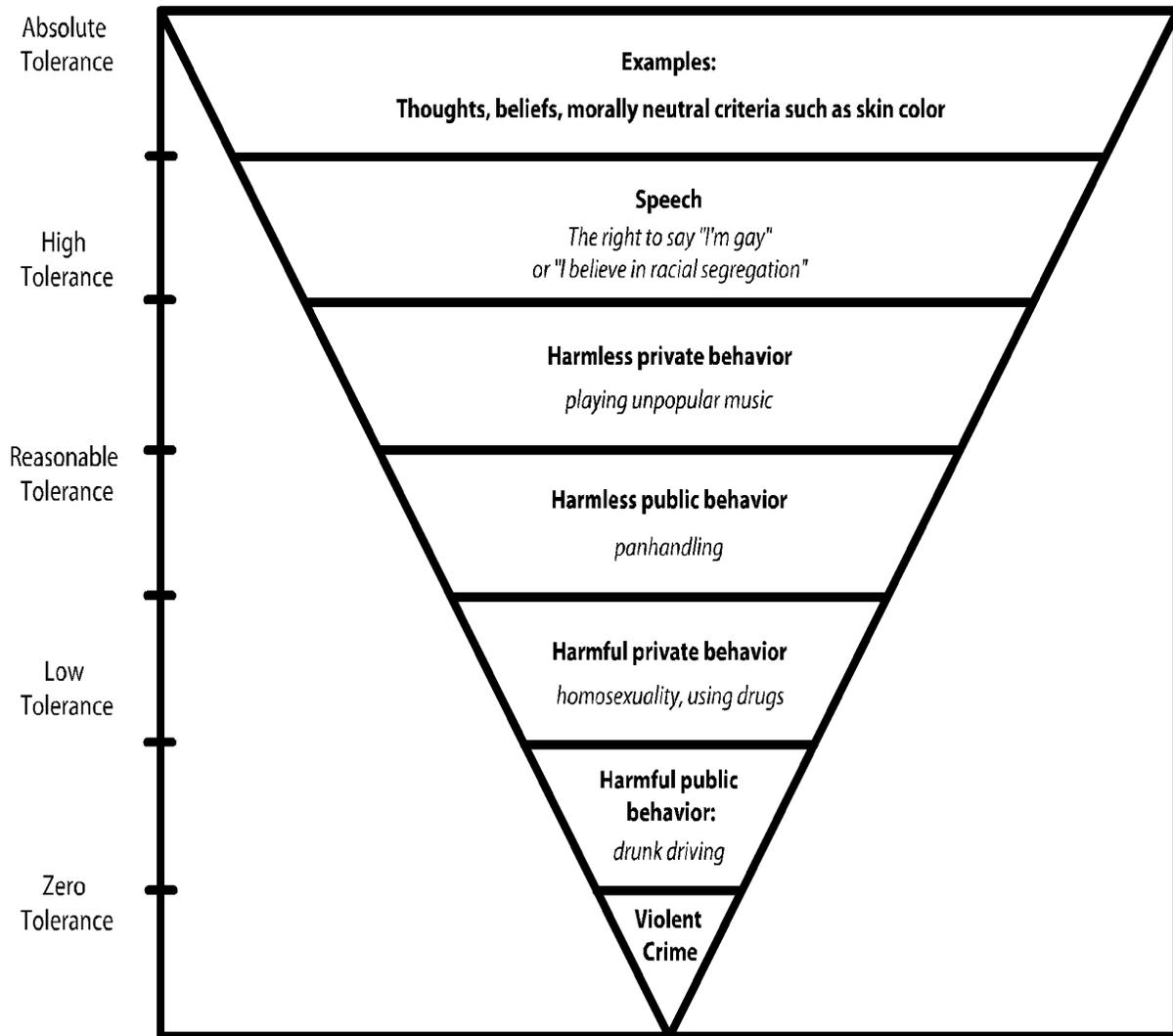
"Gay" power depends upon public sympathy for homosexuals as victims of societal prejudice. This is why the pro-"gay" media religiously suppress all information which reflects negatively on homosexuals and their behavior. This is also why the "gay" movement insists, and the media confirms, that homosexuality is innate -- because fair-minded people (i.e. most people) are reluctant to disapprove of homosexuals for engaging in behavior that they can't control. If the media told the truth about homosexuality, the "gay" movement, and the "gay" political agenda, the public would not be predisposed to accept either the movement or the agenda.

The problem is how to get the public to look at the facts when we have little or no power to change the media. The first step is to understand *why* the public is susceptible to "gay" deception.

Public sympathy for "gays" as victims is not grounded in logic, but in emotion. This is one reason why more women (who tend to be interested in emotional and relationship factors) than men embrace the "gay" cause. In fact, the some people's attempts to bring out the more graphic and disturbing facts about homosexuality have reinforced the idea in the minds of "gay" protectors that pro-family advocates hate homosexuals. Long ago I stopped trying to educate pro-"gay" sympathizers about the unpleasant particulars of "gay" behavior, because it only made them angrier. The facts must be told, but only after a person has become willing to consider that there are two sides to this issue.

An effective strategy is to emphasize the issue of homosexual recruitment of children. The protection of children trumps any argument for "gays" as societal victims. Once parents and grandparents accept that recruitment of children is possible, they become interested in seeing all the evidence against the idea of "gay" legitimacy. This strategy is becoming increasingly powerful as parents and grandparents witness the blatant promotion of homosexuality to their children in public schools (often presented by homosexual activists and accompanied by suggestions that children should experiment to determine their sexual "orientation"), and as research data from numerous countries show that homosexual behavior and self-identification can be *elicited* by one's environment (1). (SAME REFERENCE USED ABOVE) 1. Hansen, Trayce, Ph.D. "Legalizing Same-Sex Marriage Will Increase Prevalence of Homosexuality: Research Provides Significant Evidence," reproduced on NARTH website, updated Oct. 14, 2008.

The Triangle of Tolerance



“Gay” apologists misrepresent the concept of tolerance to suggest that “being tolerant” requires unconditional acceptance of all aspects of homosexual “orientation” and conduct. However, tolerance really means “putting up with” what we don’t like in the interest of preserving civility. The amount of tolerance we extend depends on the amount of harm or benefit society receives from the thing in question. For example, as the above graph shows, we have zero tolerance for violent crime, but absolute tolerance for freedom of thought.

Applying this logic, we should extend reasonably high tolerance for people who choose to publicly disclose their homosexual “orientation,” because the social benefit we all enjoy from freedom of speech outweighs the harm of their disclosure. But conversely, the negative public health and moral ramifications of “gay” sex outweigh any supposed social benefit associated with sexual “freedom.”

EXHIBIT 21



Scott Lively <sdllaw@gmail.com>

Consultation and suggested way forward with AHB

13 messages

Martin Ssempe <ssempam@gmail.com>

Sun, Mar 7, 2010 at 4:26 AM

To: Benson Obua-Ogwal <obua-ogwal@parliament.go.ug>, David Bahati <bahatidav@yahoo.co.uk>
Cc: Stephen Langa <stephenlanga@yahoo.com>, David Bahati Hon <bahatidav@yahoo.co.uk>, Benson Obua-Ogwal <obua-ogwal@rocketmail.com>, Mary Karoro Okurut <mkaroro@parliament.go.ug>, Charles Tuhaise <ctuhaise@parliament.go.ug>, Rusoke Mwigare <amwigare@parliament.go.ug>, "Hon. Nsaba Buturo" <njbuturo@parliament.go.ug>

Dear friends,

I had to travel out of Uganda due to family related issues and will be traveling back on 16th. I have begun to consult with some of our friends and have some ideas on making traction forward on the AHB.

1. Our detractors have effectively misconstrued the section of aggravated homosexuality (which really has to do with defilement and rape of the minor and the handicapped) by claiming that we are trying to round up all gays and killing them! In so doing they have now labelled it the "Kill Gays bill". Since we have since discovered that the penal code was amended to cater for the issue of the boy child..I suggest that it would not cost us at all to drop that item from the bill. It would give us way much publicity and put our detractors on the defensive.

2. Secondly we can also steal any arguments from them by also giving confidentiality clauses to those who are caregivers so that those who are in the process of helping are incriminated to disclose ie parents, priests, doctors etc. I would however ask that we put into place a typical mandatory reporting clause as exisisting in America and UK as far as mandatory reporting of statutory rape and domestic abuse.

When these two are dealt with, it will remove any arguements they will have in delaying the bill and will quickly move it forward. There will be a difference of opinion as the international community which has been decieved by the homosexual manipulators will come out in support of the bill.

I would suggest that a short press conference with the letter of the co-sponsors of the bill such as Hon. David Bahati and Benson Obua could suffice. This letter will be written to the committee that is hanling this bill. This we can widely publicise in the global media and while they are still dealing with the loss of their argument the Bill should come up for the second reading.

I think that our greatest weapon on the bill is the aspect of reruitment and promotion and I ask that we focus on that particular issue. The other is the international declarations issues which are incompatible with our laws.

Kindly let me know what you think...I think we need to plan and move very quickly.

Martin Ssempe PhD.

PS: Please keep my location as confidential information.

Scott Lively <sdllaw@gmail.com>

Sun, Mar 7, 2010 at 8:15 AM

To: Martin Ssempe <ssempam@gmail.com>

Dear Martin,

It was good to speak with you yesterday. Today I will be drafting a letter to Mr. Bahati regarding the issues we discussed. You had asked

how you could help take some of the pressure off me from the international media. A letter from Mr. Bahati agreeing that my suggested modifications would be beneficial would not only provide that relief, it would boost my credibility and stature as an international authority on the homosexual issue. This could prove valuable in the future as we work together to build international cooperation.

I am also pleased that you are pressing forward on the plan we roughed out in Kampala last year for an international conference. Once we have tentative dates I will begin working to assemble a US delegation to attend that conference with me.

Blessings,

Scott

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Martin Ssempe <ssempam@gmail.com>

Sun, Mar 7, 2010 at 12:46 PM

Here is the draft of my letter. I'll need help with the correct address and formalities for a letter to an MP and would like your impressions of the letter.

Blessings,

Scott

On Sun, Mar 7, 2010 at 4:26 AM, Martin Ssempe <ssempam@gmail.com> wrote:
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Martin Ssempe <ssempam@gmail.com>

Sun, Mar 7, 2010 at 12:47 PM

Attachment

On Sun, Mar 7, 2010 at 4:26 AM, Martin Ssempe <ssempam@gmail.com> wrote:
[Quoted text hidden]

 **Letter to Bahati.rtf**
38K

Martin Ssempe <ssempam@gmail.com>
To: Scott Lively <sdllaw@gmail.com>

Wed, Mar 10, 2010 at 12:42 PM

From Charles Tuhaise,

Legal draft researcher at parliament.

Martin

Begin forwarded message:

From: Charles Tuhaise <ctuhaise@parliament.go.ug>
Date: March 10, 2010 5:15:03 AM PST
To: Martin Ssempe <ssempam@gmail.com>
Cc: David Bahati <bahatidav@yahoo.co.uk>, Rusoke Rusoke <rusokea@yahoo.com>, Benson Obua-Ogwal <obua-ogwal@parliament.go.ug>, James Butuuro <njbuturo@parliament.go.ug>, Stephen Langa <stephenlanga@yahoo.com>, Julius Peter Oyet <apostle@lifelineministries.or.ug>
Subject: Re: Fwd: Consultation and suggested way forward with AHB

Dr. Ssempe,

Thanks for sending Dr. Lively's Letter. His proposals can be considered as we make our revisions, but, while I appreciate the need to have people like Lively campaign for the Bill and the law when passed, there are obvious dangers in trying to equalise the policy and law on homosexuality between USA and Uganda. The two countries are dealing with totally different situations. The time when USA should have enacted a preventive law like we are contemplating passed a long time ago and they are faced with a huge and financially and politically powerful gay population recruited into homosexuality because no one foresaw the need for a preventive law in time (probably in the 1940s). If such comprehensive law (not merely about sodomy) had been in place, people like Alfred Kinsey would not have done so much damage by opening the door wide for homosexuality.

The situation in Uganda today is different because homosexuality is still a budding problem. We either nip it in the bud now with a strong, preventive law or give it a foothold to grow from.

The danger I see in Dr. Lively's suggestions is in proposing to normalise homosexual practice for adults (whatever age they may be). That is the Western approach generally which has failed miserably, because what is held as normal practice by adults will be adopted by children and youth automatically. It's just a matter of time before the whole culture is swamped in homosexual practice. That's how pornography broke barriers in Western society and became insidious. It's like the proverbial "Camel and herdsman story". Today it is a foot in the hut, tomorrow it is a leg in the hut, next day its the head in the hut; before long, the herdsman is tossed out of the hut.

I agree with Dr. Lively that the Death Penalty can be removed, but it must be replaced by equally strong and deterrent penalties. The purpose of penalties is to deter people from behaviour with far-reaching consequences. What the Bill needs, to me, is solid research into the consequences of homosexuality. Its huge health-risks and social, cultural and economic disruption need to be documented and not merely talk about defending our "religious and cultural practices". In countries or territories with legalised homosexuality, parents and religious bodies have lost the right to teach against homosexuality; a property owner will not refuse to rent a house or hotel room to a homosexual couple based on belief, conscience or fear of influence on neighbourhood children; teachers must teach that homosexuality is normal lyfestyle or lose their licences; children in Kindergarten are introduced to homosexual books and other indoctrination e.t.c. All these are reasons we must do everything to stop and prevent homosexual practice.

Ultimately, I see no way out in taking a stand and paying the price. We cannot adopt an ineffective policy against homosexuality just to prevent loss of donor funds. Our friends in the West must stand with Uganda as we take a serious stand against homosexual infiltration. What we need is more nations to stand up and do the same. There will be no place for lukewarmness, the way I see this situation. It's time for nations to stand up for what is right and pay the price. The more nations do this, the more the tide will turn against the homosexual movement. Christians in the West must know that it is time to pay the price for truth. Unwillingness to do this is responsible for infiltration and takeover of virtually every western insitution by homosexuals, including the church.

I admire the courage of my friend Dr. Lively, because he has stood up to homosexual intimidation for so long as a lone voice. We need more people

like him in the days, weeks, months and years ahead. The homosexual machine is well organised and its agenda is not conciliation with anyone but total take-over of society. Africa is probably is the last place they are trying to take-over that has the best hope to turn the tide, if we do not mess-up the opportunity.

Charles Tuhaise

(P/S: You can forward my comments to Dr. Scott Lively)

On Mar 10, 2010 10:47 AM, Martin Ssempe <ssempam@gmail.com> wrote:

Dear Hon Bahati and friends,

Here is a letter from one of our colleagues Scott Lively. He has written stating recommendations similar to the directions

I have suggested.

Kindly read and let us plan action in the next few hours.

Martin

Scott Lively <sdllaw@gmail.com>
To: Martin Ssempe <ssempam@gmail.com>

Wed, Mar 10, 2010 at 1:53 PM

There is wisdom in Mr. Tuhaise's response, however I was not suggesting the normalization of adult homosexuality, but only that existing adult homosexuals who are citizens of Uganda and not guilty of recruitment or advocacy would not be actively pursued under the new law. Homosexuality would still be criminalized, but the primary enforcement effort would target the recruiters and activists. This approach would accomplish the same goal, but with less opposition from Western countries.

I also want to reemphasize the importance of rehabilitation as a central principle in the law, especially for a Christian nation. I Corinthians 6:9-11 makes clear that homosexuals can not only be redeemed, but become equal disciples of Christ and contributors to the work of the church, and by extension a Christian society. Remember

also Micah 6:8. If Uganda looks only to deterrence through severe punishment without some provision for mercy toward those in homosexual bondage, you risk becoming no better a reflection of God than the heartless legalism of the Moslems. This is not a crime like stealing that a person can stop at will out of fear of consequences, it is a deeply enslaving bondage as bad or worse than cocaine or heroin addiction. Some combination of deterrence and hope for recovery is the only genuinely Christian approach.

Please share this with the group.

Blessings,

Scott

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Martin Ssempe <ssempam@gmail.com>

Wed, Mar 10, 2010 at 10:10 PM

One last point, I only intended this modification re adult homosexuals to apply to the mandatory reporting provision.

Do you have an objection to my publishing my letter to Mr. Bahati? It would be a good time to do that considering the ABC News coverage, which was less biased than I expected it to be.

Blessings,

Scott

On Wed, Mar 10, 2010 at 12:42 PM, Martin Ssempe <ssempam@gmail.com> wrote:

[Quoted text hidden]

Martin Ssempe <ssempam@gmail.com>
To: Scott Lively <sdllaw@gmail.com>
Cc: speaker@parliament.go.ug

Thu, Mar 11, 2010 at 4:03 AM

Dear Scott,

I am actually pleasantly suprised that it was as good as it was. The story was better than the disaster I expected. I am grateful to God and to you for your courageous stand that came through the interview.

Yes the enemy meant it for evil, but I think God used it for good.

The more important part is the energy of the people of Uganda.

I think you should go ahead and publish the letter to the Hon Bahati and the Uganda parliament. I think a key to emphasize is the need for respect for democracy is THE APPRECIATION OF parliamentary SYSTEMS TO GO FORWARD IN MAKING LAWS THAT REFLECT THE WILL OF THE PEOPLE. ie Obama wanted to remove the bill from parliament which is just impossible.

You may do better if you wrote to the speaker of parliament and copy bahati.

Hon David Bahatis email is :(keep it personal)
bahatidav@yahoo.co.uk

The speaker of Parliament
Hon Edward Ssekandi
The Parliament of Uganda
Kampala Uganda

speaker@parliament.go.ug

I discussed with Bahati this morning and he seemed reluctant to go ahead with the recommendations. He promised to meet with Butuuro for a discussion and will hear by Friday.

I thought the interview was great and you got publicity for your book..we should try to make it more visible now. I wish each member of parliament of Uganda could get a copy.

Martin
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Martin Ssempe <ssempam@gmail.com>

Thu, Mar 11, 2010 at 1:37 PM

Martin,

At a bare minimum, the death penalty must be removed. Not just to allow pro-family people in the West to defend the law, which most of us will be unable to do if it stays in, but also because the death penalty provision will expose me personally to violence and even possible assassination. I am considered responsible for this law in the minds of the entire "gay" movement in the West and have already received death threats. Many of these people are mentally unbalanced. If any homosexual is executed under this law, I will be blamed and almost certainly suffer some form of retaliation, and (ironically, since you know I have never supported the death penalty) all my life's work will be forever painted as the pathway to state-sanctioned murder.

I will address the letter as suggested and publish it asap.

Scott
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: "Mihet, Horatio" <hmihet@liberty.edu>

Tue, Nov 19, 2013 at 12:55 PM

[REDACTED. ATTORNEY-CLIENT PRIVILEGE. COMMUNICATION FROM MR. LIVELY TO COUNSEL REGARDING SMUG LITIGATION.]

Mihet, Horatio <hmihet@liberty.edu>
To: Scott Lively <sdllaw@gmail.com>

Tue, Nov 19, 2013 at 1:38 PM

[REDACTED. ATTORNEY-CLIENT PRIVILEGE. COMMUNICATION FROM COUNSEL TO MR. LIVELY REGARDING SMUG LITIGATION.]

From: Scott Lively [mailto:sdllaw@gmail.com]
Sent: Tuesday, November 19, 2013 12:55 PM
To: Mihet, Horatio
Subject: Fwd: Consultation and suggested way forward with AHB

[REDACTED. ATTORNEY-CLIENT PRIVILEGE. COMMUNICATION FROM MR. LIVELY TO COUNSEL REGARDING SMUG LITIGATION.]

Scott Lively <sdllaw@gmail.com> Tue, Nov 19, 2013 at 5:00 PM
To: "Mihet, Horatio" <hmihet@liberty.edu>

[REDACTED. ATTORNEY-CLIENT PRIVILEGE. COMMUNICATION FROM COUNSEL TO MR. LIVELY REGARDING SMUG LITIGATION.]

Scott Lively <sdllaw@gmail.com> Thu, Apr 10, 2014 at 1:23 PM
To: Scott Lively <psalm37nasb@gmail.com>

[REDACTED. ATTORNEY-CLIENT PRIVILEGE. COMMUNICATION FROM MR. LIVELY TO COUNSEL REGARDING SMUG LITIGATION.]

EXHIBIT 22



Scott Lively <sdllaw@gmail.com>

Is America a Homofascist State?

4 messages

charles tuhaise <ctuhaise@yahoo.com>

Tue, Jul 13, 2010 at 7:44 AM

To: Stephen Langa <stephenlanga@gmail.com>

Cc: Sharon Slater <slater4families@gmail.com>, Martin Ssempe <ssempam@gmail.com>, James Butuuro <njbuturo@parliament.go.ug>, Benson Obua-Ogwal <obua-ogwal@parliament.go.ug>, David Bahati <bahatidav@yahoo.co.uk>, Scott Lively <sdllaw@gmail.com>

Colleagues,

A religion professor at the University of Illinois has been fired after he expressed a conservative view of homosexuality in class and in an e-mail to students as he taught Moral Theology. In Uganda, Law School Dean Prof. Sylvia Tamale has organised several conferences at which she has passionately defended homosexuality, but no one has questioned her right to do that. Tamale teaches a course on gender in the law school in which she reportedly expects students to adopt her pan-sexual ideologies. But she retains her job as Dean of Law school.

Paradoxically, America, the only nation that claims to be a bacon of freedom in the world will not allow anyone to mess with the subject of homosexuality. Talk against homosexuality, even as a professor of religion and you are fired, right? That is today's America. Here is the sad story of Prof. Kenneth Howell:

<http://americansfortruth.com/news/the-e-mail-that-got-dr-kenneth-howell-fired-at-u-of-illinois.html>

Freedom-loving Americans may find Uganda a more free country than America.

Charles Tuhaise

--- On Mon, 7/12/10, Stephen Langa <stephenlanga@gmail.com> wrote:

From: Stephen Langa <stephenlanga@gmail.com>
Subject: Re: Gays target Pr. Ssempe and Canyon Ridge Christian Church
To: "charles tuhaise" <ctuhaise@yahoo.com>
Cc: "Sharon Slater" <slater4families@gmail.com>, "Martin Ssempe" <ssempam@gmail.com>, "James Butuuro" <njbuturo@parliament.go.ug>, "Benson Obua-Ogwal" <obua-ogwal@parliament.go.ug>, "David Bahati" <bahatidav@yahoo.co.uk>, "Scott Lively" <sdllaw@gmail.com>
Date: Monday, July 12, 2010, 1:33 AM

Dear Charles,

Thanks for the information. This just shows the scope of the influence that the gay machinery wields. We however must keep moving forward. Every conflict has a price and this is one of those things that comes with the kind of work we are doing.

So Pr. Ssempe, let this not deter you. Keep on keeping on, we are making progress because, the vice of homosexuality is unsustainable and self-destructing.

Best regards.

Stephen Langa

On 7/10/10, charles tuhaise <ctuhaise@yahoo.com> wrote:

> (LINKS ACTIVE HERE)

>

> Colleagues,

>

> Pr. Martin Ssempe in Uganda has a working relationship with Canyon Ridge
> Christian Church (CRCC) in US (as one of their strategic partners), which
> recently came under attack when Warren Throckmorton highlighted on his blog
> CRCC's up-coming participation in the HIV-testing campaign in Southern
> Nevada

> along with other agencies:

>

> <http://wthrockmorton.com/2010/06/20/crcchivtesting/>

>

> As a result, one Michael Busse, a gay activist and regular contributor on
> Throckmorton's blog wrote Southern Nevada Health District (a public agency)
> protesting CRCC's participation in the HIV-testing event, saying the church
> has
> a relationship with Pr. Ssempe who has led an anti-gay crusade in Uganda and
> also supports the Anti-homosexuality Bill. At first, Southern Nevada Health
> District declined to cancel the Canyon Ridge Church HIV-testing site, saying
> the matter was brought to their attention too close to the testing date:

>

> <http://wthrockmorton.com/2010/06/23/southern-nevada-health-district-to-evaluate-partnership-with-canyon-ridge-christian-church/>

>

> But the latest is that Southern Nevada Health District has severed its
> relationship with Canyon Ridge Christian Church:

>

> <http://wthrockmorton.com/2010/06/23/southern-nevada-health-district-to-evaluate-partnership-with-canyon-ridge-christian-church/>

>

> Why should Southern Nevada Health District take this "gay-activist" stance
> against Ugandans fighting the spread of homosexuality in Uganda, when the US
> Food and Drug Administration (FDA) policy prohibits homosexuals from
> donating
> blood because of the exceptionally high risk of HIV and other STDs in the
> homosexual population? Based on their argument, is the US Food and Drug
> Administration "judgmental" in taking action to protect over 20 million
> Americans who receive blood, platelet, red-cell or plasma transfusions every
> year from potentially infected transfusions? Can US pro-Family activists ask
> Southern Nevada Health District to account for their stance on this matter?

>

> <http://www.fda.gov/biologicsbloodvaccines/bloodbloodproducts/questionsaboutblood/ucm108186.htm>

>

> Pr. Ssempe and his associates have come under fire of the homosexual lobby
> because of Pr. Ssempe's passionate stand against homosexuality. All of us
> who
> are in this fight will come under similar fire too. I implore Pr. Ssempe and
> his associates and all of us to stand firm as this war to restore moral
> sanity
> in the world continues.

>

> Charles Tuhaise

>

>

>

>

Scott Lively <sdllaw@gmail.com>

Tue, Jul 13, 2010 at 11:30 AM

https://mail.google.com/mail/u/0/?ui=2&ik=a92cd818c2&view=pt&as_has=Ssempe&as_sizeoperator=s... 4/25/2014

LIVELY 3364

To: charles tuhaise <ctuhaise@yahoo.com>
Cc: Stephen Langa <stephenlanga@gmail.com>, Sharon Slater <slater4families@gmail.com>, Martin Ssempe <ssempam@gmail.com>, James Butuuro <njbuturo@parliament.go.ug>, Benson Obua-Ogwal <obua-ogwal@parliament.go.ug>, David Bahati <bahatidav@yahoo.co.uk>

She should not be allowed to remain in this post. As the Scripture warns, Bad company corrupts good morals, and the people she is training in her views will be Uganda's future leaders. This is one of the ways that the "gays" transformed America -- by corrupting the leaders. If you don't stop her now, while you have the power of public opinion at its height, you will never be able to do it.

I suggest a behind-the-scenes campaign to have her fired or "promoted" into a less influential position.

Scott

[Quoted text hidden]

Stephen Langa <stephenlanga@gmail.com> Wed, Jul 14, 2010 at 3:03 AM
To: charles tuhaise <ctuhaise@yahoo.com>
Cc: Sharon Slater <slater4families@gmail.com>, Martin Ssempe <ssempam@gmail.com>, James Butuuro <njbuturo@parliament.go.ug>, Benson Obua-Ogwal <obua-ogwal@parliament.go.ug>, David Bahati <bahatidav@yahoo.co.uk>, Scott Lively <sdllaw@gmail.com>

Dear Charles,

Thanks for the information.

SL

On Tue, Jul 13, 2010 at 4:44 AM, charles tuhaise <ctuhaise@yahoo.com> wrote:
[Quoted text hidden]

Stephen Langa <stephenlanga@gmail.com> Wed, Jul 14, 2010 at 3:10 AM
To: Scott Lively <sdllaw@gmail.com>
Cc: charles tuhaise <ctuhaise@yahoo.com>, Sharon Slater <slater4families@gmail.com>, Martin Ssempe <ssempam@gmail.com>, James Butuuro <njbuturo@parliament.go.ug>, Benson Obua-Ogwal <obua-ogwal@parliament.go.ug>, David Bahati <bahatidav@yahoo.co.uk>

Dear Scott,

What you are saying is very true, because "IDEAS HAVE CONSEQUENCES".

SL

[Quoted text hidden]

EXHIBIT 23

WITNESS TO REVIVAL IN AFRICA

A Report of the Ministry of Scott and Anne Lively
in Uganda, Kenya and Egypt, June 12 - 25, 2002

A Publication of Abiding Truth Ministries
6060 Sunrise Vista Drive, Suite 3050
Citrus Heights, California 95610
(916) 676-1057, 676-1060 (fax)
www.abidingtruth.com

Dear Friends of Abiding Truth Ministries,

After my first trip to Africa in March, I confess that I was not inclined to return in July, as I had promised. The rigors of long-distance international travel, combined with a very heavy work schedule, had left me feeling exhausted and unready. Yet God, Who supplies strength rather than waiting for us to come up with it, had different plans. Thanks to Pastor Ike Riddle and Olive Branch Church, who generously offered a free plane ticket when a member of their own Africa mission team dropped out, I found myself scheduled to return...in June.

I have since begun to understand why.

As I write this letter, Anne and I are on a Kenya Airways flight bound for Cairo, Egypt by way of Khartoum, Sudan. We have just discovered what it is to *regret* leaving a world of mud huts, cramped living spaces, tse-tse flies, bureaucratic corruption, unsafe streets, appalling rates of child mortality, and virtually every other scourge of humanity. We have bonded deeply, in scarcely 3 days' time, with the Kenyan brothers and sisters who have just accompanied us on the long drive to Nairobi and now stand patiently waving and smiling outside the glass doors of the airline terminal, following our slow progress through the check-in line.

So much has happened...so little of it could have been foreseen.

It began with my effort to devise a schedule and itinerary for the moved-up date of return. The original plans had been crafted in response to a Campus Crusade for Christ invitation to participate in their 50-nation outreach to the African continent in July. I had been asked to coordinate the Uganda-Kenya events being set up by African CCC contacts. I contacted Warren Willis of CCC (who arranged the March appearance), only to find that his plans were not coming together, even for the July dates, let alone for mid-June. I then called Stephen Langa, head of the Family Life Network and organizer of the highly successful conference against pornography and obscenity, at which I had spoken in March. He was enthusiastic, and offered to set up speaking events and media appearances on the anti-porn topic.

Taking this as confirmation for at least the Uganda portion of the return visit, I proceeded to follow up on various contacts in Kenya, only to meet with disappointment. Nothing could be arranged in Nairobi (which I assumed would be the hub of pro-family activities in the nation). Then out of the blue came an e-mail from a Bishop Simon Mac'Onyango, from the small Kenyan city (which I had to look up on the map) of Eldoret. He was searching for support for a number of projects he wanted to launch under his ministry organization, Present Truth Ministry. He had apparently contacted our organization because of the similar name! After a number of e-mail exchanges, I became convinced of his sincerity and the merit of his plans for building the church and discipling its members in Eldoret and the nearby villages. I decided to accept his invitation to visit, to assess the goals and needs of the ministry, and to strengthen its impact on the area in whatever ways possible. Having prayed about the invitation, I went ahead with my part of it, relying on the Lord, Whom I have always found faithful to halt any of my plans that are not also His. More e-mails were exchanged with Bishop Simon, and I began to get a feel for his heart for discipling families, his plans for the training of pastors, and his zeal for preaching holiness to the church in Kenya.

Meanwhile, as I planned the general schedule for the 2 countries (Brothers Stephen and Simon were setting

up the details), I encountered an unused block of 8 hours, our layover time in Amsterdam, en route to Nairobi. Our ministry has several contacts in Holland, but I was unable to connect with any of them on such short notice.



Then, while sorting through our box of old tracts (I was so pleased with the Africans' response to street-witnessing on my prior trip that I took about 5,000 tracts on this second trip), I found my only copy of a little booklet written by an acquaintance, a Nigerian evangelist named Emmanuel Effiong. I suddenly remembered that Emmanuel had planned to settle in Amsterdam to open a central office for his international ministry. Within a few minutes I had located him on the world wide web, only because his church's contact information was listed in the itinerary of a Seattle preacher who planned to speak there later in the year! I reached him via e-mail (he says he let out a yell when he saw the message!), and we made plans for him to pick us up at the airport, take us see his church, and discuss his work in Holland.

Now the story of how I originally met Emmanuel is a faith-builder as well, and I would like to relate just the outlines of it here. In 1999, I was traveling via Amtrak from Sacramento, where I had resolved to relocate and pursue a law-based ministry after passing the California bar. I was in the middle of a demanding writing project, and wanted to use the long train ride to get some of it done. I was interrupted by the overtures of an out-of-uniform British soldier, very drunk, who planted himself in the seat next to me, showed me a stack of philosophy books he was carrying, and promised that if I was a Christian, he was going to "talk me out of it." This was probably the only introduction that could have distracted me from my work plans, and I proceeded to spend 20 minutes (probably wasted, considering his condition) in debating the merit of the gospel with him. As he staggered off, my attention turned, not to my work, but to the sound of the gospel being preached by another person! Looking back, I saw a young African (Emmanuel, of course), smiling and witnessing to the people in the seat behind me. I sensed that the Lord had other priorities than my writing project, and spent most of the rest of the trip, as well as the next day with my family in Orange County, getting to know this spirit-filled man with a burning zeal for international evangelism. Though I did not suspect why at the time, an idea was implanted, a suspicion that an important light for the nations was beginning to pour out of the place we once called the "dark continent."



Nigerian evangelist,
Emmanuel Effiong

Forward to Amsterdam, June 13, 2002 and the first stop on my path back to Africa. Emmanuel met Anne and me at the airport and drove us to see his church in Utrecht, a town at the exact center of Holland. We talked about the terrible state of this nation, once a leading center of Christian values. Today it has probably the most liberal humanist government on the planet, boasting legalized prostitution, drug use and abortion, assisted suicide which no longer requires the consent of the victim, and the celebration of homosexual "marriage." The country maintains its apparently high material standard of living by practicing an amoral utilitarianism (the greatest good for the greatest number) in which the "least" among the people (the terminally ill, the unborn and the elderly) are murdered so that the majority can have a "better" life. I could not help but compare this society to the eugenic vision of Adolf Hitler, minus only the storm troopers and anti-Semitism (although I have heard from other sources that racism is indeed growing among this generation of Dutch).

Emmanuel faces a daunting task in his mission to awaken Christianity among the Dutch, but I believe that his experience, rooted in the power of so much African revival, has made him far more usable by the Lord than most of the native Christian leaders whose beliefs (like those of too many American pastors) have been conformed to political correctness.

Our meeting with Emmanuel painted a stark and compelling picture of 2 kingdoms of present-day Christendom. Holland represents the old and fading kingdom of evangelical Protestantism (the nation was once home to the Pilgrims as they prepared to found a Bible-centered “city on a hill” in America), now thrown down and supplanted by secular humanism. Emmanuel’s freshly-planted church represents a new kingdom of Christianity, now taking shape among a generation of deeply committed African believers, their faith born amidst great poverty, political corruption and spiritual oppression (Emmanuel himself remembers being beaten by his father for becoming a Christian), who display an infectious zeal for Christ like that of the first century church.



ENTEBBE/KAMPALA, UGANDA

[Written after our return] From Amsterdam we caught the night flight to Nairobi and then a short hop to Entebbe. On my first trip, Ethiopian Airlines lost one of my suitcases, so I took special pains at the Nairobi airport to assure that our luggage was secure. It wasn't. We almost missed the plane waiting for the disorganized staff to find our bags and get them on the plane to Entebbe, but all was well in the end.



Christian newspaper reporter, Joan Mugenzi with our host, Stephen Langa

We were greeted at the airport by our host, Stephen Langa, the country’s leading champion of the family and Uganda’s equivalent of Dr. James Dobson. With him was a crew from the local newspaper. Like most of the media people we met in Uganda, the reporter was a Christian and was pleased that we had come to help Uganda resist the influx of pornography, “safe-sex” education and anti-family Western values. Our arrival was covered very favorably in the paper the next day. Indeed, we were treated as celebrities during our entire stay. Four of our five days there we were featured in the newspapers (both major competing dailys gave us favorable coverage). We were also interviewed on all the leading television and radio shows in Kampala.

Stephen had booked us into the Diplomate Hotel in Kampala, which has a beautiful view of the city but is priced much lower than the Western-style hotels. The furnishings were old and worn but comfortable and the bathroom featured a tiled bathtub as big as a jacuzzi (although fed by a tiny 5-10 gallon hot water tank). Unlike the cookie-cutter rooms we usually get, it was a place that will stand out in our memories. God blessed us with one of the most beautiful sunsets we had ever seen.



Exhorting students at Nkumbe University

We had several hours to rest before our first event, a lecture for about 200 students at Nkumbe University on "Dangers of the Culture of Porn." We were very politely and appreciatively received, in stark contrast to the way I would normally be received when speaking on the same topic on an American college campus. The students asked good questions and showed sincere concern. They responded positively when I exhorted them to take leadership in their nation and create a family-friendly society.

The next morning we had a few hours to ourselves, and decided to spend some time passing out tracts. This was one of our favorite pastimes in East Africa because the people are so friendly and open to the gospel. On our way out we were stopped by the hotel desk clerk who had seen my picture in the paper and wanted to introduce me to his manager. We found that they, too, were Christians and very happy that we had come to Uganda. Over and over again during our trip we were thanked for coming to the country to help them. Many asked us to stay.

MEDIA COVERAGE

Mid-day we were whisked over to LTV, the Christian television station which sits on a hill in the center of a desperately impoverished Moslem neighborhood. The station, like most buildings that might attract robbers (of which there are many), was surrounded with a high wall and had armed guards at the gate. The road which led to it was typical of the area: a deeply rutted track, barely passable by a passenger car. Only the highway and the main streets of the central business district are paved, and even there erosion and potholes complicate driving.



LTV, a 24-hour Christian TV station

At LTV, Anne and I did a program on family life with Martin Ssempe, one of the leading media figures in the nation. By coincidence (you know better) Martin had arrived from New York at the same time we had flown in from Nairobi and met up with us at the airport. He was one of the sponsors of the March conference whom I had been unsuccessfully trying to reach. God, once again, had made the arrangements that I could not! Within a few minutes, Martin and Stephen had arranged several media events, including Martin's own show.



Scott with Evangelist Robin Blue on "The Spectrum" a leading secular radio program in Kampala.

Preceding me on the program was a Black evangelist named Robin Blue who (coincidentally, once again) uses her past as the daughter of a lesbian and ex-wife to two different homosexual men as a platform to preach deliverance from bondage to sexual sin. She is based in Arizona, of all places, though I had never heard of her. The program had never dealt with these subjects in depth, but here in one day were two American speakers addressing the same problems in different ways.

Leaving the television show, we went next to Uganda's largest Christian radio station, which operates from the Kampala Pentacostal Church. KPC has a dynamic

ministry to the city and its positive influence can be seen everywhere.



From KPC, We were taken to another large church called the Prayer Palace, where I preached on abstinence to about 100 teens. Once again, there was tremendous receptivity to my message. This was also our first time to share prayer and worship with African Christians. Their zeal and exuberance, combined with the beauty of African singing and instrumental music, made it an experience never to be forgotten.

We ended the day at Ugandan Christian University, an Anglican institution, where I led a chapel service on Christian leadership. Although it was finals week, we had a good number of students, and a wonderful exchange of ideas after my speech. The Anglican (aka

Episcopal) church in Africa, you may remember, has been the chief barrier to the homosexualization of the church doctrine of the Episcopal denomination globally. It was therefore very significant that I addressed the homosexual issue from the American perspective to these future church leaders and identified it as one of the main reasons why Christians must take leadership in society.

ABSTINENCE SEMINAR

The next day was Sunday. Stephen's Family Life Network had organized an abstinence seminar for the local high schools. Over 40 schools sent representatives, both students and staff, for a combined total attendance of 550, including public, Christian, Catholic and Moslem school students. Unlike American schools, there is no restriction on prayer or teaching the Bible in Uganda, although under pressure from aggressive anti-religion forces in the western world, a few liberals in Parliament have tried to legislate Christianity out of the schools (this proposal met with prompt and effective opposition from church groups and was defeated).



I spoke first on the dangers of pornography and the porn culture. I use the term "porn culture" to denote a widespread rebellion against God's design for covenantal marriage, the sanctification and restriction of sexual intimacy to the lifelong union of marriage between one man and one woman). Following my presentation, Stephen's wife Beatrice took Anne and me to church at KPC (more on that shortly). While we were gone from the seminar, Stephen had intended to make his own presentation, based upon the True Love Waits program in the U.S.. Prompted by the Holy Spirit, however, he asked the young people if pornography had begun to affect any of their lives.

What happened next surprised all of the adults in the room, including the teachers. One after another, the teens began testifying of the destructive effects of porn in their own lives and others around them. By the end of the session the entire body of students had coalesced as an army of anti-porn crusaders and called for the creation of student clubs to tackle the issue in their respective schools. As the icing on the cake, all of this was captured on film by a professional film crew and observed and recorded by various members of the local media.



Anne and Scott with the Family Life Network Staff.
Stephen and Beatrice Langa are just right of Scott.
Egrance is the woman in the brown dress on the left.

Meanwhile, Anne and I went to church.

What we had experienced at the Prayer Palace with the teens was magnified a hundredfold. Picture a full 50-member Gospel choir, a packed-to-the-walls congregation of at least 500 energetic and joyful African believers, and some profoundly beautiful choruses: it was like being in heaven. After worship, without warning, the pastor called Anne and me to the stage, welcomed us warmly and asked me to say a few words. He then gave a plug for our married-couple's seminar which was scheduled the next day at the church.

That night Anne and I took the Langas' to dinner at our hotel. I must say that I am very impressed with them, both as an example of a successful married couple and as visionaries for the future of Ugandan society. Stephen stepped down from being head of the Deacon's board at KPC, a very prestigious position, to start Uganda's first pro-family organization from scratch. He is a man of high integrity and personal dignity. Beatrice is the sort of Godly wife that a man with his vision



must have to be successful in front-lines ministry (I know whereof I speak, because I am also blessed with such a wife). It has been our privilege to make a contribution to the Langas' work and to get to know them as friends.

WITNESSING

Our 4th day in Kampala was supposed to start with a meeting with the City Council, but that was postponed at the last minute. Instead, a close friend of Stephen and of FLN, Egrance, took us shopping for gifts to take back home, while Stephen went to his office to make arrangements so that he could travel to Kenya with us later in the week. Egrance is one of those faithful Christian women who do most of the hard work of keeping a ministry organization alive and thriving. We came to truly enjoy being with her. On this morning we were especially pleased to share her company because together we led a young woman, who was manning a market stall we visited, to Christ with the help of Egrance's able translation. (As always, God had a purpose for changing our schedule. This time we got to see what it was).



With additional time on our hands, we gathered up about four hundred tracts from the car and hit the streets. Once again, we enjoyed a spiritual high as we met and conversed with dozens of people. The Ugandans are unlike any other people we have known. They are truly lovely people who will instantly break into a wide smile and treat you like family if you simply catch their eye and smile at them. With total strangers you reach a place of brotherly/spiritual intimacy in a few moments that is closer than many long-term friendships in our arms-length American society. I guess the secret is that they are filled with Christian love because their society is

experiencing a genuine revival. Many thanked us profusely for helping Uganda and several asked us to stay when they learned we were only visiting for a few days.

Within an hour we had distributed all of our tracts. One high point of the experience happened when we ducked down an alley and began witnessing to four people on a bench. It turns out they were Moslems. I gave them my testimony of deliverance from drug and alcohol bondage and then explained why Christ was also the Savior for Moslems. Others gathered around during this exchange, including a pastor and a number of other Christians. The Moslems were visibly impressed with the message and we left them with the clear understanding that they could be saved by simply accepting Christ's sacrifice on the cross for their sins. (I forgot to mention above that we had also passed out tracts to the Moslems near the LTV station while we were there, and their response was so positive that we didn't realize they were Moslems).

About this time a young itinerant pastor named Richard came along the road and asked us if we could help him get a Lugandan-language Bible (Lugandan is the primary dialect of Uganda). We walked about a half-mile with him to the Bible Society offices and bought him a Bible. It was for his father who had been trying to witness to his wife, who did not speak or read English. He cried when we gave it to him. We were very touched.

We had to hurry back to the church because the married-couples seminar was about to start (although starting times, even in urban Kampala, are rather arbitrary under "African time." It is only because KPC was founded and managed by a Canadian that its functions keep reasonably close to the advertised schedule). I spoke to the married people about the importance of modeling God's design for the family as a witness to those around them, and why they must work diligently to train the children of the society to see marriage as a treasure that awaits



them, one worth waiting and remaining pure for. This idea is one which African Christians have been able to use as a very significant evangelizing and teaching tool due to the AIDS epidemic that is devastating the continent. For African



young people, abstinence is truly their only protection from disease and death for themselves and their future spouses and children.



From KPC I was rushed to one of the secular radio stations where I did a one-hour show in which Robin Blue was a co-guest. It was mostly on the threat of homosexuality and it was very powerful! The phone lines were deluged with calls. Afterward, the secular talk host spent another half hour asking me questions about the issue and was sincerely moved by the information I gave him. He was also very interested in *The Pink Swastika* and

I promised to send him a copy.

PASTORS' CONFERENCE

The next day, Tuesday, we held an all-day pastors' conference with about a dozen local pastors. This was a closed-door event with no media and no guests who had not been specifically invited (although one of the men was a pastor we had met while passing out tracts the day before). The pastors were very grateful for the insights I was able to give them about the way in which America was brought low by homosexual activism and the acceptance of porn and abortion.

They were specifically grateful for the pro-family theme of the message. They all voiced agreement when one pastor stood up and said, "We have had a great many preachers come here from the West with messages on salvation, worship and miracles, but you are the first to ever preach on holiness and Christian living. This is what Africa needs today." These were all powerful men of God, and some were ranking members of national ministerial associations. Several invited me to speak in their churches, although my schedule did not allow that on this trip.

AUDIENCE WITH THE MAYOR

During the afternoon we received word that the Kampala City Council members wanted to hear our presentation on strategies for curtailing the porn trade in the city. They had set a special session at 4:15 PM, so we were able to end our pastors' seminar a little early. For this encounter with the City Council I was able to put on my lawyer "hat" and speak on the impact of crime associated with sex-related businesses. Like most others we had met in Uganda, these men and women were God-fearing people, not humanist liberals. I can't tell you how satisfying it was to be among people who recognize self-evident truth and employ common sense in their reasoning -- and not just these government officials, but nearly everyone we met, whether Christian or secular. We had a very frank and profitable discussion and I offered a number of practical suggestions (such as requiring Internet cafés to use filtering software -- Uganda has the power of censorship to protect the public morals). The suggestions were duly noted and the council members seemed interested in taking action on them.

At the end of the meeting, a man whom I had assumed to be a member of the media (several media people

were there) came up and said that the Mayor should also hear about these things. He turned out to be the Mayor's personal assistant and ushered us to the Mayor's private chambers. (This was purely a "God thing," as it was not planned and probably would not have happened if our prior meeting had not been postponed.) A few moments later, the Mayor came in and we had a very good discussion about family values. He at first seemed resigned that nothing could stop the decline of morality in the city, but was visibly encouraged to hear of the activities of Family Life Network and our mission trip.

The meeting with the Mayor almost made us late to our final television interview back at the hotel. A camera crew for one of the secular stations was set up there when we arrived. I was a little nervous about this interview because of my many past encounters with secular American TV reporters, but I was in for a pleasant surprise this time. As I sat down before the camera, the interviewer asked if it would be all right to stop and pray and ask God's blessing on the interview. Instantly, I was put at peace and enjoyed what turned out to be a very good exchange in which I gave both my personal testimony and a call to repentance.

The day was not yet over, however. We were rushed back downtown to the city's largest secular radio station for a two-hour live interview. After giving my testimony and some teaching on the danger of abandoning God's design for marriage- and family-based society, I spent the rest of the program taking calls, giving advice, and accepting many "God bless you's" from callers. The phones never stopped ringing but on this secular show only two callers were negative. Both the host and the call screener wanted to keep talking after the show, so we didn't get back to the hotel to pack until quite late. We didn't get to sleep in either, as I was scheduled to do the morning show on the same station at 8:00 AM.



Simon and Stephen

UGANDA TO KENYA

Day Six of our trip began with that morning radio show, which was as successful as the prior evening's one had been. Again there were positive and appreciative calls. Our thoughts were on

Kenya, however, as this was the day we were to drive with Stephen to the border to meet Bishop Simon Mac'Onyango, who would be our host for the next few days.

Our connection with Simon was another divine appointment. Our original plan for Kenya involved contacts through Campus Crusade for Christ, and our additional contact was a doctor I had met at a big Catholic pro-family conference in Santa Clara in April. As I said, nothing ever materialized from either, and I ended up accepting the invitation extended by Bishop Simon of Present Truth Ministries in Eldoret. Simon had immediately sprung into action to organize events and meetings for us, and had sent us a schedule which appeared to use all the available time, and which included a number of events at which we were to preach and teach. Little did we know how abundantly that time would be used!

Stephen had agreed to be our driver and companion on our visit to Kenya and to drop us off at the Nairobi airport at the end. We were very fortunate to have his help, his flawless command of Swahili (he also speaks other African languages and fluent British-style English) and his knowledge of the area. He took us to Bujagali

Falls near the source of the Nile river, a wild and beautiful place. Anne and I were surprised to find women washing clothes on the riverbank and drying them on the grass.



Brahma bull hangs out in the street in front of the Uganda border offices.

AT THE BORDER

It took about 3 hours to drive to the border. It would have been a shorter drive but for the condition of the roads. There are no speed limits, but they are quite unnecessary: any speed demon on Uganda highways would quickly wreck his car. Off the highway, the roads are even worse; there is rarely any pavement, just dirt. We had a high quality four-wheel-drive Pajero and were thus able to navigate even the worst of the roads. The Uganda border station had some of the worst, due to the fact that every vehicle -- including freight transport trucks -- had to get cleared there before crossing to Kenya.

Just past the vehicle clearance station (a huge field that looked like a wind-swept ocean surface of mud and large rocks), was the actual border crossing. It was teeming with people (many carrying huge bundles on their heads), goats, cows and chickens. Stephen explained that many of the people were smugglers, who were apparently meeting with very little interference from the border guards. We had to get our passports stamped on the Uganda side before crossing to get our Kenyan visas.



Bishop Simon and two elders from his church met us at the border. They had been waiting a long time for us and recognized me immediately from photos I had e-mailed to them. These same photos (much enlarged) were also pasted to the windows of their car, identifying me in large letters as "Pastor Scott Lively!" They were quite exuberant at our arrival and we enjoyed getting acquainted while waiting in line for our visas. We actually finished before Stephen did, because he had to clear the vehicle through the Kenyan side (they seem more concerned about the cars crossing than they do about the smugglers). I took the opportunity to distribute tracts to the people at the border, including a traditionally-robed couple who, I learned, were members of the Masai tribe. As in Uganda, there was great interest in our materials and great receptivity to the gospel.



Now the Kenyans of Simon's village are very poor. None of them owns a car, but they had borrowed one from a college professor friend of one of the church elders for the duration of our visit. I had sent some money ahead to cover the cost of our food and lodging and to provide

some assistance to their community but they used it all to enhance our visit there. One elder, Brother Samuel, was assigned to record the entire visit on still and video cameras they had rented for this purpose. He immediately went to work and filmed our first meeting at the border, our ride to Eldoret and our welcome by the members of Present Truth Ministries. Just past the border we were pleased to discover an open-air revival meeting taking place alongside the highway. This was the first of several we were to see in Kenya.



Anne and Scott with Brother Simon at his borrowed car, complete with Scott's photo pasted on the window.

ELDORET

Our two-car entourage arrived, late in the afternoon, in Eldoret, a city which boasts a population of over 100,000 but is essentially a collection of small, self-contained villages surrounding the central business district. We turned off the highway onto another of the rutted tracks that pass for roads and were soon approaching Simon's village: mud huts and small concrete structures crowded together behind makeshift rail and pole fences. As we pulled within sight of the little one-room schoolhouse that served as the community gathering-place, the road was suddenly filled with children rushing out to greet us, their parents and grandparents following behind. Along the fence in front of the



Present Truth elders Samuel and Benjamin



Left, Stephen and Anne in the tiny (10x12) apartment of Simon, his wife Jane and five children (two are the children of Simon's deceased sisters). Center is a view of yard and community well, from which (right) a neighbor woman draws water.

school was a large white

banner painted on a sheet: The Great Gospel Explosion with Pastor Scott Lively.

As we got out of the car, two young girls dressed beautifully in their Sunday best presented us with bouquets of flowers, while smiling church elders stepped forward to place a brightly colored necklace and name-medallion around my neck, and a less colorful version on Anne's lapel. The entire village pressed forward to shake our hands and give us hugs until we were ushered into the schoolhouse for a formal greeting ceremony. As



This school house, here filled with kindergartners, doubled as our evening meeting hall.

many people as could crowd into the little room were arranged in the seats and along the walls. Anne and I, Stephen and Simon were at the front of the room facing them, seated in chairs covered with white crocheted woolen doilies.

(Note from Anne: The ever-present doilies were one of the constant reminders of the earlier British presence in Kenya, together with tea with milk-and-sugar and a sprinkling of first names such as George, Alice and Millicent, which reflect the tastes of the 19th-century English missionaries who came to live among these people with the gospel. As a social-science student in American universities, I had heard the missionaries represented as meddling foreigners who - sounds familiar? - forced their religion and

morality on a bunch of people whose culture they eradicated and who were glad to get rid of them. I was taken by surprise when I heard the Kenyan Christians speaking fondly of the "missionary times," especially a few of the older ones who remembered an actual missionary as a good and trusted friend.)

The Africans are very mindful of ceremony, and we tried our best to fit in. After everyone in the room had settled down, Bishop Simon rose to make an introductory speech and tell how we had come from the U.S.. I was then motioned to stand and give my own speech. After I spoke, each of the elders of the Present Truth Ministries (many of them pastors of their own congregations) in turn came forward to give a brief greeting speech and shake our hands. A few of the wives and more prominent women of the village followed but their

comments were much briefer.

We were then treated to a wonderful experience as they joined together and began worshiping the Lord in song in Swahili. Brother Benjamin who was part of the reception committee at the border stepped forward with his wife and daughter (part of their nine-member professional singing family) and serenaded us with several beautiful African worship choruses.

It was now past 10:00 PM, and poor Stephen Langa was exhausted after a very early morning's schedule and driving all day to Kenya. However, the ritual requirements had not been fulfilled: in Kenya, a meal is required to mark every important occasion, especially when guests are brought into one's home. The women of the church brought and spread out before us a mountain of steamed rice, a pot of boiled potatoes and a kind of thin beef stew. Although we (and especially Stephen) might have preferred sleep to food at the moment, the food did taste good: we had eaten nothing since breakfast except a zip-lock bag of peanuts brought as travel snacks for the airline trip. Following the meal was another long round of farewell speeches as each of the villagers spoke personally to each of us, offering thanks for our coming and prayers for the success of our time together. About midnight we finally drove off to the local hotel, owned by a friend of Brother Benjamin.



This guarded, walled courtyard was typical of structures we saw in Uganda and Kenya.

Like most buildings housing anything of value, it was an enclosed structure with a central courtyard accessible only through a high, guarded gate. American buildings are open and accessible to all, and the appearance of the exterior is very important. In Africa, the exterior walls (higher and more impenetrable depending on the contents) are unpainted and exceedingly unattractive, but inside great care is taken with aesthetics. By American standards, our room was about two steps below a Motel 6, but in Africa it was very luxurious (in fact, we found it quite comfortable, lacking only an electrical outlet). A whole group of the elders had accompanied us, and there were several oohs and aahs and approving comments about the absence of mosquitoes as they inspected our accommodations. Being escorted meant another round of parting embraces and brief speeches, but soon we were in bed and slept like rocks until morning.



Anne and Jane Mac'Onyango are photographed in the courtyard of the Nyathiru Hotel

Day Seven began with breakfast at the hotel with Bishop Simon and a number of the elders. Brother Benjamin brought his sweet aged mother to meet us and she delivered a formal greeting in Swahili, which Benjamin translated. We were then taken to visit her home, one of the more upscale ones in the village, a concrete building with several wooden outbuildings, including a carpentry shop with an old table saw. This was just the first of a number of stops at the homes of important people. Each stop necessitated a speech and prayer by me and exchange of greetings with the family members.

MINISTRY PARTNERSHIP IN KENYA

Back at the village, Anne led a Bible study with the women of the church, while I met with the men to pray and strategize the development of Present Truth Ministries. There has been a clamp-down on religious organizations in Kenya since Islamic groups registered as religious had engaged in terrorist violence to



overthrow the government. Other groups had adopted Christian names to hide criminal activity and occultism. Unfortunately, Bishop Simon had filed his paperwork on the same day as the Islamic Party (which was later ousted from Kenya) and having thus fallen under suspicion, spent two years working through the red tape that should have taken a few months at most (another reason for the delay was that he flatly refused to pay bribes). Finally, the month of our visit, the registration was approved, conditional on Present Truth Ministries getting an office in a registered building in a commercial district.

We all made the trip into Eldoret to see the office space that they had located. It is on the third floor of a clean, modern building in which the offices face an open central atrium. The space seemed to be about 800 sq feet, easily big enough to house a planned school of ministry and pro-family activism. We prayed over the space and talked about how Abiding Truth Ministries could help. (In the end, ATM donated \$1,500 to the ministry, which paid the legal costs of registering with the government, guaranteed the availability of a 6-month lease, and paid for the basic furnishings and partitioning. The same requirements in the U.S. would have cost at least \$10,000). We also pledged to send a computer, ministry text books and pro-family literature and resources.

ATM now has a ministry partner in Kenya dedicated to promoting Christian family life as a solution to social problems and to opposing pornography, promiscuity, "safe sex" condom distribution programs, abortion and homosexuality.



Schoolyard at the center of Simon's village

OPEN AIR PREACHING

That afternoon was our first open-air meeting. As noted, the church had erected a tent of poles and plastic in the field by the school-house which served as our gathering place. We all assembled there for another round of ceremonial speeches and other activities. Once again, Anne and I were treated as presiding dignitaries. This time, we were honored with performances by groups of children from the surrounding schools. There were a number of songs and dances in Swahili and a few in English.

When the children were through, I got up and gave a teaching on God's design for the family, focusing specially on the gift of marriage. We had been surprised to see the children giggle when I put my arm around Anne or kissed her. Traditionally, African men are expected to act coldly or at best indifferently toward their wives and many non-believers are openly scornful and cruel. There is much spousal abuse, both physical and emotional, in Africa. In the past year Bishop Simon's own sister, a non-believer, was beaten to death by her husband. She died in Simon's arms at the hospital, accepting Christ and forgiving her husband in her very last moments.

After I had preached on marriage as a blessing, and on the duty of Christians to love and cherish their spouses, there was a marked change in the fellowship. By the time we left, several of the men were following my example, showing physical affection and consideration to their wives.



ROASTED GOAT

At breakfast, the owner of our hotel had come to our table and promised a dinner of "roasted meat" when we returned in the evening. We didn't know that the animal to be roasted was a goat. It was surprisingly good (to a meat-eater like myself) but Anne much preferred a native dish of roasted corn and beans. Our sizable entourage at dinner were most overjoyed when Anne and I were each presented with a large meaty bone. There was much laughing as we set to "chew the bone" (another ceremonial event) and Samuel our photographer made sure to get it all on video (which they all immediately rewound and watched again).

That night we didn't sleep in the hotel, but back in the village in a small apartment in the most modern building in the village, a low concrete building with rooms accessed from an open central corridor which doubled as a service area for clothes washing. Our rooms had the capacity for running water and electricity, but these were not connected. The toilet was just a hole in the bathroom floor (luckily, there was another hole, but one which *flushed*, in a nearby vacant apartment, which was left unlocked for the convenience of the plumbing-less tenants). We slept on mattresses on the concrete floor and bathed in a pan of hot water brought to us by the Simon's sister-in-law. This apartment was one that Bishop Simon and his wife Jane hoped to rent. Their own quarters, in which they live with five children (including the children of their deceased relatives), is no bigger than 10 x 20 feet.

MATUNDA

Day Eight of our adventure began with breakfast at Simon and Jane's home (we were informed that it was very important that we share a meal with them at their house). Then Anne and I were presented with African ceremonial robes, which we were asked to wear for the day. We then set out in two vehicles for Matunda by way of downtown Eldoret. Matunda, about 40 minutes from Eldoret, is the original home of Present Truth Ministries and the Mac'Onyango family. (Simon is a third-generation pastor).



Anne and Scott with Jane and Brother Nicodemus

Being on "African time" meant that we did not arrive in Matunda until mid-afternoon, although we were scheduled to arrive in the early to mid-morning. This was late even by

African standards, and thus we were able to witness a somewhat formal ceremony of apology and forgiveness between Bishop Simon



Simon and Jane Mac'Onyango



With the Matunda fellowship outside their tiny church building



and the Matunda elders. This took place in the Matunda church building, which was even smaller than the one-room schoolhouse back in Eldoret. My sermon was short, given the lateness of the hour and the fact that we were already due back for an open-air revival meeting in Eldoret. However, we first visited Simon's boyhood home, and then went to a local restaurant, where we shared a meal and heard more ceremonial speeches inside a large grass and thatch hut.

PRO-FAMILY ACTIVISM

Back in Eldoret, a good sized crowd had gathered for our worship and teaching time. In this session I spoke about Christians' duty to be stewards of the society, setting the example for others in personal character, family life and involvement in shaping the society according to God's standards. I also addressed the young people in the crowd, first the boys, then the girls, about the masculine and feminine traits God had designed them with, and urged them to recognize their God-given complementarity and to keep themselves for their future spouses, aspiring to the goal of a sanctified, faithful and loving marriage in their future. The message was very well received, but we were interrupted in the middle when a herd of goats came dashing through the crowd and tripped over the electrical cords, cutting off the microphones. (Anne and I were amused, but the Africans seemed quite insulted at the what they considered the bad behavior of the goatherd).



At the end of the service, we gathered all the children together (they had been attentive throughout the meeting) and asked them to take a pledge to save themselves for marriage, then gave a candy to each one as a reward for making a good choice.



Matunda elders with Stephen Langa and Simon in front of Simon's boyhood home

That evening, as a final speaking event, Stephen Langa addressed the elders on the goal of producing a family-friendly society in Africa, and then all of the prominent members of the village gathered to hold a formal farewell ceremony. We were very touched by the outpouring of love from our new friends. In the midst of this, Brother Nicodemus came forward with his new wife, six months pregnant with their first child, and promised us that the baby would be named after one of us, Anne if a girl and Scott if a boy. We all then

gathered around them and laid hands on them and prayed for their marriage and the health and future of their child.



Passing the equator

ELDORET TO NAIROBI

After another night in the Nyathiru hotel we arose early and departed Eldoret for Nairobi. Our plane was scheduled to depart at 5:00 PM and we had a long drive. We also wanted to stop at the game park along the way.

Once again we had a two-car convoy. Both vehicles were packed with as many as could fit because everyone wanted to be part of this excursion. Traveling with Anne, Stephen Langa,

Bishop Simon and I were Stephen Odongo, Samuel Muniu Ndiritu (our photographer), Benjamin Mugo Muniu and his wife Rahab, Stephen Wanyoike, Pastor Gabriel Ouma and Nicodemus Ogutu. This group stayed with us for the day and saw us off at the airport.

Early on, we passed the equator (marked by a large sign) and stopped for a photo. The high point of the day, however, was our visit to the Lake Nakuru Game Park. Several of the group had never visited the park before because of the cost (out of their reach, but very reasonable by American standards). Anne and I gladly treated the group to this event and were all treated by the Lord to the sight of a leopard and 2 lions (all sleeping up in trees), water buffalo, and the world's largest population of pink flamingos. This was all done from our cars, as the park is entirely wild. One memorable moment was when I



Herd of wild Zebras grazing along the highway

I felt a bug land in my hair and frantically tried to kill it before it could bite me. It was a tse-tse Fly. It didn't bite me, but the men told me that if it had, I might have contracted sleeping sickness, which can only be treated at two hospitals in the world. I thanked God for sparing me from that fate.



Our new friends waving goodbye at the Nairobi airport

The trip from the park to Nairobi airport was relatively uneventful, although we were pleasantly surprised to find a herd of wild Zebras grazing along the highway. Our route took us through the famous rift valley, along which we saw the escarpment of Tarzan movie fame.

Our East African adventure ended at the airport, where we had an emotional farewell with our

wonderful brothers and sister in the Lord. They waited at the windows to make sure we had no complications, and our last sight of them was as a group, joyfully waving to us as if we were their closest family or friends.

CAIRO, EGYPT

The flight from Nairobi to Cairo on Kenya Airways was punctuated by a stop in Khartoum, Sudan (where 2 years ago there was a \$10,000 bounty on Americans by the Islamist extremists and where there is still open warfare against Christians). We never left the plane. Some time later we arrived in Cairo for the last leg of our journey.



Donkey cart stacked with watermelons passes along a downtown street

Cairo was a very different place from East Africa, a Moslem country tolerant of Christians only because of Western aid money. We had been warned by Christian leaders that we could be immediately deported if we were caught

witnessing to Moslems. There was an oppressive spirit in the country, and one of greediness. The entire city seemed like an army of hustlers, all dedicated to getting money from Europeans. Our very first encounter was with a man posing as an airline worker, insisting on helping us load our bags onto our cart, then demanding money. The next was the army of taxi hawkers, dozens of aggressive men trying to get us to use their taxi services. We selected one at random, were taken to a cab (it was just a beat-up car with no identifying features) and with a hasty prayer got into the car, hoping we weren't being kidnaped or something worse. The driver did take us to our hotel (the Marriot – we did not want to take a chance in this city) but before we got to the hotel, he demanded to know how much we intended to tip him. When

I gave him a number, he said it was too low! We compromised.



Scott with Campus Crusade for Christ Egypt Director, Barb Brown, at the Egyptian Museum

We had just two days in Egypt and wanted most to meet with members of the underground church. A



With Moslem guide in the central chamber of the Cheops pyramid

mutual friend had introduced us to an Egyptian believer in California who broadcasts Christian radio programming into Moslem countries from an island in the Mediterranean Sea. He works closely with a team of Christians who have a mission to homeless street kids in the poorest section of Cairo. We were blessed to have the chance to meet them and take them for coffee and a long discussion about their work and how we could help.



Sphinx and Great Pyramid of Cheops at Giza

Our other ministry contact was with Campus Crusade for Christ Egypt, which arranged a

special meeting for me to speak to all of their staff. About a dozen believers warmly received my talk on using the pro-family theme as a bridge to Moslems and the value of Christian/Moslem cooperation in defeating anti-family provisions in international treaties. Surprisingly, the group seemed most interested in learning the causes of homosexuality and how to help people recover from it. I hadn't intended to do a speech on homosexuality but had mentioned that our primary work in the U.S has been opposing the "gay" agenda, which led to a whole series of questions on that issue. (Interestingly, others familiar with Egyptian culture have told us that many of the things harshly proscribed by the Koran, such as abortion and homosexuality, are widely practiced in Egypt, apparently justified in some way and simply ignored by the Islamic government; thus, these Egyptians and many others have had friends and family affected by these life-destroying behaviors.) In the end they asked if we could (and we agreed to) come back and hold a seminar on family life with special emphasis on Christian child rearing.

CCC Egypt director Barb Brown and her Egyptian counterpart Medhat Shakir then took us to lunch at a very fancy restaurant where we sampled authentic Middle Eastern foods (I ate 2 pigeons). Afterward, Barb gave us a tour of the Egyptian Museum with its stunning collection of artifacts.

We also had the chance to visit the pyramids, the sphinx and the ruins at Memphis in the care of a loquacious and rather intellectual tour guide, Haji Abdul. (Haji is a term of honor signifying someone who has made a pilgrimage to Mecca). Abdul was quite liberal by Moslem standards and we were able to share the gospel with him during our several hour excursion with him. His older brother is a Senator in the Egyptian congress, and wherever Abdul goes, he is accosted by any who recognize him and want an entree to his powerful relative. With Abdul's help and advice, we were able to successfully avoid most of the attentions of the hoards of hustlers at the tourist sites. We were impressed by the stark and rather tragic grandeur of the pyramids (brilliant and incalculably great human effort for a goal that never existed), and even went inside the largest one, Cheops. We were very glad to leave Egypt, however, the next morning on our 4:00 AM flight to Sacramento via Amsterdam and Minneapolis. We arrived home in the early evening of June 25th, full of amazement at the extent and variety of the Lord's kingdom among us.

CONCLUSION: CONFRONTING THREATS TO UGANDAN SOCIETY AND CHRISTIAN FAMILY LIFE:

Our mission trip to Africa changed our lives and the scope of our ministry. We will continue to minister to our African brothers and sisters. Please pray with us about the following problems in East Africa:

Global socialism: Western Leftists are aggressively promoting of the belief that societal acceptance of promiscuity and perversion is a necessary step in the process of achieving “modernity” and prosperity. Much Western financial aid is now conditional on Uganda’s agreement to promote “safe sex” and condom use.

Expansionist Islam: a powerful Moslem minority, funded by Mohamar Ghaddafi and others, seeks political control of the nation and already holds a substantial percentage of political offices far beyond their representation in the population.

AIDS Epidemic: due to the revival (and Christian teaching on sexual morality), Uganda’s rate of AIDS infections is in decline where once it was the highest in the world. The nation still has the highest rate of teen pregnancies in Africa and could easily lose the battle against AIDS if its citizens were to embrace the Western-style promiscuity marketed as “safe sex.”

To become part of our support team in any capacity, call 916-676-1057 or contact Scott and Anne Lively, c/o Abiding Truth Ministries, PO Box 3691, Citrus Heights, CA 95611, lively@abidingtruth.com.

Mungu Aku Bariki
 (“God Bless You” in Swahili)

Scott Lively
July 8, 2002

EXHIBIT 24

Part 1 of 5

*This copyrighted book is not for public sale or distribution
However, if your purpose is to share this book as tool of personal evangelism
or discipleship, you are free to do so without charge or special permission.
Dr. Scott Lively*

My Life in His Hands

A Testimony of God's Grace and Goodness



By Dr. Scott Lively

Introduction

As every man has received the gift, even so minister the same one to another, as good stewards of the manifold grace of God. 1 Peter 4:10

This is a testimony of some of the miracles that God has done in my life. I am telling it to give Him glory, but also to be an encouragement to my fellow believers -- and perhaps inspire some non-believers to give Him a chance to do a miracle in their life.

I used to wonder why God has done so many miracles for me (for you will see that He has blessed me bountifully). I finally came to realize that it is because I talk about His miracles to others. I testify continually about His interventions in the circumstances of my life and I know now that that pleases Him.

It is in the nature of autobiographical writing that the word "I" gets used a lot. I ask you to understand and excuse this annoyance. While this book is indeed a collection of stories about my life, it is really more about God. I am just another sinner, saved by grace -- but one with some really good stories to tell. I know they're good, because I've told them over and over again in sermons and speeches around the world and have seen the impact they have had on my audiences.

Storytelling is one of God's gifts to me. The way I acquired this gift is a story in itself...

When I was a young boy growing up in rural Massachusetts, my life was remarkably uneventful. I was the oldest of six children of an very protective mother. I rarely left our small town neighborhood, and the most traumatic event of my childhood was encountering a roomful of strange children on my first day of kindergarten (I was terrified).

Just before I graduated from middle school and entered seventh grade at the regional high school, my mother gave me a little speech about growing up, and told me that I would now be allowed to start making decisions for myself. With this dictum, the momentous changes in my life began.

On the very first day of seventh grade, in the very first hour of the school day, I met my friend Ernie. We had lockers next to each other and he was having trouble working the combination of his. I announced that I was a genius as I showed him how

to work the lock. I was only half joking, but that was humorous enough for him (he had a love of wit and humor) and we became instant friends.

Friendships, at least in my experience, always seem to begin with a period of swapping stories and our friendship was no different. Only a couple of days later, however, I had run out of life experiences to share (there is only so much excitement one can have playing in the back yard). Ernie, however, had a seemingly endless supply of exciting experiences to draw upon. His Dad, a severe alcoholic, had held a variety of jobs in several big cities in the East. Ernie's three older brothers were all adventurous types with colorful histories. Ernie lived at his grandmother's old farmhouse in a neighboring town with his large extended family. Exercising my right to make my own choices, I made Ernie's clan my second family for the next several years.

Ernie had lived what seemed to me a lifetime of adventures by the time I met him. So, as he continued to spin one tale of wonder after another, I did the only thing I could think of to keep up: I lied. I started making up stories out of bits and pieces of things I had read in books. However, I hated lying and grew increasingly ashamed of both my fabrications and my paucity of interesting life experiences.

Out of the discomfort of this experience came a personal vow which has influenced my decision-making to this very day. I vowed that whenever I was presented with the opportunity to choose my own path in any aspect of life, I would choose the path that would provide an interesting story, one which could stand on its own merits without having to exaggerate or falsely embellish it.

That doesn't mean I followed every exotic impulse -- I didn't -- but I did approach many decisions with the awareness that I would someday be relating my experience to others -- which gave me (and still does) an eye for the interesting.

This, then, is the right place to start my testimony, which I will now relate to you as a series of stories. These stories in all the essential facts are true. I can't promise that every place, name or date is accurate (drawn as they are from imperfect memory) and I have intentionally changed some names to protect peoples' privacy. What I do promise is that these are the stories of my real life experience.

Chapter One:

Leaving Childhood

God shows his love toward us, in that, while we were yet sinners, Christ died for us. Romans 5:8

But the natural man receives not the things of the Spirit of God: for they are foolishness unto him: neither can he know them, because they are spiritually discerned. 1 Corinthians 2:14

Even before I knew Him, God knew I would be His, and He worked His will in my life to shape the man I would become. My bad choices, and other things that the devil intended for my harm, God turned to good in His perfect timing. Indeed, this is one of my favorite promises in His Word: that He works all things together for good to those who love Him and are called according to His purposes (Romans 8:28).

When He says “all things,” He means even the most wicked choices of our past and the most “senseless” sufferings we endure through the acts of others.

I was the oldest of six children in a nominally Catholic family in Western Massachusetts. As I mentioned, I was a very sheltered child. However, my innocent world was changed and corrupted when my father, a barely literate building contractor, began to develop a mental illness. I was only seven or eight years old when the first subtle signs of insanity began to appear, but once his symptoms had begun they accelerated over time, and they also grew more and more severe.

One of these symptoms was a tremendous hostility towards me. My father focused a lot of his attention on me, but it was almost always tinged with anger verging on hatred. I was just a boy. I didn't understand what was happening, and I was afraid and tried my best to keep out of his way.

I retreated from my father into books (my first addiction) and became the most prolific reader of any child I have known. As a result, I had gained the equivalent of a complete high school education by the time I was 12 years old. This was to prove

providential, as you will see.

My first major milestone toward adulthood occurred when I was 12. Like most of my experiences through my teenage years, it involved Ernie. As I said, he lived at his grandmother's house in a neighboring town, and shared this home with his uncle Jimmy. Jimmy was the most colorful (and tragic) figure I had met in my young life. A chronic alcoholic with a history of involvement in the Mafia, Jimmy had "retired" after his best friend was beaten to death in a Boston alley with a two-by-four. When he was drunk, he would often tell us tales of crime and murder.

Jimmy was also eager to share what he most loved in life -- drinking -- and introduced me to alcohol for the first time.

I'll never forget my first drunk -- three dark beers at a picnic table behind the Lakehouse Restaurant -- and the (minor) vandalism spree all the way back to Ernie's house after we parted from his uncle. Actually, we never made it to the house -- we were arrested while trying to dump a bag of cement into the mailbox on the front porch of the general store on the way back.

That evening the police officer called my father to come and pick me up. I would much rather have gone to jail.

I lived in terror of my father, but until this incident I could always count on one thing: the intervention of my mother in any situation where Dad seemed intent to harm me. One of my clearest memories from childhood was my father's angry glare fixed on me over her shoulder. She would physically place herself between us whenever he came after me (which no doubt added jealousy to his resentment). This is not to suggest that he physically abused me -- he never actually hit me -- his attacks were emotional and psychological. He seized on the arrest to provide him justification to overrule my mom.

After long silent ride home, he marched me to my room, stopping only long enough to get his sledgehammer from his basement workshop. He then proceeded to destroy my room with the sledgehammer. In reality, he struck only one or two blows, but it seemed as though my entire life lay in ruin at my feet. His main target was my little television set, a prized possession I had purchased with the earnings of a paper route over the prior two years, and one which he had resented. He hit it so hard that it knocked a four-foot hole in the sheetrock wall, and showered glass over the whole room.

I was ashamed of what I had done that evening, and expected to pay a price for it, but the punishment seemed to me horribly disproportionate to the crime. Worse, I sensed the satisfaction, even delight, of my father in finally being able to

hurt me, and I knew that my crime was just a pretext for his actions.

That night marked the end of my childhood, and the end of my sense of membership in my family. It also marked the beginning of my bondage to alcohol (and later drugs). That day I had discovered something powerful enough to numb the pain of life and give me a sense of control, however false.

An outsider looking in at this dysfunctional mess could certainly have found reason to criticize God. How could a loving God allow an innocent child to suffer years of irrational hatred from his own father? (I wasn't aware enough of religious matters to ask such questions myself.) Yet God knew what he was doing in *allowing*, *not causing*, me to suffer. And He would eventually turn all of this to my good.

Chapter Two:

Becoming Homeless

Now the works of the flesh are manifest, which are these; Adultery, fornication, uncleanness, lasciviousness, idolatry, witchcraft, hatred, variance, emulations, wrath, strife, seditions, heresies, envyings, murders, drunkenness, revellings, and such like. Galatians 5:19-21

When we tell stories about the “colorful” bad things we did and suffered before we got saved, we always run the risk of glorifying those bad things. I don’t want to make that mistake. Yet, I want to give you enough of the story to show the astonishing difference in my post-salvation life. Let me then jump ahead to the next major milestone on my path, pausing only long enough to confess that for many years I was well familiar with the works of the flesh.

When I was fifteen or sixteen years old, my already troubled life was plunged into chaos. To the best of my cloudy recollection, it was in the fall of 1972. By this time Dad had been diagnosed with severe manic-depressive psychosis (more commonly known today as bi-polar disorder).

Tensions had increased over time between myself and my father, and as the tension increased, so did my conflict with the world. I spent little time at home and even less at school. Instead, I would hitchhike to stay with friends in surrounding towns, most often ending up in Greenfield with Ernie’s older brother Larry and his girlfriend, Butterfly. Their apartment was our favorite hide-out. Several of us truants, without planning to, formed a sort of criminal gang and began engaging in various illegal ventures to get money for drugs.

At school I fell further and further behind. I’d been an honor student in junior high, but after discovering marijuana at the start of high school, I lost both my interest in learning and my ability to pay attention to complex matters. Eventually, I fell so far behind in my school work that I qualified for help from the special education department, which was run by a kind-hearted teacher named Paul. He

arranged for me to leave the public school and enter a trade school where I was to learn graphic arts.

Something happened, however, between leaving one school and starting classes at the other: my father went into a manic phase (the craziest part of his chronic cycle of elation and depression) and decided that he needed to take charge of my education himself. I was subjected to a wild-eyed lecture on the importance of following through with things (meaning public school) ending with the horrifying announcement that he himself was going to take control of my life and “help me succeed.” The person I most feared in the world, in his most frenetic and unstable state of mind, intended to make my school success his next project.

I had more to worry about than bad grades at my school. Because of my pothead persona and my long hair, I was a prime target of the worst bullies at that school, several of whom traveled together in a pack. These were tough and brutal young men and I was no match for any one of them alone, let alone the group of them. I had also made enemies of several of my teachers, who openly regarded me and my “hippie” attitudes as representing the worst element of my generation. The prospect of the trade school had been a great relief; I would have been free of that pain-filled environment. But Dad thwarted my escape.

The next day I went back to school. Hidden in my backpack was a quart of vodka I had stolen from the cupboard at home. By mid-morning I had consumed the entire bottle, and was found staggering through the hallways by the school nurse, who took me to her office. That afternoon, my mom attempted her final intervention between me and my Dad. She dropped me at my grandparents home and went back to try to reason with him. I don’t know all that happened that evening, but next morning my grandmother drove me back home to pick up some of my record albums. Ernie was with me and I asked him to go in so I wouldn’t have to see my father.

Ernie came back to the car a few minutes later with a shocked look on his face. “He came to the door with a gun,” said Ernie. He then related what my Dad had said: “I kicked Judy [my Mom] out of the house until she brings Scott back with her. She called the cops. I’ve got four guns and six hundred rounds of ammunition and I’m not coming out.’”

The state police set up a command post across the street at the neighbor’s house. I watched the scene unfold from an upstairs bedroom in that house. I listened in on the negotiations on the extension phone. Dad had become completely, psychotically irrational, and the police could make no headway with him. Later, he fired a shot into the ceiling and the police responded by filling the house with tear

gas. I can remember seeing a red stain on the living room curtains where the first canister went through and fearing that it was his blood. My little sisters were with me in the room, pacing and sobbing.

Eventually, the police negotiator managed to talk him into leaving the house by persuading him that our house pets needed to get out of the tear gas. They walked him out to the police cruiser and drove away. He spent most of the rest of his life in the state mental hospital at Northampton.

After the police were gone, I went home with the rest of my family, but couldn't enter due to the tear gas. I stood on the edge of our front porch (our house sat up on a small hill) and surveyed the huge crowd; it stretched for about a block on each side of the house; it looked like the whole town was there. With my eyes and throat burning from the tear gas, and my heart filled with shame and anguish, I screamed out at the crowd to go away and leave us alone. I felt utterly alone and hopeless. It was perhaps the lowest moment of my life.

That day marked the end of my time at home. Mom had five other children to take care of, and no job (though she soon went back to school and completed her nursing degree). She had to sell the house and move into a smaller one. There was not enough room for me, even if I had been willing to stay. I was on my own.

I managed to earn my high school diploma at an experimental "free school" in Greenfield called the King Philip Project, inauspiciously named after an Indian chief who jumped to his death from a cliff top rather than surrender to the British. It had eight teachers for twelve students and operated like a hippie commune. I thought it was a great adventure. My liberal world view was shared by my teachers; I even smoked pot with a couple of them. I worked briefly as a newspaper reporter with the Greenfield Recorder to earn my English credits and did creative projects to satisfy the requirements in other subjects. Meanwhile, I shared a rental house with three of my fellow students (another guy and two girls) and had wild drunken parties nearly every night of the week.

I was the first student to ever graduate from King Philip. I was the class of '76, a class of one. About 20 other students graduated from the school before it lost its funding and closed down.

Within a few months of graduation I left Massachusetts for Oregon, where (I had heard) the drug laws were more lenient. Over the next four years I traveled all over the country, mostly hitchhiking, hitting 48 of the continental United States, and logging over 50,000 miles. I held various short term jobs, often washing dishes or cooking in restaurants, but I was always plagued by my addictions and could not stick

with any job for more than a few weeks. Frequently, I slept under highway bridges, ate in missions, and begged spare change from strangers. Increasingly, it was a life of misery and I began to look for a way out of my bondage.

Chapter 3:

Meeting Anne

Whoso finds a wife finds a good thing, and obtains favor of the LORD. Pr 18:22

Whenever I grew tired of drifting I would return to the city of Portland, Oregon. My home base there was a rooming house which the residents called The Grey Goose. It was a three-story giant of a house, in a neighborhood of similarly large houses in the Northwest section of the city. Owned by two police officers (who always seemed to turn a blind eye to the goings-on of their tenants), it had been carved up into more than a dozen small apartments, nearly all of them inhabited by people like myself. Whenever I returned to town I would go to The Grey Goose, stand in the downstairs hallway and listen for the party. There was almost always a party going on somewhere in the building. I would find it, join in, and eventually make arrangements with somebody there to get a place to sleep for a few days on a spare sofa or floor-space in a corner of a room.

In the Spring of 1980 I came back to Portland from the Oregon coast, where I had spent a couple of months trying to kick drugs. Actually, the attempt to stop taking drugs occurred during the first 10 days. The rest of the time I was staying with the family of an alcoholic painting contractor I met during a short stint as a stock clerk at a local hotel. We became drinking buddies. My ten-day effort took place out in the woods, where I set up camp with a vague plan (conceived while high on pot) to get clean by living off the land and staying away from people. It rained the entire time, and the only thing I accomplished was reading *Walden Pond* by Henry David Thoreau. It was the first time I had been clean and sober enough to read a book in a long time. The one idea I took from that book was the notion that I should follow Thoreau's example in the matter of "adopting" a needy family to whom I would devote myself. He, a wealthy man, had been chastised by his peers for not using his wealth to help

widows and orphans. I, a poor man, but one tired of life and without any sense of purpose, could perhaps find purpose in taking care of someone else. It was a thought that gave me hope, and in retrospect seems to have been stirred in me by the Lord, though I had not accepted Him at this time.

Upon this return to Portland, I arranged to stay with a long-time tenant of The Grey Goose, a gentle giant of a man, named Pete. Pete had drug-induced schizophrenia, caused by an insatiable craving for hallucinogenic mushrooms. He was harmless enough, and a wonderful vegetarian cook, but could barely hold a conversation with real people. He spent more of his time chatting and giggling with Jimmy Hendricks, Neil Young and other imaginary friends who would appear in the corners of the ceiling. However, I was grateful for his willingness to let me sleep on his floor for a couple of weeks while I waited to receive my first-ever tax return check (the year before, I had managed to last nearly four months as a cook at Good Samaritan Hospital, just across the street).

The day I received my tax return check, I was hanging around with another local friend named Don, a dangerous-looking man with greasy blonde hair, an old green army jacket and several missing front teeth (from a recent fight). He was actually quite mild mannered, from my perspective, and I enjoyed drinking and smoking pot with him. This particular day was different in that I had, relative to my usual financial condition, lots of money. We went together to buy some pot. On the way home we passed a garage sale. Being really high, and feeling the cash burning in my pocket, I spent nearly all of the rest of my money on a lot of useless junk from the sale. Then Don and I piled it all on an ironing board and (carrying it like a stretcher), proceeded toward home.

Anne had for several years lived around the corner on the same block as The Grey Goose. Her home was as large as it, but oh, so much nicer: a beautiful Victorian. I had never met her until this morning, but there she was as I came down the street with my "treasure." She was standing in her front yard with an old push mower, looking pretty and helpless, and tears were streaming down her face. The grass was at least 10 inches tall, the mower was old and rusty, and barely any of the lawn had been cut. It was quite apparent, even to a pothead like me, that this was truly a damsel in distress. I was later to learn that Anne had just finished praying to Jesus, for the first time, for someone to come to her rescue. (Actually, another man had just stopped but she said she knew he wasn't the right one -- he owned a local massage parlor.) Don and I put down the ironing board, and I bounded onto the lawn, eager to help.

This lawnmower was quite obviously incapable of cutting her grass and I asked if she had access to a power mower. She said hers was broken and I offered to take a look at it (I had done so many short term jobs of every sort that I was actually a pretty fair handyman by this time -- and Don was an auto mechanic). She then led us down the walk and into the dimly-lit basement of her home. I remember realizing at that moment how utterly vulnerable she had made herself by this act, and a feeling of paternalism and protectiveness rose within me that I had rarely felt before. This was a woman who seemed completely lacking the one thing in which I possessed in abundance: survival skills. Yet at the same time, to all outward appearances she seemed the least compatible of women for a man like me: educated, cultured, emotionally and psychologically normal.

I had her lawnmower fixed and delivered to her the next day and later that evening came to her door to ask her out for a walk. We took a long and leisurely stroll to and through Portland's famous Rose Gardens, and we fell deeply in love with each other. She was in the midst of a terrible divorce and struggling to cope with it and the needs of her two very young children (who took to me and I to them almost instantly). I knew I had found a new purpose in life, and the two of us, the most unlikely of partners, became a couple.

Chapter 4:

Saved

Therefore if any man be in Christ, he is a new creature: old things are passed away; behold, all things are become new. 2 Corinthians 5:17

There are three types of people who most often pick up hitchhikers: alcoholics, homosexuals and born-again Christians -- each of them for their own reasons. I always wanted to be picked up by the alcoholics, since they were usually on their way to a party or ready to share whatever they had with them. (The really drunk ones hardly ever picked you up so by my standards, at least, there usually wasn't a question of safety.) I never wanted to be picked up by the homosexuals, but believe me, there were many of them that stopped, with varying degrees of predatory intent. More than a few times I had to demand to be let out of a car.

I was ambivalent about the born-again Christians. I knew I would have to listen to their sales pitch, but they were usually pretty interesting to talk to, and generous with their "spare change" when I asked for a hand-out as I got out of the car. The one thing I could always count on hearing was the promise that if I asked Jesus into my heart, he would come in and change my life. Now, I knew about God and believed in Him, but I didn't know Jesus. It seemed just too good to be true that you could say a few words to accept Him as your Savior and be transformed. It sounded too much like a magic trick. Then there was the problem of living a changed life. For all of my desire to be free of addiction, I could not imagine living without drugs. How could I possibly cope with the pain of life without them? So I never did take that simple step...until I reached such a crisis that it became my only avenue of escape.

Anne and I had been married for about three years. Both of our children had been born. I was working as a handyman, still not entirely stable, but able to keep reasonably productive doing odd jobs.

Into this period of relative calm broke a major crisis. I am not at liberty to

describe the crisis, since it involves very personal information affecting other peoples' lives. But it was devastating to my family. That very night I got very drunk and was arrested for drunken driving.

Oregon in those days had a policy that voluntary completion of an approved treatment program would allow someone with a DUI (citation for driving while intoxicated) to keep their license and avoid going to jail. I opted for this alternative, but postponed actually doing it as long as possible. In the mean time, I began attending Alcoholics Anonymous meetings and managed to stay dry for almost three months.

I never actually admitted I was an alcoholic to myself, though I readily claimed the label in the meetings. Deep down I really considered myself just a morally weak person who could stop at any time, but was too reprobate to do so. I was therefore all the more intrigued by one of the common AA statements: "If you don't believe you're an alcoholic, go out and have another drink and find out what happens." To me, this seemed like a perfect excuse for getting drunk again (I was feeling mighty dry toward the end of those 90 days). So, one day, while Anne was at work, and I was on a break between handyman jobs, I bought two large cans of beer and took them home.

I stood at the kitchen sink and downed most of the first beer in one pull. Immediately, that familiar warm glow began to rise in me. But just as suddenly, and far more abruptly, a single thought came crashing into my brain: "*I really am an alcoholic!!*"

It was a revelation that hit me like a cannonball to the chest. I was then gripped with a sudden terror that I was about to lose everything that I loved. Turning around, I leaned back against the kitchen counter and looked up at the ceiling. "Jesus," I said, "I don't know if you're real. But if you are, I ask you to come into my heart right now and change my life."

I don't know what I expected, but (seemingly) nothing happened. I drank my other beer, and then went out on a binge.

There was crisis in our home that next day, as might be expected, and over the next two weeks. I finally went out to interview for an outpatient treatment program - - but to my shock, I was rejected as too serious a case to be treated as an outpatient. With no money for an inpatient program, all seemed lost. Yet, things were happening "behind the scenes" and at the end of those two weeks I found myself in a residential program, compliments of Anne's employer. That seemed pretty miraculous to me, though by this time I had forgotten my little prayer in the kitchen.

One of the cardinal rules of alcohol treatment programs is that participants are to have no contact with the outside during their stay, except during limited visiting hours. Yet God is not restricted by man's rules.

I had been in the program for three days when the bomb dropped on our family. It was a consequence of the incident I mentioned before. By "coincidence," I happened to be scheduled that evening for my intake interview (they always give you a few days to "detox" before they do the interview). I was therefore in the office, meeting with a staff person when the phone rang. It was Anne, calling to talk to me about what had happened. She was so distraught that she was practically incoherent, and so, against policy, the staff person handed me the phone.

With a growing sense of doom, I listened to what she had to say. Without ever saying the actual words, what she asked for (at least what I heard) was a plea for me to come home to try to fix the situation.

I didn't really want to be in the treatment program, and I had just been handed the perfect excuse for leaving. No one would have criticized me for leaving under the circumstances, in fact many would probably consider me heroic for doing so. Yet inside me I heard a still, small voice that told me that if I left the program that night, I would never break free of my bondage. I told Anne I would call her back, then I went into my room, and, for the first time in many years, got down on my knees to pray.

This was not any ordinary prayer. One by one, I pictured in my mind all of the people and things that were important to me (my wife, my boys, my possessions), and then said to the Lord, "God, if it is your will, I am willing to give up everything that I have and walk out of this place stark naked to start life all over again. Please just give me back what You want me to have, and I will be content with that." That was the extent of my prayer, but in a single instant I was healed and transformed. I felt something like a "whoosh" of wind through me, and felt my hair stand up on the back of my neck. I got up from the floor a new man, absolutely confident of His will and that He was going to work out everything.

That was the moment of my deliverance.

I suppose the moment of my salvation might have been that simple prayer in my kitchen two weeks earlier, but I will always remember that bedside surrender to Jesus as the most important moment of my life.

A little over a year later, I had a follow-up conversation with a staff person at the treatment facility. I was the only person out of a group of 25 or 30 who had never relapsed after release. And to this very day, I have never had another temptation (not even the merest hint of desire) to take drugs or drink alcohol. It has nothing to

do with my strength or willpower -- He took it all away so completely that I did, and have done, absolutely nothing to contribute to my own healing and abstinence -- it is all His power.

I have since known many people, including many genuine believers, who have endured an ongoing struggle with substance abuse. I believe the difference between their stories and mine is the element of surrender. Jesus says in Revelation 3:20 "Behold, I stand at the door, and knock: if any man hear my voice, and open the door, I will come in to him, and will sup with him, and he with me."

If you open the door to Jesus, you have salvation as He promised. He comes into your life to dine with you. But Jesus is not an intruder to force His way past the dining room into the rest of your home. Until you invite Him to be Lord of all of your life, including the hidden and secret rooms and closets, these places will remain under your pitiful management. He does not override your self-will. Only when you surrender all of your life to Him will you gain the blessing of His perfect management. That willing surrender makes all of the difference between salvation by the skin of your teeth (1 Corinthians 3:13-15) and the life of victory.

Moreover, the *attitude* of surrender -- not a one-time event, but a continuous state-of-mind, practiced as a lifestyle -- is the secret to "walking in the spirit," and enjoying its incredible blessings: love, joy, peace, longsuffering, gentleness, goodness, faith, meekness and self-control (Galatians 2:22-25).

I only wish, with Paul (Romans 7:18-23), that I didn't keep forgetting this secret in my own life! But oh, how wonderful it is each time I rediscover it.

Chapter 5:

Pruned

"I am the true vine, and my Father is the husbandman. Every branch in me that bears not fruit he takes away: and every branch that bears fruit, he prunes it, that it may bring forth more fruit." John 15:1-2.

"For whom the Lord loves he chastens, and scourges every son whom he receives. If you endure chastening, God deals with you as with sons; for what son is he whom the father chastens not?" Hebrews 12:6-7

The longer a vine grows wild, the more pruning is necessary to make it fruitful. My life was a truly wild vine.

The first year of my Christian life was one of discovery, but also one of pain. It hurts to be pruned. Yet, the pain of progress, knowing that your life is getting better, is far easier to bear than the fear and misery of bondage. I pressed on.

The difficulties were mostly relational. I had become a new person in Christ, gaining confidence, purpose and assertiveness. But my wife was not yet saved -- and she was used to being in charge of things. While she saw the positive changes in me, she still didn't trust me (which was perfectly understandable, given our past). It made for a very stormy home life. There were also problems in my relationships with my stepsons. We'd been better friends when I was a happy-go-lucky drunk. Now I was not so cavalier about my behavior -- or theirs. I won't go into details, but we were at war much of the time.

Eventually there came a point when conflict became so great between myself and the boys that Anne asked me to move out of the house. She believed that was the only way to solve the problems. I agreed to leave.

Anne and I were on friendly terms, and agreed to do whatever was necessary to minimize the impact on the children, but in my mind this was the end of our marriage. I got an apartment a few blocks away from the house and began to consider

my options for the future.

It is significant to note here that I had still not started going to church since I got saved. My spiritual life revolved around Alcoholics Anonymous. AA is a Christian-based program in origin, if not always in practice today. The first of the 12 Steps is "We admitted we were powerless over alcohol-- that our lives had become unmanageable." The second states, "Came to believe that a Power greater than ourselves could restore us to sanity." My higher power was Jesus.

In Portland, Oregon, where we were living, there are a number of "sobriety clubs," AA businesses set up like bars where recovering alcoholics and drug addicts can socialize without alcohol. I began to spend a lot of time at the sobriety club nearest to my apartment in SE Portland.

One day I was on my way to the club and stopped at the intersection of 82nd and Powell Blvd in my little Datsun pick-up truck. A motorcycle pulled alongside. The man on the bike pulled off his helmet and flashed me a big smile. It was Mark, my former drug dealer. Mark had been much more than my drug connection, however. We had been good friends in the old neighborhood. We hung out in the Grey Goose together, did lots of bar-hopping, and even dabbled in the occult. Mark was the embodiment of what my past life had been.

A wave of apprehension swept over me as I held up my hand to him, as if to ward him off. "I'm not into that stuff any more, Mark," I said firmly. "Neither am I," he replied, "I'm a Christian now." That instantly broke the ice, of course, and I invited Mark to come along with me to the sobriety club. There we had a long talk, catching up on all that had happened in our lives.

What Mark most wanted to talk about was his new church, East Hill Foursquare. He challenged me on why I wasn't going to church myself. I told him I was happy with AA, and besides, I had tried a few churches and found them dry and boring. (Actually, I had limited my search mostly to Episcopal churches because that was Anne's denominational background. Having been raised in a dry Catholic church, and finding the Episcopal ones largely the same, I thought that all churches were pretty much alike except for the name above the door.

Mark was so enthusiastic about East Hill, and so insistent that I go with him, that I offered a compromise. I would go with him to Portland Foursquare Church, located much closer to my apartment. He agreed. (During our conversation I remembered that a former laborer I hired on some of my handyman jobs -- freshly released from prison -- had gotten saved at Portland Foursquare. I had been impressed by the changes I saw in his life.)

That next Sunday, my former drug dealer took me to church.

God is so good. When we walked through those doors (a few minutes late) the church was already alive with praise and worship in music. The presence of the Holy Spirit was simply overwhelming and I instantly felt, not just at home, but “plugged in.” It was an astonishing feeling, the joy of the Lord. It was absolutely new to me then, but -- all praise and glory to Him -- it is now a very familiar and deeply treasured part of my life.

I didn't intentionally miss a Sunday service at Portland Foursquare for the next five years. Mark came only one more time with me, and then I lost touch with him again. God had done His work through that willing servant. Mark may never know just how important was his small service in my life, but its value is incalculable. My wife and each of my children were saved in that church. Indeed, if I had not known him previously, I would be tempted to think Mark was the kind of angel mentioned in Hebrews 13:2, “Be not forgetful to entertain strangers: for thereby some have entertained angels unawares.” But he was just a Christian man, faithful to the leading of the spirit. It goes to show, however, that any given act in our own service to the Lord, seemingly insignificant to us, may be nothing less than a miracle in the life of another.

Not surprisingly, my spiritual life accelerated after I found my home church, but not just in the predictable changes of character and behavior that comes with active fellowship with other believers in a Bible-centered congregation. The Spirit was still at work in the supernatural, setting more divine appointments.

A few weeks later, still living alone in my apartment and expecting eventually to be divorced, I arrived home one day and switched on the TV. A special program was just starting, called “Where's Dad?” It was a conference presentation by Dr. James Dobson on Christian fathering and the essential role of fathers in the lives of their children. It was being broadcast on a secular television station, at an unusual hour of the day.

Laying precept upon precept, line upon line (Isaiah 28:10), Dr. Dobson made the case as to why Scott Lively should change his life for the sake of his children. At least it seemed he was speaking directly to me. But it was more than just a talk on fathering skills. He challenged the ideology of radical feminism (The teaching that men should transfer social leadership to women as punishment for having “subjugated” them in the past; a doctrine in which I had been thoroughly, although unwittingly

indoctrinated in high school -- as part of the first generation of males to suffer this). He demolished it point by point, as he exhorted me to embrace my role of Godly leadership in my family.

I had never heard such reasoning before, but his logic resonated to my very bones. I now know that what he did was simply open my eyes to a few self-evident truths of God that had been obscured by carefully constructed lies of the world. I found myself literally exclaiming "That's right!" as he made his arguments. It was a major milestone in my Christian walk. (I later had the pleasure of meeting Dr. Dobson at a conference in which we both were speakers and was able to personally thank him for his wise counsel to me, via television, so many years before.)

Meanwhile, Anne was being challenged by God on her own issues. She is a very capable woman, one of the smartest persons, and the single best writer I have ever known. Yet these qualities also made it easy for her to be comfortable with the idea of being independent from me and of breaking the marriage covenant we had made. In His own unique way, God turned her around. Once again He used what the devil had intended for evil to bring about good. The turning point was an incident involving our one-year-old son, Sam, whose entire first year of life was dominated by a series of serious ear infections; he was virtually deaf for most of that year.

At about the same general time that I was being exhorted by Dr. Dobson, Sam was suffering another ear infection. This one was the worst so far. He stayed sick for several days with a fever that rose and fell violently. Anne had already taken him to the hospital once, and was carrying him into the house when he slipped into a grand mal seizure. Suddenly paralyzed with fear, Anne was shocked back to reality by 12-year-old John, who screamed "Call 911!" The ambulance took several minutes to arrive, and several more to reach the hospital -- what seemed like years of terror and anguish. Then there was the frantic scramble of the emergency room.

All of this trauma she faced alone. She had been trying to reach me about Sam, but I was not accessible. God was working on her heart.

Some hours after Sam had been admitted to the hospital, I joined Anne there. We stood together at the observation window of the intensive care unit, looking down at the tiny, still body of our youngest child, tubes and wires running into and around him. Our marital troubles seemed so insignificant in this setting and we melted into each others arms, restored as husband and wife, both spiritually and emotionally. I don't recall whether it was that day or one of the next few, but I went to Anne with a new proposal. I told her I wanted to start over again, but on a Biblical foundation, and to raise our children as Christians. According to her, she felt an intensely

EXHIBIT 24

Part 2 of 5

comforting presence, different from me, as I spoke. She joyfully accepted my proposal, and we were soon reunited as a family.

Chapter 6:

A Call to Service

"I charge you therefore before God, and the Lord Jesus Christ, who shall judge the quick and the dead at his appearing and his kingdom; Preach the word; be instant in season, out of season; reprove, rebuke, exhort with all longsuffering and doctrine." 1 Timothy 4:1-2

It took the Lord about three years to shape me for the work that He had prepared for me to do. That's how long it took for me to rebuild the foundations of my life upon Him. It was a joint venture. In that time I became a stable and productive person for the very first time. Anne and I got very involved in our church. I started and ran my own business, Portland Handyman, a one-stop building trades cooperative that operated as a sort of partnership of independent contractors in various trades. I was able to put my children into Christian school. I even purchased an investment property with one of my partners in the business.

Pastor Allen Hamilton was Senior Pastor of the Portland Foursquare Church. A tall, white-haired man, he was the epitome of the loving "grampa" and a brilliant expositor of the Word. He brought decades of experience as a servant of Christ to the pulpit, including many years as a missionary in the Philippines. Pastor Hamilton was also strongly pro-life.

I hadn't given much thought to the issue of abortion, but under the teaching of Pastor Hamilton, I came to realize that abortion was the taking of human life in the womb -- life that had been created by God with value and purpose (Psalm 127:3). I too became pro-life.

Every Saturday I would try to spend a little time working on my rental house. My route took me past an abortion clinic on Foster Road, where, faithful as the sun, a couple of pro-life activists would spend their Saturday holding up signs that read "Honk if you Hate Abortion." It became part of my Saturday ritual to honk like a madman as I passed by. It was my contribution to the pro-life cause.

One day on my way to the rental I saw a group of people gathering in the park across from the clinic. They had pink and blue balloons and I guessed it was some sort of pro-life event. My son, Noah (then 5 years old) was with me. We weren't able to work on the rental that day, because the tenants were gone, so I asked Noah if he'd like to stop at the park and see what was happening. It turned out to be the Mother's Day March for Life, sponsored by Advocates for Life, Oregon's version of Operation Rescue. Noah and I marched the entire 8 miles, past all three of the city's abortion mills. Noah received an award for "Youngest Boy Marcher" (Sam won the same award the next year at the age of 4), and I was placed on the mailing list to receive *The Advocate*, the national magazine of the rescue movement (not to be confused with the homosexual magazine of the same name). That was also the day I met Paul DeParrie, editor of the magazine and later a good personal friend.

I had never seen the magazine before the first one arrived in my mail the next month. I had also never seen a picture of an aborted baby. The magazine was full of them and I was literally horrified as I opened its pages and learned the terrible truth about abortion. I can still remember the sense of outrage that engulfed me as I looked at those pictures. How was it possible that such atrocities could be committed in America -- legally?! I was so intensely disturbed and agitated that I literally paced the room as I grappled with the horror of what abortion really is -- the brutal dismemberment of innocent unborn children.

The struggle to end abortion became my personal passion. Within a matter of weeks I began to dedicate a major part of my free time to researching the issue and how to participate in it. At first I began picketing the abortion clinics on my own, then I worked to get others to join me. I became a regular caller on Portland's Christian talk show, and used my calls to rally supporters to join me at the clinics. Meanwhile, I made friends with all of the leading pro-life activists and began to coordinate my activities with them.

One thing I didn't do was join the rescue movement of clinic blockades. A debate was raging in my church and throughout the larger Christian community on the acceptability of using civil disobedience to stop abortions. Accusations of violence and un-Christian conduct entered into many of the discussions. Yet I had come to know the leaders of the rescue movement and they were not at all like they were portrayed to be. Indeed, they were models of Christian love and humility.

Finally, I decided to see for myself. I asked Advocates for Life President Andrew Burnett if I could go to a rescue as an observer. He welcomed me to join the group of prayer supporters that went along at every rescue.

The rescues always began with prayer very early in the morning, long before the clinics opened. About twenty to thirty of us stood together in the parking lot that had been designated for the meeting. We prayed and sang worship songs for about half an hour. Then the target clinic was announced. It was always done this way so that our pro-abortion counterparts, the “pro-choice escorts” (mostly “gay” and lesbian street activists), would not know which clinic to protect until after the rescuers were already assembled. As circumstances would have it, my rescue was scheduled for the Foster Road clinic.

The actual rescue operations never lasted very long. By the time the first women arrived to abort their children, the police and “pro-choice escorts” were already on hand, and ready to coordinate their efforts. The Christian men and women would link arms at the front door in rows two or three deep. The police would manhandle them away using varying degrees of brutality: usually pain-compliance holds, sometimes involving nun chucks. As soon as a path was cleared, the “escorts” would rush one of the women through the gap into the clinic. It was a scene of tremendous drama with the life and death of unborn babies literally on the line. By mid-morning, the rescue was always defeated, and the pro-life protesters and picketers would take over. Occasionally, we learned that a baby was saved by the rescue. It is likely many more were saved than we ever learned about, since it is certain that many women did not keep their appointments after seeing what awaited them at the doors.

As a prayer supporter my job was to stay in prayer throughout the event, but there was also opportunity to participate in the effort to save the babies. My most unforgettable memory of the day was confronting a woman at least six months pregnant on her way into the clinic. I saw her coming down the sidewalk from a distance and went directly to her, pleading for her to reconsider her decision, all the way to the door. I used every bit of my persuasive power, but to no avail. It was one of the most gut-wrenching moments of my life to watch her enter that building, knowing I had failed to save that child from being murdered by his or her own mother. I never again doubted the legitimacy of civil disobedience in opposition to abortion.

The most significant experience of the day was not my encounter with the very pregnant woman, however. It was receiving my “commission” in the Lord’s service.

The leader of the prayer support team was a pastor and street preacher named Ron Rohman. Pastor Ron and his wife Karen were full-time missionaries to the street-people of Portland and very dedicated pro-life activists. About an hour into the

rescue, Ron was standing at the edge of the convenience store parking lot across the street. In the parking lot was a small group of young women, engaged in some kind of chanting. They were likely Wiccans, pro-abortion occultists, who reportedly regard the death of the babies as an important spiritual event. Ron was used to street preaching, and was completely at ease confronting the women, but I was not. Yet, I felt an overpowering need to preach from the scriptures. I stood there next to Ron, opened my Bible, and read the first passage that I found there. It was II Timothy 4:1-5:

I charge you therefore before God, and the Lord Jesus Christ, who shall judge the quick and the dead at his appearing and his kingdom; Preach the word; be instant in season, out of season; reprove, rebuke, exhort with all longsuffering and doctrine. For the time will come when they will not endure sound doctrine; but after their own lusts shall they heap to themselves teachers, having itching ears; And they shall turn away their ears from the truth, and shall be turned unto fables. But watch thou in all things, endure afflictions, do the work of an evangelist, make full proof of thy ministry.

I was not spiritually tuned-in enough at that time to discern that the message of the passage was not for the women, but for me. However, I kept coming across that passage over and over again in the next few months until it finally dawned on me: this was my calling into the ministry. II Timothy 4:1-5 has been the foundational scripture of my work for Him ever since.

Chapter 7:

Fire in the Bones

“For unto whomsoever much is given, of him shall be much required.” Luke 12:47

There have been times in my life when I wondered what God wanted from me, or which was the better path to choose among options. But for a period of about five years, from 1989 to 1994, I experienced a kind of certainty about my calling that was as compelling to me as it must have been to the Old Testament prophets. I had a fire-in-the-bones passion for Christian activism that consumed me, and an awareness in my spirit of just what I was supposed to do.

Within just a few months of receiving my calling, I closed down my business and went full-time into ministry. I didn't have a plan or a position, but I knew this was what I was supposed to do. Along about this time, I realized that the protests and pickets I had been organizing were not going to close down the abortion clinics. I had organized (with the support of local pro-life leaders) what was, up to that date, the largest clinic protest in Portland. We drew around 800 people for what we called the Easter Eve Prayer Vigil in 1990. Little changed, however. The population seemed divided into two entrenched camps on the issue, and from a political standpoint, there didn't seem to be much value in continuing those protest efforts (which is not to disregard the important personal impact such demonstrations can have on abortion-bound women).

I had heard of a relatively new organization called Oregon Citizens Alliance, which was trying to stop abortion through political means, specifically a pro-life ballot measure for the 1990 election. I made an appointment to meet the OCA chairman, Lon Mabon. In that meeting I agreed to try to organize Multnomah County for the campaign, but after just one visit to the OCA office, I knew that I wanted to work there. On that first visit I also met the OCA Communications Director, Bill Bennett,

and was invited by him to submit an article for the OCA publication, The Alliance.

Nobody knew at that time, least of all me, that I would soon take Bill's place in the organization. The Lord had prepared the job that He wanted me to do. By the time Bill retired a few months later, I had, with his help and blessing, already taken over most of his functions. Just a few years earlier, I had been a homeless alcoholic; now I was becoming a spokesman for a statewide Christian political organization: writing its articles and editorials, holding press conferences, conducting interviews on radio and television, and debating with politicians and college professors in public venues. Where did these abilities come from? They were the gift of God, bestowed upon me solely by His grace to accomplish His purposes.

Still, my life's major work had not yet been revealed. The pro-life ballot campaign was just a time of training.

In the 1992 election cycle, which began in the very early spring of 1991, Lon had a staff meeting in which he announced that our next campaign was going to be on the issue of homosexuality. He wanted to stop the homosexual agenda once and for all by having homosexuality defined in the state constitution as abnormal, unnatural and perverse conduct. It was, and remains, the most ambitious ballot measure campaign ever attempted on the homosexual issue in America. I didn't know much about the "gay" agenda at that time, so it didn't seem like such a big deal when Lon later took me aside and asked me to take a more upfront role in that campaign than I had previously taken. I was pleased and honored, but had no idea what I was in for as the spokesman for Ballot Measure 9 (and later Measure 13). For the next four years Lon and I worked shoulder-to-shoulder in the toughest political battles ever seen in that state.

The Ballot Measure Campaigns

The official first day of the Measure 9 campaign was when we submitted our proposed ballot measure language to the Secretary of State. It was in April of 1991. Although we had yet to collect a single signature on a petition, the liberal politicians that ran the state government acted as if a bomb had exploded in their midst.

Within a few hours of our filing, then-Governor Barbara Roberts held an emergency press conference to denounce the measure and OCA as "paranoid." I don't recall whether it was in this press conference or a later one that she literally accused us of being "like the Nazis." This was the *governor* saying these things, not the leaders of the Oregon "gay" movement. She set the tone for the "No on 9" campaign,

however, and in the next three days every major newspaper in the state editorialized against us, using terms such as “KKK,” “Nazis” and “hate-mongers.” The “mainstream” media weakly attempted to maintain a façade of impartiality in the campaign, but their actual coverage of the issue was so thoroughly biased it was astounding. During the entire election cycle, without exaggeration, we were bashed continuously and viciously by every major print and broadcast media outlet in the state.

Our offices were in Wilsonville at that time, about halfway between Portland and Salem. Immediately after the news stories hit, we began to receive bomb threats. I don’t remember exactly how many such threats we received, but there were several. With each evacuation of the building, our business neighbors grew less and less sympathetic. We soon lost our lease there and, since no one else would rent to us under the circumstances, we were forced to buy our own building.

Along with the bomb threats came almost daily threats of injury and death. We asked the phone company to intervene in the matter and were told simply to keep a log of the dates, times and what was said and they would take action based upon that. We stopped keeping records after filling twenty-one 8 ½ x 11-inch single-spaced pages (the phone company never took any action). It got to be somewhat amusing after a while. I remember one day receiving four death threats before 10:00 AM. After a while I realized that it was all nothing more than an intimidation campaign. The “gay” activists would never have taken the risk of maiming or killing one of us because that would have destroyed their carefully cultivated image as victims and turned public opinion against them. Nevertheless, when I was asked by the state police to wear a bullet-proof vest during the last weeks of the Measure 9 campaign, I complied.

More harmful than the threats were the political dirty tricks. One day we came in to find our phone service disconnected; another time our mail service was discontinued (homosexual activists called these providers and pretended to be OCA administrators). We suffered continual vandalism: superglue in the locks, rocks through the windows, foul items and substances delivered to us in the mail. My home church, Portland Foursquare, was regularly targeted for graffiti, usually swastikas in bright orange spray paint. In the city of Eugene, businesses which supported our campaign had bricks (wrapped in swastika-emblazoned hate mail) thrown through plate-glass windows. In one instance a window was smashed in my car. A bullet was fired into a window casing of Lon Mabon’s home.

One of their most despicable tactics was the creation of phony OCA campaign flyers with hateful messages that were faxed to businesses all over the state. The

flyers had headlines such as “Kill the Homosexuals” and had our name and address printed across the bottom. I personally sent out a press release about this attack which received not one word of coverage -- except that two weeks later some of the same media outlets approached us as if they had discovered the flyers on their own. They then grilled us on camera as if we had created and circulated the flyers ourselves and were trying to deny responsibility for it. It was frustrating, to say the least.

The media participation in the No on 9 campaign is epitomized in a series of anti-OCA editorials in *The Oregonian* -- by far the largest newspaper and probably the most influential media outlet in the state. In a move that violated the most fundamental principles of journalistic ethics, the publisher ran 6 or 7 successive editorials *on the front page* of the newspaper in the final days of the campaign. Instead of receiving criticism from the journalistic community (proving just how liberal is the profession as a whole), he was nominated for a Pulitzer Prize.

Then there were the lawsuits. I was personally sued four times for a total of over 11 million dollars, but OCA itself was involved in nearly constant litigation. I will recount my four lawsuits in a separate section. That is a whole story in itself, with numerous examples of divine intervention.

When we finally got our ballot title after a protracted legal battle with the Secretary of State (we faced this with every ballot measure because each time the Secretary of State’s office used its discretionary power to write a ballot title and description that reflected the homosexuals’ perspective rather than ours) we were able to print our petitions and collect signatures. The “gays” organized what they called “Bigot Buster Squads,” which were teams of homosexual activists dispatched from a central office to disrupt our signature collection efforts wherever we went. These goon squads, reminiscent of the Nazi Brownshirts, would literally block people from coming to our tables to sign the petitions, insulting and threatening anyone who stepped forward to sign. There were frequent incidents of vandalism: liquids, including paint, were thrown on our volunteers, filled signature sheets were snatched and ripped to shreds, on several occasions our volunteers were physically attacked and punched.

These attacks were serious criminal acts, not to mention an outrageous assault on the democratic process itself, but the police usually did *not* intervene. This was especially true in Portland, where Police Chief Tom Potter, later the mayor, openly served as a member of the No on 9 campaign (his daughter was an outspoken lesbian activist).

Potter’s complicity was also suspected (but never proved) in the most

outrageous stunt of all: a series of staged “hate crimes,” at the home of Azalea Cooley, an African-American lesbian, apparently confined to a wheel-chair. Over a period of months Cooley reported frequent cross-burnings in the front yard of her home. Despite numerous stakeouts, no one was ever caught planting the crosses, until two “rogue” cops, acting on their own initiative (because they believed someone in law enforcement was tipping off the perpetrators), set up a stakeout of their own just a few days before the election. They caught Cooley herself, *walking* out the front door of her house with a cross and a can of gasoline.

Incredibly, even knowing that Cooley had been arrested for the crime, the No on 9 campaign featured her in their final campaign event, a huge No on 9 parade through Portland. Cooley lead the parade -- in her wheelchair. In typical fashion, the Oregon media refused to cover the story except (very minimally) in the Portland area, where too many people knew what had happened for the story to be completely suppressed.

There were numerous other staged hate crimes, but none so gloriously discredited as the Cooley cross burnings: the “gays” ransacked their own offices and blamed it on OCA, a Catholic church (whose priest was reputedly homosexual) was “vandalized” with suspiciously politically-correct graffiti in the sanctuary (e.g. using the term “gay“ instead of the sort of pejoratives one would expect in “hate speech“), and a steady stream of self-reported “hate-motivated incidents” were submitted to the (“gay”-controlled) human rights commissions. Few if any of these incidents were ever validated, but they were regularly reported as news.

These are just a few of many examples of the sort of opposition we faced in the Oregon political battles. Taking on the Oregon “gay” movement was like battling an army of demons. We endured four years of the most intense spiritual and political warfare imaginable, but fell a hair’s breadth short of winning politically (49-51% in our second attempt in 1994). What I gained in those campaigns, however, was a unique knowledge and insight into the “gay” movement, its agenda and its strategies. And I was shown by the Lord that this conflict between Christians and “gay” activists (which has since assumed global dimensions) is in fact the heart of the culture war and arguably *the* spiritual battle of our time, rivaling even the challenge of Islam.

For everyone to whom much is given, of him much will be required. I know that what I endured through those campaigns is a validation of this scripture, and a proof that nothing that God allows in the lives of His children is useless or accidental. All of the hardships and deprivations of my youth, all of the edge-of-survival resourcefulness I had learned on the road, all of the single-minded passion for ministry

I had acquired since being saved combined to make me the perfect person for God's service in that task for that time. What the devil had meant for evil, God turned to good.

One incident during this period especially showed me the spiritual nature of our struggle and the presence of God's guiding hand. It was a public debate held at the City Club of Portland between myself and Oregon ACLU President Charles Hinkle. The City Club was the headquarters of Oregon's wealthy, liberal elite, and Charlie Hinkle, a leading constitutional lawyer and an ordained minister in the United Church of Christ, was their champion on the "gay" issue. I was still a fairly new Christian with no credentials but a high school diploma and no professional stature.

The event was staged to maximally benefit the pro-"gay" position. The large room, except for one table of OCA faithful, was filled with open homosexuals and their most ardent allies. A full complement of Portland's liberal media was there, and at least one broadcast media outlet was carrying the debate live.

I was already very nervous, even before being greeted (literally) with hisses and jeers at my introduction. After opening comments, Charlie posed the first question of the debate to me. I have no memory of the question, but I will never forget the feeling of panic that swept over me as I realized I did not have an answer for it. It was the sort of moment every public speaker dreads. All eyes were upon me, awaiting a response, and I had nothing to say. I did the only thing that I could think to do -- I passed on the question, as the "gays" in the audience snickered.

Suddenly, I felt an amazing peace sweep over me. It was the "peace that passes all understanding" (Philippians 4:7) and I was filled with the Holy Spirit. From that moment, the tide of the debate shifted inexorably in my favor as God gave me utterance to ask and answer each question in my turn.

Finally we came to the closing comments. Charlie went first. He used his time to portray Oregon "gays" as innocent victims of hatred and bigotry, and OCA as their persecutor. He rooted his argument in Scripture, specifically John 8:3-11, the story of the woman caught in adultery. With all the rhetorical skill of a veteran trial lawyer and the authoritative bearing of a pastor, he crafted a picture in which Jesus stood forward as a merciful protector of the "gays," and in which I was a judgmental man ready to cast the first stone. In a moving conclusion, he turned toward me with the words, "Please, Scott Lively, put down your stone!"

I don't remember what I had prepared to deliver as my closing statement, but it was abandoned in that moment as I received what I believe was divine inspiration. "Charlie," I said, "what I have in my hand is not a stone, it is a brick. It is a brick

wrapped in swastikas and hateful words, a brick that was thrown through the storefront window of a Measure 9 supporter, and it was thrown by someone on your side of this issue.” I then proceeded to provide other examples that showed that the “gays” were not victims but aggressors. Finally, I addressed the Biblical context of his closing statement. “Your side always leaves out the most important part of the story about the woman caught in adultery. Yes, Jesus extended mercy to her, but as he did so, his final words were, ‘Go and sin no more’ (John 8:11). So, Charlie, to Oregon’s ‘gay’ community I say the same: accept God’s mercy but go and sin no more.”

To his credit, as the moderator prepared to dismiss the audience, Charlie leaned over and admitted, “That was a very effective close.” And as we all left the building, the “gays” and their allies were all scowls, while our tiny pro-family contingent was happy and smiling. David had defeated Goliath, solely by the power of the Holy Spirit.

Chapter 8:

The Four Lawsuits

"[We] have access by faith into this grace wherein we stand, and rejoice in hope of the glory of God. And not only so, but we glory in tribulations also: knowing that tribulation works patience; And patience, experience; and experience, hope." Romans 5:2-4

Few things in life are more intimidating than lawsuits, which is why they were a favorite tool of the Oregon "gay" movement to try to drive me out of the political process. God had made me an effective spokesman for His standard regarding homosexuality, so I was a primary target of their attacks.

The first lawsuit was for battery and stemmed from one of the earliest campaign events of the 1992 election cycle. OCA had prepared an educational video called *The Gay Agenda*, which featured film footage from various "Gay Pride" parades with commentary by pro-family leaders. It was quite a shocking film and very effectively contradicted the benign but false public image that the homosexual community had cultivated in Oregon. I had scheduled the inaugural showing of the film at my church, Portland Foursquare, and advertised it as an "invitation only" affair.

One of the Portland "gay" newspapers had managed to infiltrate our mailing list and was notified of the event in our newsletter. They sent one of their reporters, a lesbian activist, with instructions to sneak into the meeting. Unfortunately, our volunteers who had been stationed at the front door to check invitations left their posts just after the film started, and she was able to walk right in. However, looking quite obviously like a Portland lesbian, she was immediately confronted and admitted she was with the "gay" press. After she refused to leave, I was called over to deal with the problem.

To make a long story short, after trying to reason with her for several minutes, I

physically picked her up and put her out of the building. I didn't use any more force than was necessary to get her out the door, and did not in any way hurt her, nor would I have. In retrospect, I shouldn't have done it, even though I was well within my legal rights. Having been raised with three little sisters (who were often just as stubborn and belligerent), I just didn't think twice about it.

The entire incident lasted less than a minute, but it was to influence the course of my life from that day forward. Frankly, these remain some of my most unpleasant memories, and it is uncomfortable even now to relive them, but I want to show how once again, God brought good from evil.

The lesbian activist tried to have me arrested, but the police refused. She then went to the District Attorney, who also refused. They both told her that I had the legal right to eject her. She was guilty of criminal trespass from the moment I told her that she was not welcome at the event. The Assistant District Attorney who interviewed her even wrote as much in his report. However, the "gay" community recognized the propaganda value of the incident (as they spun it) and within a few weeks I was served with a civil lawsuit for battery. Lon Mabon and OCA were also named in the suit.

I was not terribly worried about the lawsuit. In fact, I had absolute confidence that it would come to nothing. I trusted the Lord that He would deliver us (I was still immature enough as a Christian to believe that God's blessing always meant the fulfillment of my own perceived needs). I was so sure of the result that I made virtually no preparation for the trial, except what our attorney insisted upon. He, a brand new attorney fresh from law school, volunteered because he shared our Christian values. I believe that it was his very first trial. I do not fault him in any way for the result of our trial. He did his utmost for us in the face of what I believe was an inevitable result due to the political nature of the case and the power of our adversaries.

I am about to describe the circumstances surrounding the trial as I remember them, and as I believe they occurred. These are my personal perceptions and opinions, and I relate them from the perspective of a victim of what I believe was a carefully coordinated and orchestrated conspiracy. I cannot prove some of the things I believe about the actions or motives of my opponents during this time. Indeed, I cannot say that some of the things I will relate were not mere coincidence. I will simply tell the story as accurately as possible and let you decide for yourself.

The "gays" were very thorough in their preparation. First, they hired a veteran civil litigator. Second, they continually postponed the trial so that it was

finally held in the last weeks of the 1992 election, when it offered the greatest propaganda value. Third, they coordinated their efforts with the liberal Portland media to gain the largest possible audience for what they had planned.

What should have been a half-day trial was staged over four full days in downtown Portland, the heart of the “gay” power base in Oregon. Our *pro tem* judge (a non-judge temporarily assigned to the bench to handle our case) was a corporate lawyer for Nike (well known to be a pro-“gay” company). Sitting in the back of the courtroom for the trial was an actual judge, a leader of the “Gay and Lesbian Law Association,” whose purpose (I believe) was to make sure the *pro tem* steered the trial toward our defeat. It was a jury trial, but as in all such trials, the judge holds most of the power.

The first two days were used by the plaintiff to put on her case. A lesbian chiropractor testified that she (the lesbian plaintiff) had required over a year of treatment for injuries suffered in the incident (a completely preposterous assertion). A psychiatrist testified that the plaintiff has been so emotionally traumatized in the incident that she could no longer work in her chosen field of photo journalism and had to take a menial job in a warehouse. The plaintiff’s mother was flown in to testify that her daughter had changed so much due to the trauma that she could hardly recognize her. The plaintiff herself, who had showed up to the OCA event dressed as a “butch” lesbian, appeared in court looking sweet, innocent and very feminine. In her own testimony she characterized her trespass at the OCA event as the equivalent of infiltrating the Ku Klux Klan, and painted me (and OCA) as comparable to the Nazis.

Despite the lies and distortions, I remained confident that we would prevail. Most of all, I trusted that the Lord would deliver us, but I also knew we had an evidentiary “ace-in-the-hole”: the written report of the Assistant District Attorney in which it was recorded that the lesbian activist had admitted to criminally trespassing at our event.

The real problems started when it came time for us to put on our case. The *pro tem* judge had been hostile to us from the start, but when we began to make points with the jury, he got angry. When we came to the place in our defense where we were to introduce the D.A.’s report, things went from bad to worse.

Under the laws of evidence, any statement made outside of the courtroom is hearsay if it is offered to prove the truth of the thing asserted. It is a law designed to preserve the reliability of testimony. You can overcome the hearsay objection by showing the trustworthiness of the statement in some other way, such as by referring to a previous written record of the statement.

Here's how it's supposed to work: You ask the witness on the stand to give direct testimony from memory. If he can't remember, you get to show him a previous written record of what he said to help him refresh his memory and then ask the question again. If he still can't remember, you can establish that the written record is authentic and that the witness's record was truthful when he wrote it, then enter the document into the record under the "past recollection recorded" exception to the hearsay rule.

In our case, the Assistant District Attorney (under penalty of perjury on the witness stand) claimed he could not remember speaking with the lesbian activist. I was stunned. Call me naïve, but it had not occurred to me that the DA might "fail to recall" what he had written. Our attorney then proceeded to the next step in the process, and began to offer the record to the DA to refresh his memory. At this critical juncture the judge interrupted the trial and told our attorney that he was not going to allow it, but our attorney argued with him and the judge, visibly angry, backed down.

The D.A. then reviewed his notes, looked up and said that he still did not recall speaking with the plaintiff.

Our final option was the introduction of the document itself as a "past recollection recorded." However, as our attorney started to introduce it into evidence, the judge stopped the trial. In a dramatic move, he had the bailiff clear all the jurors from the courtroom, and then turned to our attorney. As he stood there facing the judge, I could see sweat trickling down the side of his face. The judge leaned forward and, with unconcealed hostility, threatened to punish him with sanctions (a monetary "fine") if our attorney dared to proceed to put the document into evidence. It was the critical turning point in the trial. Unfortunately, we capitulated to the judge. As I said, I do not blame the attorney. In my opinion, this judge would have found some other way to sabotage us if we had prevailed in this point, but since he had succeeded at keeping out this testimony, his purpose was mostly accomplished.

In the end, I was found liable for battery for ejecting the lesbian activist from our private meeting and assessed a judgment of \$22,000. It could have been much worse (they had sued for \$400,000) but in the end the jury limited the damages to the amount of lost wages she had supposedly suffered in leaving photo journalism due to psychological trauma. I didn't believe it at first. I had been certain to the end that God would deliver us. I now know that He had other goals for me, and that this lawsuit would cause me to more easily follow His leading to become a lawyer.

The worst part of this incident, however, was not the trial, but the media coverage of it. Whenever there was a break in the trial, everyone would have to leave the courtroom and wait in the hallway until it was reopened. The media was always there in the hallway waiting for us. For four days they generated their own media circus about the trial, as if I were some major criminal on trial for a capital crime. The evening news, dominated by Measure 9 since the beginning of the campaign, became a regular hate-fest against OCA.

One of the low points of the trial occurred during such a break. I was sitting on a bench in the hallway when I was approached by a female reporter with one of the TV stations. She sat down next to me and started to make friendly conversation. I hadn't yet met this reporter so I thought she might be a genuinely sympathetic person (hope springs eternal). Once I had warmed up to her, however, the conversation turned and she said, "You know there is this rumor going around that you were caught having 'gay' sex in the bushes at Laurelhurst Park. Is that true?" As I started to respond with outrage, I could see the cameraman out of the corner of my eye and realized that I was being set up to be filmed in an angry outburst. Fortunately, I had the composure to check myself and just smiled. "No, that's not true," I said, and moved off down the hallway.

There was barely concealed exultation in the evening news on the day the decision against us was handed down. I learned a lot about humility on that day and in the following weeks.

Within a couple of days the No on 9 Committee began running a new television ad across the state. Three segments played over a soundtrack with an ominous tone. The center segment featured a picture of my face and a voiceover that said "A lesbian is beaten by an official of the OCA." This was, of course an outrageous lie. She hadn't even alleged this in her lawsuit. When I threatened to sue the television stations, the "gays" changed the advertisement. They left everything else the same, but replaced the word "beaten" with "battered." They were technically correct, since battery is legal term that includes any "offensive touching" of another person. However, to non-lawyers, battery is synonymous with beating, and so they lost none of their propaganda value by the change of terms. However, I lost any chance of prevailing in a lawsuit against them.

The "gays" ran their advertisement throughout Oregon for the remaining weeks of the campaign. I believe they spent over a million dollars on it. Whatever good reputation I had earned through the earlier months of the campaign was destroyed by their slander. Overnight I became a figure of notoriety, and the object of hatred and

ridicule of the Left. In my own neighborhood in Portland, the “gays” hung posters of me on telephone poles under the title “Hang Your Head In Shame, Scott Lively.” It became common for me to overhear people in supermarkets and other public places whispering things like “There’s that OCA guy.” Yet, God gave me a double measure of His grace throughout all of this and I never lost my sense of confidence that my service was pleasing to Him. That was all that really mattered.

The Second Lawsuit

The “gays” second lawsuit against me was for defamation, and it took place in Lane County, Oregon, home of the University of Oregon in the City of Eugene. In my opinion, Eugene, Oregon is one of the three most radically leftist cities in America, along with Berkeley, California and Madison, Wisconsin. Eugene is today one of the primary centers of the anarchist movement in the US (these anarchists are the black-garbed street thugs that frequently destroy property at international gatherings of world leaders). On my most recent stop in Eugene a few years ago, about 30 anarchist youths were hanging around outside the courthouse (the very site of this second lawsuit) wearing black masks and carrying signs saying “Kill the Police,” and the like. It was just a typical day in Eugene.

I’m only reporting this to give you the sense of what it was like to face a lawsuit in Lane County. Certainly not every resident was a liberal zealot, but there were enough of them for us to be concerned about the makeup of a local jury on a case against Scott Lively and OCA.

The case arose from a press release I had written about political mischief in the local Human Rights Commission. A Human Rights Commission is one of the “gay” movement’s key vehicles for advancing their political agenda in a local community. These commissions are normally formed as part of a strategy for homosexuals to link up with liberal members of ethnic minorities, who then promote the idea that opposition to homosexuality is the equivalent of racism and equally deserving of public condemnation and punishment. My press release was designed to expose the fact that the “gays” were really running the commission (this is nearly always true, but usually unknown to the public). I said in my press release that the new head of the human rights commission was a homosexual. Ironically, I did not name him in the press release, having read in the news that he was upset at all the publicity. I was trying to do him the courtesy of leaving his name out, since it only mattered for our purposes that the “gays” were calling the shots politically.

..

However, it was technically not yet true that this person was head of the commission, because he had been nominated but not ratified by the City Council. I didn't know this, having gotten the story second-hand from an inside source who had omitted some of the facts.

The former head of the commission, a man named G. W., had vacated the post some months prior. Though it was clear from the facts in the press release that our accusation was not directed at W., there was enough ambiguity in it to hang a lawsuit on and so we were soon served with a summons and complaint for defamation of W. (in yet another ironic twist, this pro-"gay" advocate was claiming to have been defamed by being called homosexual). The request was for damages of one million dollars.

Eventually, Lon Mabon and I were back in the courtroom again, sitting side by side at the defense table. At the table with us was the same attorney who had defended us in Portland. By this time he was much more experienced and very competent. Against us was a team of three female lawyers who gave every indication of being lesbians (I don't recall if they publicly identified themselves as such).

There were few noteworthy moments in this trial until the final day, when both sides had completed their cases and the court had reconvened for the rendering of the jury's verdict. W.'s attorneys were so confident of victory, that the lead counsel came into the courtroom literally rubbing her hands together and licking her lips as though she was about to sit down to a feast prepared in her honor. Minutes later she looked shell-shocked as the verdict came back in our favor: not liable. God gave us the victory in this case, against all odds.

The Third and Fourth Lawsuits

The final lawsuits resulted from the same incident, and were eventually consolidated into a single suit, but the fact that they were filed separately is important to the story.

One day at my OCA office I was visited by an elderly woman who was desperate for help for her daughter. The daughter was in a legal dispute with her husband over the custody of their three young children and the court had awarded custody to him. Unfortunately for the children, their father was a homosexual, now living with his boyfriend, and both of them reputedly had full-blown AIDS. The father's condition was apparently so advanced that his driver's license had been taken from him because he was having brain seizures (that did not stop him from driving the

EXHIBIT 24

Part 3 of 5

children around in his car).

The mom was a perfectly capable parent and there was no reason, other than political correctness, for the children to be taken from her.

The grandmother had come to me in the hopes that OCA could bring some public attention to this case and perhaps force a reversal of the court's decision. We agreed, then held a press conference on the steps of the courthouse and passed out a flyer stating the facts of the case.

It wasn't long before we were hit with two new lawsuits, one each from the father and the boyfriend. Each suit sought five million dollars in damages for invasion of privacy. To cause us greater expense (we surmised) the suits were filed in separate counties. This was a serious problem because OCA was by this time struggling financially, in large part due to the legal costs from the previous lawsuits.

For the first time we faced "legitimate" legal exposure. The flyer we passed out at the press conference might possibly (I now know) have been ruled an invasion of privacy. The "gays" had more to use against us than just the hope of political bias on the part of judge and jury. In fact, our political enemies apparently felt that case was so strong against us that they helped the plaintiffs to retain one of the top attorneys in the state, a former state appeals court judge. It looked like our goose was cooked.

Lawsuits take a very long time to run their course, and the anxiety that inevitably occurs increases as a trial nears. I had now lived under a cloud of legal uncertainty almost constantly for three or four years, but the emotional stress had grown much worse as the months wore on in this suit. Then, just a few weeks before trial, I had a visit from the husband of the woman who had solicited our help, the children's grandfather. He had an amazing story to tell.

It seems that early in the case the father and the boyfriend had broken up. (Allegedly, a physical altercation between the two of them had resulted in the hospitalization of the father.) When the father got out of the hospital, he brought a new boyfriend into the house, along with a young woman with a toddler, who was to serve as a nanny for the four children now living in the household.

One day, a neighbor spied the toddler running out of the side door of the house. He was covered with bruises. It seems that the child had refused to eat, and as punishment the men had put him in the basement and taken turns going down to beat him. The neighbor called the police and the men were arrested and charged with torture of the toddler.

Obviously, Children's Protective Services is called in on a matter like this to

..

remove the children. Acting quickly, the mom had hired an attorney and gotten back temporary custody of her kids. However, Oregon being the “gay”-influenced state that it is, Children’s Protective Services had apparently promised the father that custody would be returned to him. The District Attorney’s office had apparently also cut a deal with all three adults that they would get probation and no jail time.

I am reporting all of this second-hand, of course, as it was recounted to me by the grandfather, who was in the courtroom for the trials of the three adults. By God’s providence, the “gays” strategy unraveled. For some reason the three defendants were separated in the process of sentencing. The new boyfriend and the young woman went first and received their “slap on the hand.” However, the father appeared later, and for some reason was assigned a different judge. This judge, after reviewing the file, including the photos of the little toddler, looked up at the district attorney and said “You’ve got a lot of nerve bringing this plea bargain into my courtroom.” He then turned to the father and said “You’re going to jail.”

Portland at this time had a major problem with overcrowding at the jails, and so the father was sent home with instructions to report to jail at a future date.

That night, the father and the new boyfriend committed double suicide.

We showed up at court on the day of our trial, and had a settlement conference in the hallway with the original boyfriend who filed one of the two invasion of privacy lawsuits against us. As soon as he learned that we knew what had happened, he decided to drop the case. As I pointed out to him, no jury in the world convict us for invading the privacy of this “family.” If we had succeeded in the original goal for which we had held the press conference, these children would not have suffered such terrible trauma.

In the end, the mom won permanent custody of her children, and there were no further repercussions to the incident. For the sake of the children OCA agreed not to publicize the circumstances I’ve described here, though such publication would surely have helped to rehabilitate our reputations.

The four lawsuits were tough to endure, but God used them for His purposes and my good. They are the reason I am a lawyer today. Looking back, I can see His hand through it all. Of the \$11,400,000.00 potential damages I faced, the total judgment against me was just \$22,000. And God provided every penny of that sum through the generosity of friends and supporters.

Even so, the thought of paying this money to the lesbian activist was at first

very difficult emotionally. It seemed like giving her a reward for persecuting me. Yet, in prayer I was reminded of two things. First, that Jesus asks us to “turn the other cheek” when we personally are injured by others and to “love your enemies, bless those who curse you, do good to those who hate you, and pray for those who spitefully use you and persecute you” (Matthew 5:39,44). Second, that every thing I have comes from and belongs to God. It was all his money, and if He wanted me to pay it to her, He must have had a very good reason.

What could have been emotionally and spiritually damaging to me (causing lasting bitterness and unforgiveness) instead became a blessing. I paid the judgment “as unto the Lord” as an act of submission to Him and received spiritual enrichment of far greater value -- thank you, Jesus.

Chapter 9:

Sonny

Be not deceived: neither fornicators, nor idolaters, nor adulterers, nor effeminate, nor abusers of themselves with mankind, nor thieves, nor covetous, nor drunkards, nor revilers, nor extortioners, shall inherit the kingdom of God. And such were some of you: but ye are washed, but ye are sanctified, but ye are justified in the name of the Lord Jesus, and by the Spirit of our God. 1 Corinthians 6:9-11

Sometime in 1991, when the Measure 9 campaign was raging and the Oregon “gay” movement was doing its best to equate OCA with the Nazis and the KKK, my pastor, Tom Baker, made an announcement one Sunday at church. He wanted the congregation (about 1,000-1,200 in a typical service) to know that we had a new member of the church who was suffering from AIDS. He said that this man, a new Christian, had been asked to leave another church in town after a major financial donor told the pastor that either “the guy with AIDS” or he himself would leave that church. So Sonny was asked to leave. When Pastor Baker stated that, several weeks back, he had welcomed the man to our church, he received a standing ovation from the members.

I determined at that moment that I would personally seek out and befriend this man, not knowing that he regularly sat about two rows behind me. I later learned that he already knew who I was and that he secretly hated me because he believed all that was said about me in the news.

A few weeks later I met Sonny in the courtyard of the church. We started to chat, and realized that this was the man the pastor had spoken about. I told him I wanted to help him if I could. Sonny then told me that he was about to be evicted from his apartment, which meant he was also losing his job because he was the manager of his apartment building. He said his neighbors and tenants, all “gays,” had banded together to oust him because he had become a Christian and had started

playing Christian music in his apartment.

“Coincidentally,” Anne and I were looking for a new house to rent because our current landlord intended to rent to his son, who was moving back to the area. I told Sonny that if we could find a place with space for him, we would take him in to live with us. Frankly, it was as if someone else was extending that invitation and I was listening in. Even as the words were coming out of my mouth, I was wondering why I was extending such an offer to a total stranger.

I did not entirely believe the media assurances that AIDS could not be transmitted through casual contact, and we had four children in our family. Yet, I felt very strongly that God wanted us to help Sonny in this way.

On the day that we began our search, there was just one house for rent listed in the newspaper in the neighborhood we wanted to move to. However, it was the perfect place for us, meeting all of our criteria: it had four bedrooms (remember we had a family of six at this time), a fireplace, a full daylight basement with separate kitchen and bedroom/bath for Sonny, and it was priced at about 70% of the market rate in that neighborhood (we couldn't have afforded anything higher).

I knew immediately that God had selected this to be our new home. However, when we went out to see the place, we learned that a couple of dozen people had already applied to rent the house. It was such a “seller's market” that the owner charged a \$30 fee for each application. Nevertheless, as I submitted our application I felt sure that this would be our home.

A few days later I received a call from the property manager. He apologized but said he had rented the house to someone else, and that there were several other people ahead of us on the list of approved prospects. I was stunned. I had been so sure that the Holy Spirit had told me we would get the house, that my faith was literally shaken by being turned down. Discouraged, I began the search anew.

About a week later I received a second call from the property manager. “Do you still want the house?,” he asked. “It's the strangest thing. All the people ahead of you on the list decided that they didn't want the house.” I felt a rush of joy in my spirit as I said yes, we still wanted the house.

Shortly thereafter we moved into that house, and Sonny moved with us into the basement apartment that God had blessed him with. It was an ideal place for him to live: spacious and self-contained, but just a flight of stairs away from us, his adopted Christian family. The top level of the house was at ground level facing the street, but Sonny's apartment opened onto the backyard, a gently sloping lawn. He was able to keep his pets, a cockatiel and a dog. Beyond the yard were horse

pastures and half-a-dozen horses. It was a restful place, well suited to a man living his last months on earth.

Sonny grew more and more ill over the next year. We were not exactly nursemaids for him, there were people who came in to take care of his medical needs, but we shared our family life with him. He ate meals with us frequently, and we included him in many family games and other activities in the back yard. He sometimes came on outings with us. In short, he was finally able to experience life in a family that loved him.

His own emotional health had been robbed from him many years before, when as a boy of seven, he had been raped in the men's room of a YMCA by a friend of his father. As is so common among sexually abused children, Sonny became a homosexual as an adult.

I spent many hours talking with Sonny in his apartment. He gave me insights into the homosexual mind and the history of the "gay" movement that few non-homosexuals ever acquire. He told me he had personally known and "partied" with the founders of the so-called "Gay Church," now a denomination known as the Metropolitan Community Church, and other "gay" leaders. He also had lived a life of extreme debauchery and perversion and shared some of those details as well. Those conversations gave me even greater resolve to oppose the homosexual agenda with all of my strength. They also helped Sonny to unload his burdens of guilt and shame, and we prayed for him many times.

In the end it was pneumonia that ended Sonny's life, but only because AIDS had destroyed his immune system. He had made us promise that we would under no circumstances allow him to be placed in an AIDS hospice, because he didn't want to die among unrepentant homosexuals. But when he went to the hospital that last time, the doctors told his friend who was making the arrangements that that's where he would be sent and, that it was out of anyone's control. He then made the decision to refuse any further treatment except food and water, so the hospital, under a Medicare contract, could no longer keep him.

We knew then that he would die that night, since he was only being kept alive by massive quantities of multiple drugs.

There were four of us who spent Sonny's last evening with him. A woman who had become Sonny's best friend, two former satanists (whose names I don't remember) and I. One of the satanists, a man, was also ex-"gay." The other, a woman with great musical talent, had brought her guitar. Sonny was in a coma when we first assembled together in his room (this gathering was entirely unplanned by any of us; I

had never even met the former satanists). But, as we began to sing Sonny's favorite praise and worship songs, he came out of his coma and began to alternately sing and whisper along with us. The entire floor of the hospital could hear our worship, and a powerful anointing came over us.

At first there was fear in Sonny's eyes as he faced his imminent death, but as we continued, he relaxed and a peacefulness came over him. "I can see heaven," he said when we stopped, "but I can't get in yet." Then we laid hands on him and took turns praying that the Lord would take Sonny home. He then drifted off to sleep, and in a couple of hours he had gone home.

Our impromptu worship service for Sonny was one of the sweetest experiences of my Christian life. And once again, God had proved His love and faithfulness.

Chapter 10:

The Pink Swastika

And have no fellowship with the unfruitful works of darkness, but rather expose them. Ephesians 5:11

I could never have predicted that a major aspect of my ministry would be tied to the exposure of homosexuality in the Nazi Party. It is such a strange and obscure subject. Yet, more doors have opened for my ministry because of this topic than for any other that I have addressed in my career.

It began with the Oregon “gay” community’s decision to equate opposition to their agenda with Nazism. As I reported in previous chapters, this was the cornerstone of their political strategy against the pro-family Ballot Measure 9, for which I was spokesman.

At that time, I accepted the common belief that homosexuals had been victims of the Nazis similar to the Jews, and considered it my duty as campaign spokesman to distinguish the Christian morality-based opposition to homosexuality from the Nazis’ hate-based opposition. I did my best to articulate that distinction.

Then one day I had a visitor to my Salem, Oregon office. He was one of our supporters from Portland, an LDS member. He introduced himself as a researcher and said he had found a great deal of historical documentation proving that the Nazi Party was started by homosexuals. He then handed me a sheaf of papers containing excerpts from various history books. I promised to look it over, but honestly I thought he was some sort of “kook” and tossed the papers into a file (intending to keep my promise at some later date when I had more time for such oddities).

After the failure of Measure 9, Oregon Citizens Alliance (OCA) changed tactics, and began running local city and county ballot measures using a modified version of Measure 9. It was a brilliant move (suggested by my friend and original activist buddy Bill Casey of Portland), and we won the next 26 consecutive elections. However,

when we launched our campaign in the state capitol of Salem, the opposition leader (later to become the mayor of that city) revived the Nazi issue. He wrote a letter to the local paper stating that he had just returned from a trip to Germany where he had toured the Dachau Concentration Camp, and said what an amazing similarity he found between the Nazis and OCA.

I was personally outraged by the piece, and decided to rebut it. I suddenly remembered the research notes on the Nazi-homosexual connection and dug them out of my files. I then sat down to read them thoroughly for the first time, hoping that I could find a few useful facts to include in my editorial. However, I was literally dumbfounded at the wealth of information contained in those pages. Here, in the writings of the top historians of the era, was unequivocal documentation that homosexuals were not just present, but prominent in the foundation of the Nazi Party and its later governance. I then dashed off an editorial piece citing several of the most authoritative sources.

Amazingly, my editorial sparked a firestorm of controversy in the Op-Ed section of the paper ; it lasted for over a month, and included five or six full-length editorials and dozens of letters on both sides of the debate. It was such an astonishing exchange that the Professor of Rhetoric at near-by Willamette University wrote a scholarly paper about it which he delivered later that summer at a conference in Amsterdam.

What I learned from the exchange was that the “gay” movement was extraordinarily fearful of the “gay”/Nazi connection. It slowly dawned on me that the facts I had raised threatened to undermine the homosexual activists’ most important tool of propaganda: their “victim status” in the public perception. If the public ever came to realize that Nazism was in large part an outgrowth of the German homosexual movement, the game would be over for the “gay” propagandists.

In the midst of the Op-Ed battle, I received a call from Kevin E. Abrams, the man who would become my co-author in writing *The Pink Swastika*. Kevin is a writer and researcher in his own right, and an orthodox Jew. He confirmed my conclusions, and provided still more facts about homosexual influences in the Nazi Party. It was during that very first phone call that I asked Kevin if he would be willing to collaborate with me on a full-length book on the topic. He agreed and we began the research and writing project that eventually culminated in the first edition of *The Pink Swastika*, which we published in 1995. That first edition was officially released at the 1995 Annual Conference of the National Association for Research and Therapy of Homosexuality (NARTH), which was held that year in San Francisco.

This project would be the first major research effort of my career and

continues even to the present, having consumed literally thousands of hours over the past twelve years. My research took me eventually to Germany, where I was given a personal tour of Berlin by Colonel Eugene K. Bird (Retired). As Commandant of Spandau Prison, Byrd personally knew Nazi Deputy Fuehrer Rudolph Hess and the other Nazi war criminals who had been interned there after the Nurnberg trials. (He told me that Hess accepted Christ before his death.) On a separate trip I visited Dachau and the City of Munich.

I also spent nearly a week at the National Archives in Washington, D.C., reviewing captured Nazi documents and photos. In fact, I was in Washington on September 11, 2001 (9/11), which is a story I will recount in a later chapter.

We are now in the fourth edition, compiling material for the fifth, and are also now laying the groundwork for a documentary film on the topic.

I am pleased to say that the “gays” provided a great help in strengthening the later editions of the book. After we published the second edition, a homosexual apologist with research skills published a lengthy and detailed rebuttal on the Internet. Most of the criticisms were baseless, and many were just plain silly, but the researcher(s) made a number of legitimate points as well. I gave it an honest reading and then revised our book accordingly. The following editions were substantially stronger documents due to the “gay” critique and our willingness to view it objectively (a result they never intended, I am sure).

To conclude this chapter, I will relate one incident related to *The Pink Swastika* to show how desperate the “gay” movement has been to suppress its facts. In 1996 or 1997 I was invited to Wisconsin to give a lecture on *The Pink Swastika* at Pastor Ron Greer’s church in the City of Madison. Pastor Greer is famous in his own right as the victim of anti-Christian discrimination. He was fired from his job as a fireman for passing out pro-family tracts at work and his case was widely cited by conservative media around the nation. Madison is politically one of the most left-wing cities in America.

When we arrived at Pastor Greer’s small church building for my presentation we found a group of over 400 homosexual militants already there (our group numbered less than 50). As soon as the pastor turned the key in the lock, two large lesbians charged the door and pushed him out of the way. The entire group of militants (or as many as would fit) then flooded the church and proceeded to occupy the sanctuary. They were extremely belligerent: accusing, mocking and shouting obscenities. I was stunned, this being the first time I had ever witnessed such activities inside a church.

We would have called the police, but we saw that there were already two or

three officers there. They had apparently witnessed the entire incident. However, to our chagrin, they refused to remove the protesters from the church.

We tried to start the meeting, but the “gays” held the stage and refused to relinquish it. Someone from the church then came up to report that people had been urinating and defecating on the floor in the basement. The situation was simply a nightmare. We approached the police again. Finally, they agreed to remove individual protesters who refused to leave after being personally asked to do so.

After an hour or so, we cleared out enough protestors to finally be able to start the program. However, a large number of homosexual activists remained in the room. Every few minutes, individuals or small groups would stage small disruptions before running whooping and yelling to their friends outside. Eventually, nearly the whole group had left the church. They then ringed the outside of the building and began pounding on the walls and windows with fists, rocks and trash can lids. Some of them were chanting “Crush the Christians! Bring back the lions!”

It was nearly impossible to give my talk, but I refused to be silenced or intimidated and did my best to give my audience the lecture they had come for. The “gays” had not stopped the presentation, but they had once again proved how damaging they perceive the facts to be.

Amazingly, in its coverage the next day, the pro-“gay” local newspaper described the anti-Christian near-riot as a “candlelight vigil” and painted, not the Christians, but the homosexuals as victims.

The entire incident offered spiritual growth for me, as I came to better understand what Jesus faced when he was confronted by hateful and irrational adversaries. Jesus said not to be surprised that the world would hate us, because they first hated Him (John 15:18), and as Paul warned, “...all that will live godly in Christ Jesus shall suffer persecution” (II Timothy 3:12).

Chapter 11:

Law School

Study to show thyself approved unto God, a workman that need not to be ashamed, rightly dividing the word of truth. II Timothy 2:15

One day, OCA Chairman Lon Mabon and I were driving south from Salem on Interstate 5, on our way to some type of political meeting. We were talking and strategizing about the future of the pro-family movement in Oregon and the conversation turned to the issue of lawsuits. Lon said he had been thinking about finding someone to put through law school so that OCA would have its own lawyer. He mentioned a couple of names, and suddenly I blurted out "What about me?" It just sort of slipped out. I hadn't ever entertained the thought previously, but suddenly there it was. Even as I said it, something struck a chord in my spirit, and I started to get a feeling of excitement.

That night I began pondering the question of whether the Lord intended me to become a lawyer, and the sense in my inner man was that He did. Yet from the human perspective it seemed a very unlikely thing. I was already 36 years old, with a wife and four children at home. I had virtually no college education (just a few miscellaneous credits I had accumulated at the community college). I had no steady income. Indeed, Anne and I had recently made the decision that she should quit her job to home school Noah and Samuel. This was a huge leap of faith for us, since hers had been our main income. But God was faithful as always -- we never suffered for the decision, and our children were hugely blessed by being schooled at home all the way through high school.

I also knew that despite my conversation with Lon, OCA would never be able to finance a law degree for me or anyone -- we were always under-budget for our programs the entire time I worked there.

Still, the dream of becoming a lawyer persisted, and I began to consider how it might be possible to achieve it. Finally, I approached Lon with a plan: I would become a sort of at-large missionary to the pro-family movement, based in my home church

(Sheridan Assembly of God), and would work to build a network of financial partners who would provide for my family's support while I went to school. The key to the plan was the opportunity to seek supporters from the people who already knew and trusted me: the donor base of the OCA. Lon graciously agreed to allow me to solicit support from the OCA list. So, I began a two-year campaign to raise support, while at the same time working full-time as OCA's Communications Director.

Meanwhile, I went back to school at the local community college. At best, I knew it would take six years to complete this plan and get my law degree. I needed an Associate's Degree, a Bachelor's Degree, a good score on the Law School Aptitude Test, and then acceptance into a law school for another 3-4 years. It was a daunting task, especially since I remained on the OCA staff and also had duties as a husband and father. But God gave me favor in every part of my life. I earned a perfect 4.0 in my undergraduate program at the community college, and then a 3.9 in my Bachelor's program at Western Baptist college.

It was during my studies at the community college that I also completed work on *The Pink Swastika*. I began holding lectures across Oregon on the topic of homosexuality in the Nazi Party, and in this way attracted additional supporters. Then I began receiving invitations to address the topic on radio talk shows. The book has an enormous appeal on talk radio, and over the next several years I participated in over 500 radio interviews on the subject. It was a rewarding experience (I came to love doing radio shows), and a great way to attract new supporters to my ministry. I did interviews several times per week all through law school.

In 1995 when I graduated from Western Baptist, Anne, Noah, Samuel and I moved to Anaheim, California so that I could attend Trinity Law School. At that time it was called Simon Greenleaf University (Simon Greenleaf was a Harvard scholar, an expert on the rules of evidence who had become a Christian after testing the claims of Scripture using courtroom standards). I was blessed with a 50% scholarship to law school, but I was blessed even more by being able to study law in a Christian environment.

We didn't have much to live on during those years, but we were happy in our little 2-bedroom apartment, and learned how to live frugally. And despite the penny-pinching and self-restraint, the Lord provided an undreamed-of opportunity. In 1997, I was able to take the whole family to Europe for six weeks (our first international adventure) as part of a special summer program offered by the law school.

Simon Greenleaf University had been founded to train Christians in three disciplines: law, apologetics and human rights. The human rights program included

special training at the International Institute of Human Rights, which is held each summer at the University of Strasbourg in France (under the auspices of the United Nations). In 1997, the SGU law students were offered credit for completing the Strasbourg program. So Anne and I packed all of our worldly goods into a storage unit and used the rent money we saved to pay our way to Europe. We flew to England, where we were hosted for a week by a pastor friend and his small church, then rented a car and took the ferry to France. By living nearly rent-free in the dormitory at the University and staying at youth hostels when we were on the road, and eating a diet consisting largely of bread and peanut butter (which we found in the exotic foods section of the Strasbourg supermarket!), we stretched our tiny budget enough to visit seven countries and hundreds of historic sites.

Sam and Noah, then 10 and 12 years old, enjoyed the home school field trip of a lifetime, including tours of dozens of castles, cathedrals and museums. We saw an original copy of the Magna Carta at Salisbury Cathedral in England, toured the amazing Abbey of Mont St. Michel in Brittany, wandered through the Palace of Versailles and the Louvre (on a “free day”). We climbed part of the Matterhorn in Switzerland, and spent a night at L’Abri, theologian Francis Schaeffer’s training and retreat center high in the Alps -- in a 400-year-old chalet once owned by the Schaeffers themselves. (Anne and I slept in a bedroom whose balcony hung directly over what must have been a 500-foot cliff, overlooking an awe-inspiring range of ragged peaks stretching miles into the distance.) We spent a weekend in Paris, toured the ancient fortress-city of Luxembourg and the Tower of London, and happened upon the elderly British Duke of Norfolk himself in the basement of his ancestral home, Arundel Castle.

All of this was accomplished in transit to and from (and during our time off from) the month-long study program, from which I earned a Certificate in International Human Rights. (I also made a weekend trip to Munich, Germany to do some on-site research for the third edition of *The Pink Swastika*, including a visit to the Dachau concentration camp.)

I’m relating all of this to show that God’s blessings are not limited by the amount of money He provides. Our family of four had a six-week European vacation (albeit a working one) for less than what some couples spend in a week at a fancy resort.

After another two years of study, I graduated *magna cum laude* from Simon Greenleaf University, now called Trinity, in 1999 with the degree of *Juris Doctor*, and by God’s grace passed the California Bar Exam on my first attempt (in a year when more than half the applicants failed the grueling three-day test). To my knowledge, I

am the only person to have ever been put through law school as a Christian activist missionary. God faithfully provides whatever it takes to accomplish His purposes in our lives.

--

Chapter 12:

ATM and the PFCT

For the kingdom of heaven is as a man traveling into a far country, who called his own servants, and delivered unto them his goods. And unto one he gave five talents, to another two, and to another one; to every man according to his several ability...Then he that had received the five talents went and traded with the same, and made them other five talents.

Matthew 25:14-16.

The closer I got to graduation from law school, the more I was convinced that having a law degree was not going to be sufficient to accomplish the task of turning back the “gay” agenda in America. As impossibly ambitious and unlikely as that goal sounds, this is indeed what I have perceived my work to be. It is the sort of goal that only God can accomplish. I didn’t choose it, and God knows I have not always welcomed it as a ministry, but like Jonah I have finally resigned myself to it (thankfully for me I never rebelled against God’s will to the degree that Jonah did). As I have so many times promised the Lord, I am His servant to direct as He wills.

Litigation and legal advocacy are important components of the pro-family agenda, but the more I learned about the law and lawsuits, the more I saw their deficiencies as culture-war weapons.

Late in 1997 I formed Abiding Truth Ministries as one of the first Christian ministries exclusively devoted to opposing the homosexual agenda. I didn’t know how the Lord would use it, but I knew that He wanted it formed. At first it was just a vehicle for educating my supporters, but in time it came to be one of the most important pro-family resource centers in the world. And while I have been involved in other ventures, He has always led me back to ATM as the home base of my ministry.

In my final year of law school (1999), certain that God had a bigger plan for me than lawyering, but having no idea what it was, I began a prayer campaign that lasted

several months. There have been several times in my life when God has given me such a “theme” to pray about. In this instance my prayer was a request: “Lord, make me as effective as I can be.” It was a constant and fervent prayer.

I was again pondering the question of how to be most effective in changing the culture. It struck me that perhaps the “gays” most powerful force for change was funding from the big foundations: huge pools of money, controlled by liberals, being used as a funding stream for every leftist cause, including the legitimization of homosexuality. Most foundations, I knew, were originally funded by wealthy individuals or families, but I began thinking, “how could the pro-family movement develop its own foundation?” Suddenly I got one of those “lightning bolts from the blue,” an entire plan for creating a pro-family foundation: an investment account, funded by small donations from many people, whose principal balance would be permanently restricted from being spent, but whose earnings would be used to fund ministry.

The idea had that combination of brilliance and simplicity that only comes from God, and I knew instantly that this project, which I called the Pro-Family Charitable Trust, was the answer to that prayer for effectiveness. I also knew that this was a very long-term plan. It would take much patience and an effort of faith to make it work. Not only would it take a long time to build a fund to a size capable of making any kind of real impact, it would also take my serious commitment to the original principle of not using the growing pool of money for the more immediate needs of the ministry (there are always many).

When I first started talking to people about the idea, I heard almost no support for it. I would babble excitedly about the PFCT plan and get blank stares or polite nods in return. Yet my inner passion for it never faded (another signal to me that this was God and not myself), so several months later, after researching various legal issues, I created the PFCT as an investment account of Abiding Truth Ministries. I set a threshold of \$100,000 as the principal balance which must be reached before any of the earnings could be given away in the form of grants, and Anne and I made the first donation of \$200.

It took almost five years to reach the threshold, but we reached it on June 18, 2005. At the date of this writing, the PFCT principal balance is over \$160,000, and we have distributed over \$14,000 in grants. This is certainly puny by comparison with the big liberal foundations, but I remain convinced that the PFCT will one day be a true pro-family counterpart to those entities. I believe that in my lifetime, the PFCT principal balance will have grown into the millions of dollars, and will generate

--

thousands of dollars annually for pro-family projects.

Originally, the PFCT funds were held in CDs, but I knew that we could earn a much greater return if we were invested in stocks and bonds. With this in mind, I began a personal study program to learn about investing. To my surprise, I found the research fascinating and turned it into a personal hobby. I began to invest imaginary funds in different ways to compare the results, and soon I was turning them into satisfying imaginary profits. When (in mid-2003) I had gained enough confidence to be sure that the PFCT funds would not face undue risk, I opened a brokerage account and began investing the PFCT funds in equities and other securities. By the end of 2006, at just over three years of age, the PFCT had earned a return of 39.4% (better than 13% per year). This is better than most professionally-managed mutual funds, and it was all earned without incurring professional management fees. The key, of course, is God's blessing -- all honor to Him!

Chapter 13:

The Africans

In every nation he that fears God, and worketh righteousness, is accepted with him. Acts 10:35

Anne and I decided that we would move to Sacramento after law school. The original plan had been to return to Oregon, but we had learned that Oregon would not let me take the bar exam until I had first practiced for three years in California. We chose Sacramento because that was where my friend, former Trinity Dean (and constitutional law scholar) David Llewellyn, was in private practice, and because it was the state capitol, an appropriate home base for a Christian activist.

A couple of months before the end of my final semester I took a trip to Sacramento to scout out the housing situation and get a feel for our soon-to-be new home. I took the train. I really love train travel (not the commuter type, but the old-fashioned long distance Amtrak trains). I first came to the West Coast on the train, a journey of 3500 miles, and a couple of years later bought a 10-day train pass and stayed on board the entire 10 days (from Portland to Los Angeles to Montreal to St. Petersburg, Florida to Boston). I've since taken several long-distance train trips and enjoyed every one.

One of the things I love about train travel is being able to sit by the window and write. The seats are wide and comfortable, there are AC power outlets for a laptop computer, and whenever you look up the scenery has changed (and it's usually beautiful -- train tracks wind along rivers and mountain ranges, far from freeways and population centers).

When I got on the train in Sacramento to head home, I was looking forward to getting some writing done. In fact, I had decided that I wouldn't allow myself to be drawn into any conversations, so that I could work without interruption. (This determination to be anti-social was against my normal inclination, a fact that is

important to the story.) I even sought out a seat that looked the least likely to offer any chance of social interaction. I was *really* determined not to talk with anyone, but God had another plan.

As the train pulled out of Sacramento, I settled into my seat and started writing. Down the aisle, walking from the back of the car, came a man. He was tall and stocky, with dark brown hair. He was carrying an armload of philosophy books, and muttering to himself in a heavy English accent (I later learned he was a British soldier on leave). It was quite obvious that he was very drunk. He stopped, of course, at my aisle, and looking at the empty seat beside me, he asked if it was taken. Reluctantly I said no, and he plopped down beside me.

I tried my best to ignore him, but he wasn't about to be ignored. Looking me over somewhat rudely he said, "Are you a Christian?" I mumbled that I was, and he boomed, "Well, I'm going to talk you out of it."

Now God is often very subtle in His messages, but He also has a sense of humor. And in this case, the message was so unavoidably clear it was comical. What sort of invitation would be most irresistible to a philosophically-minded Christian lawyer-in-training with an appetite for the unusual? He provided it, and I realized immediately that God wanted my attention.

I normally have a firm policy about not talking with drunks when they're drinking. Having been one, I know that it's a complete waste of time. They can't carry on a meaningful dialogue (they mostly speak for the emotional satisfaction of talking -- and it doesn't really matter to them what they're actually saying). Plus, they usually don't remember what you said the next day. Yet, I wasn't going to disregard the Lord's tap on my shoulder, so I made an exception and entered into a debate with my new seat-mate.

I spent about a half an hour talking with the drunken soldier. With each passing minute, however, my confidence that this was a divine appointment grew more and more dim. I was clearly making no headway in evangelizing this man, indeed he was growing more irrational and belligerent as time passed. Finally, I gave up. "Look," I said to him. "This conversation is a waste of time. You're not going to remember a single thing I said. Would you please find another seat?" To my surprise, he agreed without even a indignant glance.

As he got up to leave, I was literally asking the Lord in my mind, "What was that all about? Did I miss something?" At that precise moment a slender young black man came down the aisle from the same direction as the drunk. He stopped at the seat behind me, and, in an unmistakably African accent, started to witness to two

EXHIBIT 24

Part 4 of 5

women sitting behind me. I looked up upon hearing him speak, and he flashed me a big smile, in a face just beaming with Christian joy. I knew immediately that meeting this brother was the reason God had gotten my attention. We instantly struck up a friendship, and spent the next eight hours in conversation.

Emmanuel Effiong was his name, and he was an evangelist from Nigeria. He was on a world tour, seeking where God would have him start a church. His fiancée was waiting for him in Nigeria, with plans to join him in whatever country and city the Lord designated, at which time they would be married.

He had an amazing testimony. Upon converting to Christianity at the age of sixteen, Emmanuel had been beaten and rejected by his family. He served God by preaching on the streets and on public buses. Eventually he became a powerful preacher and conducted large Christian crusades in various nations.

Anne and I hosted Emmanuel in our home that night, and he continued his journey the next day.

I've since known and fellowshiped with many African preachers and have become aware of the seldom-talked-about wave of missionaries that is spreading across the world from several African countries. Emmanuel was my first African contact, and he opened my eyes to the vitality of the church in that continent.

Years later, just before my second trip to Africa, Anne and I learned where Emmanuel had finally settled down to start his church. It was in Utrecht, Holland. Providentially, that flight to Africa was routed through Amsterdam, where we had an eight-hour layover. Emmanuel picked us up at the airport for the day and gave us a tour of his church and his home city. The Lord had clearly blessed his work there.

Stephen Langa and the Family Life Network

Some months after I met Emmanuel, I received a call out of the blue, asking me to go to Kampala, Uganda to speak at a conference. The call came from Warren Willis, a former Campus Crusade for Christ missionary to Mongolia (now back in the U.S.), whose son was in missionary service in Africa. According to the son, the Ugandans were holding a first-ever national conference against pornography and obscenity and needed a pro-family speaker. Warren introduced himself as someone who had heard me speak at an Hispanic pro-family rally in Southern California, and he suggested that my style and message would be perfect for this conference. I immediately accepted.

Just two weeks later flew I flew to Kampala (two full days of travel) for three

days of ministry (and then two days of return travel). It was quite an adventure.

My first impression of Africa was waking up on the plane over the Sahara Desert (having caught a late-night connection in Rome). I groggily slid open the window shade to an amazing sight: an ocean of golden sand, stretching unbroken to the horizon in every direction, except for the Nile river (which our flight path seemed to be following). The Nile coursed across the desert expanse like a turquoise ribbon, on its three-month journey from Lake Victoria to the Mediterranean Sea. I was surprised to see virtually no vegetation along its banks; just water and sand.

The Sahara was like nothing I'd ever seen, but it was the perfect introduction to Africa, a continent filled with the exotic: plants, animals, people, terrain and climate -- all were entirely foreign to one whose travels have been limited to North America and Europe. I had a brief layover in Addis Ababa, Ethiopia (my first experience with a third world airport -- filled with dark-skinned Moslems none-too-friendly to a very noticeable American), then on to Kampala.

Uganda is an extremely poor nation that even today is still recovering from the brutal dictatorship of the cannibal Idi Amin. Yet it has a rich heritage as an historically independent and effectively self-governed African nation. Once part of British East Africa (along with Kenya and Tanzania), Winston Churchill called Uganda "The Pearl of Africa." Unlike the semi-desert nations to the north, Uganda boasts astonishingly fertile soil and indeed, though poor, most of the population survives as subsistence farmers. The capital, Kampala, is probably the most prosperous part of the country, but even here, the most developed area of the city (a couple of square miles at most) looks like a smallish 1950s-vintage down-at-the-heels American city (with American-looking office towers and well-maintained paved streets) surrounded by miles-deep slums of mostly one-room plywood and/or concrete dwellings and "storefronts" along deeply rutted dirt roads (virtually impassable by car in many places).

But Uganda is not a nation in despair. Idi Amin's harsh repression of the church during his regime had had the reverse effect to what he had intended. In the swamps and the jungles the underground church flourished and after his government fell a revival swept the land. The current leader, President Museveni, is a Christian. I am told he was led to the Lord by his wife, Janet (who also publicly dedicated Uganda "to Jesus Christ for a thousand years" at a huge rally on the eve of the millennium). President Museveni has established his administration on a Biblical foundation, as evidenced by such things as the creation of a Ministry of Ethics and Integrity in his cabinet.

The result of the Ugandan revival is seen everywhere, especially in a delightfully sweet spirit and friendliness that is now common among the Ugandan people. So unlike American guardedness with strangers, the Ugandans practically exude loving kindness. I had never experienced such instant and unconditional love from total strangers, and this seemed to be not just some, but most of those I met. There is also the miraculous turnaround Uganda has experienced regarding AIDS. Once the African country with the highest percentage of AIDS cases, it now has the lowest, thanks to the embrace of Christian behavioral standards by Ugandans.

My host in Uganda was Stephen Langa, a wonderfully gracious and dignified Christian man. A recently retired businessman, Steven had also been the President of the Board of Deacons of Kampala Pentecostal Church (one of the most influential churches in the country) but had resigned from that position to start the nation's first pro-family activist organization. He called it Family Life Network, and it was the sponsor of the conference for which I had been invited to speak. This act of faith (it was no small matter to give up the prestige of his church position to launch this new organization from scratch) was characteristic of Brother Langa. He was already well known in Kampala as a dedicated Christian leader whose training classes on ethics and morality had transformed the city police department and local military units (formerly plagued with corruption).

For a first effort, the Kampala conference was a remarkable success. Four hundred of Uganda's leading citizens attended, including the heads of nearly every religious denomination, cabinet ministers, and a justice of the Supreme Court. I spoke about the consequences America has faced of embracing the sexual revolution in the 1960s, and warned that Uganda would face these same consequences if it followed suit. My talk was well received, as well it might in a nation where pornography, abortion and homosexuality are still illegal.

I was deeply honored to be one of the primary speakers of the conference but dismayed that my trip was so very short. I was not even over my jet-lag when I had to board my return flight back home.

However, Brother Langa invited me to return the following year, which I did, along with Anne, for a week of ministry promoting abstinence and Christian living as a solution to the AIDS crisis.

On our second mission trip, Anne and I were greeted at the airport by Stephen, and a reporter from the local newspaper. Like most of the media people we met there, the reporter was a Christian and was pleased that we had come to help Uganda. An article about our arrival was featured the next day in the paper, and our

activities during the trip were covered (very favorably) in one or the other of both of the major competing dailies four of our five days in the city. We were also interviewed on all the leading television and radio shows in Kampala. At LTV (the Christian television station) Anne and I did a program on family life with Martin Ssempe, one of the leading media figures in the nation.

During the week, we spoke in a number of churches and at Ugandan Christian University, an Anglican institution, where I led a chapel service on Christian leadership. I also lectured at Nkumbe University to a group of about 200 business students and at Kampala Pentecostal Church to a group of about a dozen native pastors.

The high point of the week was a youth gathering at Dee Dee's World (Kampala's downscale version of Disneyland). Over 40 schools sent representatives, both students and staff, for a combined total attendance of 550, including public, Christian, Catholic and Moslem school students.

The purpose of the event was to promote sexual abstinence to the young people, and then have a ceremony in which the youth would take an abstinence pledge and receive a ring to commemorate their vow (similar to the True Love Waits program in the U.S.). However, after my presentation about the dangers of sexual promiscuity, Brother Langa was prompted by the Holy Spirit to change the program. Instead of moving into the ceremony, he asked if any of the young people wanted to give a testimony about sexual promiscuity in their own schools and communities.

One by one, students (ranging in age from about 12 to 16 I would guess), began standing to report truly shocking incidents, including the sexual molestation of a handicapped girl, and a rape. They also described "blue movie" huts where boys would stop on their way to school to watch illegal pornographic movies. A few of the boys testified that they had fallen prey to pornography addiction and become unable to keep up in school for spending so much time watching porn. The teachers were literally dumbfounded, and several were standing open-mouthed in disbelief at what the students were describing (remember that this is a nation as conservative in its cultural philosophy as the US had been in the 1940s).

Significantly, all of this occurred on camera. The conference was being carried live on television, as well as taped by the news stations. The entire nation witnessed this event -- and they responded with calls to the government. The next day I was sitting with Steven in his car when he received a phone call from the Minister of Ethics and Integrity. The minister asked him if he would be willing to design an abstinence curriculum for the national school system. "Why certainly," was his reply,

with a huge grin on his face.

On our final day in Kampala we met with the members of the Kampala City Council, who held a special session just for that purpose. They were not all Christians, but like most others we had met in Uganda, these men and women were, God-fearing people, not humanist liberals. It was very satisfying to be among people who recognize self-evident truth and employ common sense in their reasoning -- and not just these government officials, but nearly everyone we met, whether Christian or secular. We discussed the proliferation of pornography in the country and means of combating it (Uganda has the power of censorship to protect the public morals).

At the end of the meeting, a man whom I had assumed to be a member of the media (several media people were there) came up and said that the Mayor should also hear about these things. He turned out to be the mayor's personal assistant and ushered us to the mayor's private chambers. A few moments later, the mayor came in and we had a very good discussion about family values. He at first seemed resigned that nothing could stop the decline of morality in the city, but was visibly encouraged to hear of the activities of Family Life Network and our mission trip.

The meeting with the mayor almost made us late to our final television interview back at the hotel. A camera crew for one of the secular stations was set up there when we arrived. I was a little nervous about this interview because of my many past encounters with secular American TV reporters, but I was in for a pleasant surprise. As I sat down before the camera, the interviewer asked if it would be all right to stop and pray and ask God's blessing on the interview. Instantly, I was put at peace and enjoyed what turned out to be a very good exchange in which I gave both my personal testimony and a call to repentance that aired the next day (our day of departure from the country).

Clearly, God had blessed this mission to Uganda.

Brother Simon and the East Africa School of Ministry

When Anne and I were preparing to go to Uganda, I felt a prompting to try to expand our trip into the neighboring, and also English-speaking, country of Kenya. I had recently met a Kenyan doctor from Nairobi at a Catholic pro-family conference in Santa Clara, CA (where he and I had both been speakers), and I had also been given the contact information for a Campus Crusade for Christ missionary somewhere in the country.

In the midst of making my plans, I received an unsolicited invitation to come to

Kenya to minister in the city of Eldoret from a Bishop Simon O. MacOnyango. The bishop did not know I was coming to Kenya (he couldn't have since I hadn't yet told anyone). I could have taken this as a divine connection, but I didn't at that time. It seemed too suspicious, like one of the infamous Nigerian e-mail scams that troll for gullible westerners to fleece. However, I did respond to the e-mail, being open to the possibility that Bishop MacOnyango could be legitimate.

At the same time I tried to put something together with the other Kenyan contacts I had, with no results. None of my contacts even replied. It truly seemed that God was closing the other doors so that I would have only one left: the door Brother Simon was inviting me through. In the end I came to realize that this was indeed another divine appointment, and accepted Brother Simon's invitation.

When we had completed our mission in Kampala, Steven Langa became our guide and driver for our trip to Kenya. Steven had attended a university in Nairobi, so he was well familiar with the country, and the City of Eldoret was almost exactly at the halfway point between Kampala and Nairobi on the main highway. Before leaving Uganda, however, we visited Lake Victoria and the falls that mark the very source of the Nile River (the other end of which we would soon visit on our layover in Cairo, Egypt on our way home).

The border between Uganda to Kenya was like stepping back into another century. Kampala had been relatively modern in the sense that it had a roughly American looking commercial center with office towers, and many reasonably orderly neighborhoods with cars, paved streets, and a cosmopolitan air. Eldoret also had a more modern commercial center. The countryside, however, was mostly undeveloped, the most modern feature being the ubiquitous one-storey concrete storefronts/dwellings in small settlements along the highways.

Bishop Simon and two elders from his church met us at the border. They had been waiting a long time for us and recognized me immediately from photos I had e-mailed to them. They were quite exuberant at our arrival and we enjoyed getting acquainted while waiting in line for our visas. I took the opportunity to distribute tracts to the people at the border, including a traditionally-robed couple who, I learned, were members of the Masai tribe. As in Uganda, there was great interest in our materials and great receptivity to the gospel.

The Kenyans of Simon's village are very poor. None of them owns a car, but they had borrowed one from a college professor friend of one of the church elders for the duration of our visit.

We arrived, late in the afternoon, in Eldoret, a city which boasts a population

of over 100,000 but is essentially a collection of small, self-contained villages surrounding the central business district. We turned off the highway onto another of the rutted tracks that pass for roads and were soon approaching Simon's village: mud huts and small concrete structures crowded together behind makeshift rail and pole fences. As we pulled within sight of the little one-room schoolhouse that served as the community gathering-place, the road was suddenly filled with children rushing out to greet us, their parents and grandparents following behind. Along the fence in front of the school was a large white banner painted on a bed sheet: "The Great Gospel Explosion with Pastor Scott Lively."

During our week of ministry in Eldoret and the surrounding towns I preached about Christians' duty to be stewards of the society, setting the example for others in personal character, family life and involvement in shaping the society according to God's standards. The most memorable gathering was an outdoor event, interrupted in the middle of the message when a large herd of goats came dashing through the crowd and tripped over the electrical cords, cutting off the microphones. In another meeting one of the men came forward with his new wife, six months pregnant with their first child, and promised us that the baby would be named after one of us, Anne if a girl and Scott if a boy (little Scott Douglas Ogutu was born a few months later).

The fruit of our mission was the creation of a school of ministry which has since trained and sent out hundreds of new pastors in rural Kenya and the surrounding countries. The school was re-registered in 2006 as the East Africa School of Ministry to focus on home-based study programs more suited to the needs of the society, and to avoid the costs of a physical school facility. The first graduating class was nearly all men from the Sudanese refugee camps, who returned to Southern Sudan upon graduation. I was blessed to be able to attend that first graduation ceremony in Eldoret, two years after our first visit.

We still work with our African ministry partners both in Uganda and Kenya, and believe that the Lord has more adventures in store for us in the African Continent.

Chapter 14:

9/11

Proclaim ye this among the Gentiles; Prepare war, wake up the mighty men, let all the men of war draw near; let them come up: Beat your plowshares into swords, and your pruninghooks into spears. Joel 3:9-10

For the rest of our lives, most of us will remember where we were and what we were doing when the Islamic terrorists attacked our nation on September 11, 2001. I happened to be in Washington, D.C. I had two reasons to be there. First, I was conducting research for the fourth edition of *The Pink Swastika* at the National Archives and the Library of Congress. Second, I belonged to a national pro-family strategy group that, on 9/11 itself, was holding a meeting at the offices of Concerned Women for America. I was staying at the home of a supporter outside the city and on the fateful day, I had parked my car outside the beltway (to avoid down-town traffic congestion) and taken the subway instead.

I have calculated that I must have been passing within a mile or two of the Pentagon when it was hit, although I was entirely oblivious of the fact at the time. Indeed, as I exited the subway and walked to the CWA building, there was nothing to indicate that anything had happened. The people were going about their business as usual. However, as soon as I came out of the elevator into the CWA offices, I learned the truth. About two dozen people were crowded around the television watching clouds of grey smoke billow from the first of the two towers to be attacked. It took a few moments for the gravity of the situation to hit me, and just about that time someone came in the room to say that they could see thick black smoke rising from the Pentagon building, and we all rushed to the windows to see for ourselves.

Standing there in a daze, I remember hearing a voice in my mind saying, "This is World War III." This was quite a disconcerting idea, since we were just two blocks from the White House, and it had already been mentioned that there were still planes

in the air above Washington whose status and intentions were not known. Someone else came into the room and announced, “They just hit the State Department,” an alarm which later turned out not to be true, but was no less alarming at the time.

We had a quick meeting about our options and several of us decided that we should get out of the city as quickly as possible. This was easier said than done, because the police and military had blocked all of the bridges, leaving just a few routes out of town. Further, within minutes every available rental car and taxi had been snatched up by others with the same idea. Of course all air traffic in the US was immediately grounded and would stay that way for days.

Fortunately, Bob Knight (CWA’s Director of its Culture and Family Institute) had his car in the basement garage. And Linda Harvey of Mission America offered temporary lodging to any of us who needed it at her home in Columbus, Ohio. I offered to take everyone to Ohio in my rental car. So Linda, myself, Glen Lavy of Alliance Defense Fund and Joe Glover of the Family Policy Network all set off in Bob’s car. It was a nerve-wracking experience. We feared that another attack would occur at any moment, and traffic was moving at a slow crawl. Enhancing our anxiety was the knowledge that our only available route was along embassy row, which seemed to offer several likely targets for a new attack (especially the Israeli Embassy).

Our drive to my rental car was thankfully uneventful, and the four of us who were Ohio-bound bade Bob farewell.

I was a brand-new lawyer at this time, and still thinking of myself as a street activist, although my ministry had already begun to be transformed into one of teaching and training others how to understand and counter the “gay” movement. Glen was an experienced lawyer who had been hired by Alliance Defense Fund to address the “gay” issue, but he was still fairly new to pro-family advocacy. Linda and Joe were both veteran activists. Our entire car ride was one long strategy session that seemed (at least to me) to be divinely designed for Glen’s benefit (though it was clear that we all were blessed and enriched by the experience).

I spent three days at Linda’s house. She and her husband were very gracious hosts, but it was not my intention to stay that long. Indeed, I expected to catch a plane the morning of September 12. The airlines were booking the flights, but then cancelling them as the emergency ban on flying stretched on and on. I booked at least four flights over the three days; each one was cancelled.

In the mean time, I had the privilege of being able to watch non-stop news coverage of the aftermath of the attacks, without much else to fill my time. I was glued to the television set for my entire stay there. It was the most amazing thing to

watch the sudden Christianization of the media. I heard the name of Jesus invoked on secular news shows more times in those three days than in the prior twenty years of programming. The most astonishing sight of all was when the entire Congress gathered together for prayer in the Capitol Rotunda; a *genuine* prayer led by liberal Democrat Barbara Mikulski. It was sad to see the (dare I say) revival begin to die away a few weeks later as life went back to normal.

As much as I was fascinated by watching history unfold on the news, I was really beginning to miss my family. So, when my fourth or fifth flight reservation was cancelled, I decided to drive back to California. It was an extremely long trip, but it didn't seem that I would ever be able get home by air.

Then I experienced one of the most amazing "divine appointments" of my life. I had just finished packing my bags, said goodbye to my hosts, and was literally walking out the door to get in the rented car. The phone rang. It was the representative of a pro-family group in Saint Louis, Missouri. They had called my office in Sacramento looking for a referral of someone who could fill in for their speaker (Nancy Sutton of Family First Ministries), who had been forced to cancel because she had gotten stuck in D.C. (she was actually at the CWA meeting with me). Nancy was scheduled to give a six-hour seminar on the "gay" agenda the next day, and the group was desperate to find a replacement speaker (there are sadly not many people qualified to give a seminar on this topic). They did not know that I was available, nor that I was just six hours away, nor that I was about to get into my car to drive toward home along the very freeway that passed through their city. I simply said, "Yes, I'll be happy to be your speaker," walked immediately out of the house and drove directly there as if it had been on my schedule for weeks.

The Saint Louis pro-family faithful got their pro-family training seminar, and I got my wish to go home. The planes started flying again that same day, and I was back with Anne and the boys that very night.

As for the war with radical Islam, it is my belief that its challenge will require (and soon begin to produce) a more masculine Christian church; one which will at the same time begin to more closely embrace the pro-family movement. Time will tell.

Chapter 15

Miscellaneous Miracles

But we all, with open face beholding as in a glass the glory of the Lord, are changed into the same image from glory to glory, even as by the Spirit of the Lord. II Corinthians 3:18

I have numerous testimonial stories that deserve inclusion in this book but don't warrant a full chapter. I will relate them in roughly chronological order.

England, Wales and Scotland

On my second mission to the British Isles (in 2002), I spoke in a number of churches, and met with number of British pro-family leaders. I had the privilege of speaking at Moggerhanger, the home of the Clepham Sect, whose leader William Wilberforce led the movement to abolish slavery in the British Empire, and I met with the leadership of Christian Friends of Israel in London. In Wales, I met with pro-family author Stephen Green (and spent the night in an ancient house next door which had in its back yard the remains of a 10th-Century Saxon Chapel). But the miracle came when we went to Scotland. By God's providence, I had the opportunity to meet with Dr. David Anderson, then President of the Scottish Evangelical Alliance (now deceased), who unexpectedly invited my family to spend the night at his home. I thus spent the entire evening with him, discussing and strategizing on the homosexual issue, because, as I learned only that evening, his task that weekend was to prepare the SEA's position paper on the problem of homosexuality in the public schools. It was *the* hot political issue of the moment, and God used me to help equip His man assigned to address that issue on behalf of all of the evangelical churches in Scotland. Glory to God!

The Pro-Family Law Center and Private Law Practice

In 2004 I moved my family to Southern California to work in private law practice in partnership with fellow Christian attorney Richard Ackerman. I had met Rich years earlier when I spoke at his church and we became friends. We decided to try to work together to advance the Kingdom of God through our work. I had launched the Pro-Family Law Center in 1999, but I didn't have any practical experience in law practice. Rich was a very experienced civil litigator. As our friendship developed I invited him to take the presidency of the PFLC and I stepped into the position of chairman of the board. At the same time, we formed a law partnership to engage in private law practice for the support of our families while we would donate our time to the PFLC.

I am telling this story to address two blessings I received from God.

First, that God used my law practice to teach me how to be a pastor. My ministry had always been at a distance to people: radio and television shows, debates, lectures, sermons, book and article writing, etc. I had, of course, spent lots of time in personal relationships with other believers, but these were mostly times of fellowship. However, when I went into private law practice the Lord led me into family law (divorce, child custody, etc). Most of my clients were Christians being divorced by a husband or wife. Here were people whose lives were being destroyed and whose faith was being severely challenged. And here was I, the man they had chosen to assist them through their ordeal: an outspoken Christian, personally tested by a lifetime of my own challenges, and deeply invested in a ministry of defending and preserving the family.

For three years God brought a steady stream of broken, desperate people who needed loving Christian counsel. They needed pastoring and I became a pastor for a great many of them. He showed me once again that nothing is wasted in His economy, and that he is not limited in the methods by which He can work His will.

The second blessing was the opportunity to stand for God's truth through the work of the Pro-Family Law Center. The case which best reveals this blessing is *Good News v. City of Oakland*. It was the very first case accepted by the PFLC and the last case I worked on for the PFLC (I am still working on it in the capacity of an independent co-counsel). In 2006 I turned the PFLC completely over to Rich and resigned from the board to follow a new ministry calling, fully described below. But the *Good News* case was and is still alive and on February 15, 2007, I had the privilege

to give an oral argument before the Federal Ninth Circuit Court of Appeals (one step down from the United States Supreme Court) at a special session held before the student body of the Stanford University School of Law at Stanford itself.

I engaged in 14 minutes of heated debate with the three judge panel, to defend the right of my clients (two female African American Christian employees of the City of Oakland) to use the phrase “natural family, marriage and family values” in their workplace. The city had removed their flyer using this phrase from the employee bulletin board, declaring it “homophobic,” and threatening termination for anyone who dared to post anything similar in the future.

Arguing freedom of speech in a federal court is the dream of most every attorney, and God blessed me with this gift. It was the pinnacle of my legal career so far. Glory to God

Same-Sex Marriage Debate at Berkeley

In 2004 I was invited to debate the issue of homosexual marriage at the University of California, Berkeley (which many believe to be the center of the liberal universe). Berkeley is so liberal, it is one of the few places in America where the ACLU is considered moderate. In fact, the *moderator* of this debate was the ACLU’s Northern California director. A male homosexual and a lesbian (both from San Francisco) were my opponents. On my side was Michael Craven, Director of the Center for Christ and Culture.

The room was literally so packed with students that no more could fit in the room. Every seat and every inch of floor space in the room was filled, and more people were pushing at the door and couldn’t come in because of those crowded together in the door’s path. It was, once again, the Lion’s Den.

Just before the start of the debate, I had the chance to meet Michael for the first time. He had just flown in from Texas. On the way to California, he said, he had happened to look over the safety card in the seat pocket in front of him. At the bottom was printed the phrase “Rev. 11.3.” Obviously, this referred to the revision number of this particular document, but Michael was prompted in his spirit to receive this as a word from the Lord. He then looked up Revelation 11:3 in his Bible. It reads: “I will give power to my two witnesses.” Praise God for His limitless ability to use even the most seemingly insignificant means to speak to and guide His people.

I had been fasting leading up to the Berkeley debate and was feeling a little weak, but when Michael related this testimony to me it instantly energized me, and I

was filled with confidence and excitement.

Liberal college students are a notoriously arrogant breed, a trait that is enhanced relative to the stature of the institution then attend. This audience was about as bad as they get. They hissed and heckled my opening statement until the moderator scolded them, then continued to show their allegiance by staying virtually silent at the end of Michael's and my responses and cheering wildly after the other side spoke.

But God *did* give power to His two witnesses. Over the course of the debate the attitude in the room changed. God had given me a special way to reach liberal minds by using environmentalism to create common ground with them. Environmentalism is inherently a "natural law" philosophy. Concepts such as eco-systems, biodiversity and the interdependency of species assume the existence of a designed order that must be respected to avoid harmful consequences. God showed me how to start from this common ground and teach that humanity has its own eco-system called the natural family, and just as cutting down half the trees in the rain forest will produce bad results, removing the mother or the father from the family eco-system brings predictable harm.

I've used this simple technique numerous times in liberal settings and every time it has had a *visible* impact on members of the audience. I have seen the most hard-core leftists visibly beginning to consider this self-evident truth in the context of their own world-view.

Here at Berkeley it had once again penetrated liberal minds. By the end of the debate my side was receiving some (though still minimal) applause, but (more significantly) the applause for the other side had overwhelmingly diminished. No one came up afterward to tell me I had changed his or her mind, but I know that minds were changed. Glory to God!

The Star Above

In 2005, my family was living in Lake Elsinore, California (north of San Diego, south of Riverside). My son Samuel was part of a youth group in the nearby city of Corona. Sam's life mission is to influence American society through the entertainment media, specifically movies. He is a very talented writer and intends to write movie scripts.

One day Sam's car broke down on the freeway on his way home from a church youth group. He called me for help and I jumped in my car and went to help.

When I reached him, just north of Lake Elsinore, there was another car already there and a man was helping Sam deal with his breakdown.

I was immediately filled with gratitude to this stranger, and as I got out of my car I took out one of my business cards. I noticed immediately that the man was wearing a Christian-message t-shirt, and as we greeted each other we did so with the acknowledgment that we were brothers in Christ. "Thank you so much for stopping to help my son," I then said, handing him my card. "I'm a lawyer, and if there is anything I can ever do to help you, please call me."

"That's really interesting," he said. "I have been wanting to start a new non-profit ministry to help young people have a Christian influence on Hollywood. I'm a Hollywood stunt coordinator and I have a strong burden to minister in this field."

I just laughed. Now knowing his name (Randall Huber), I said, "Randall, meet Samuel. Samuel, meet Randall."

I created a non-profit corporation for Randall which he called *The Star Above*, and in turn he began introducing Samuel to other Christians in the film industry. They are still friends, and I believe this friendship will play a significant part in Sam's future ministry. Glory to God!

Earthquakes and Tornados

I don't know if this first anecdote is really a miracle or just a coincidence, but the first time I spoke at Temecula Community Church, just as I was being introduced, an earthquake struck the area and shook the building. It was the first earthquake I've ever felt (though living in Southern California there have been others that I never noticed). Pastor Danny Gouvion joked that this was God's endorsement and then invited me to the stage. Danny and I and our wives would later be traveling companions on our first tour of Israel, and still later I would be an associate pastor at TCC for a time.

In December of 2006, however, another "act of nature" occurred that made me more attentive to the idea of spiritual influences on physical incidents.

I had been invited to lead a Christian History Tour to Plymouth Rock in Plymouth, Massachusetts by Pastor Vadim Prividenyuk of New Generation Church in Springfield. This is a church of immigrants from the former Soviet Union whose members came here to have religious freedom and now love America deeply. (We held the tour by bus on Thanksgiving Weekend and had a really great time).

--

I grew up just a few miles from Springfield in the little town of Shelburne Falls, and spent much of my time as a teenager in nearby Greenfield. On a prior visit to area to see relatives, Anne and I had worshipped at the Living Waters Assembly of God church in Greenfield, and when Pastor David Levandusky heard we would be in the vicinity for the Thanksgiving tour he invited me to speak to the church.

God divinely directed us to Living Waters the first time. We didn't know which Bible-believing church to attend of the two dozen or so in the area. I'd called Living Waters to ask about their service times but hadn't heard anything back and was planning to go elsewhere that Sunday. Then on Sunday morning as we were leaving the motel to go to the other church, Pastor David called on my cell phone and I immediately changed my plan because I recognized a kindred spirit. I wasn't to learn how much this was true until later. It turns out that Pastor David was the only local pastor to sign a letter to the newspaper against homosexual "marriage" when it became the issue-of-the-day in the Massachusetts. He had hosted a dinner for 15 other pastors to invite them to join him, but they had all refused, suggesting as an alternative that they should simply pray together "for repentance."

So of all the churches in the area, God had brought me directly to the one led by a man of courage who was standing alone on this important issue.

On a Friday evening in December Living Waters AG hosted my program on the Christian response to the "gay" agenda. It was the very first time I had given my testimony in my home town, thirty years after I had left the area in disgrace, still in the early years of my drug and alcohol addictions, and well known to the police and my peers as the black sheep of my family. The audience included people that had known me from childhood, even a woman who had been my classmate from kindergarten through junior high school.

It was a spiritually and emotionally charged moment when I opened the program by giving my testimony of salvation and deliverance. As I began to speak I could hear a storm beginning to rise outside the church; it gained intensity as I proceeded. Then, as I reached the part about surrendering my life to Jesus, the church was hit with a blast of wind that rattled the whole building. A large section of shingles was torn off the roof and a tree was blown down across the street, knocking out the electricity in the church. In the sudden darkness I paused for a moment, but then pressed on without a microphone. A minute later the lights came back on and I completed the program, as the red and blue and yellow lights of the police and power company vehicles outside created a pattern of blinking colors on the walls of the sanctuary.

It seemed pretty obvious to me that we had suffered a demonic attack. I was

reminded of Ephesians 2:2, that Satan is “the prince of the power of the air.” And he couldn’t have been very happy that the place in which he had first (very publicly) enslaved and degraded me had become a place of witness to the miraculous saving power of Jesus Christ in my life.

The next day I learned that people who lived near the church had seen the actual funnel cloud of a small tornado, an exceedingly rare weather event in Western Massachusetts. The storm lasted only about ten minutes -- the duration of my testimony.

Interestingly, a few weeks later the home of my friend Dr. Ken Hutcherson of Seattle was also hit by a violent windstorm which knocked down trees that crushed two of his family’s cars. The two of us had just returned from a mission to Latvia to oppose the homosexual agenda there.

I am thankful that, though he may be the prince of the air and allowed from time to time to mess with our “stuff“, Satan is impotent against God’s servants. Glory to the King of Creation.

--

Chapter 16

A Return to the Mission Field

Go ye therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost: Teaching them to observe all things whatsoever I have commanded you. Matthew 28:19-20

By the Spring of 2006, as much as I had satisfaction in the pastoring aspect of my private law practice and enjoyed the financial prosperity of running a successful law partnership, I began feeling very spiritually dry and ethically conflicted. The longer I practiced, the more clients wanted to hire me because they had learned I was a Christian lawyer. I was getting overwhelmed with work and its demands, which meant spending nearly all of my time interacting with the secular (and decidedly unjust) judicial system. I would often awaken in the early morning hours with my mind engaged in drafting lists of urgent matters that needed my attention, and pouring over the details of my clients' tragedies, trying to find solutions to insoluble problems.

There was also virtually no time for other ministry, yet I was keenly aware of the culture war that continued to rage on around me -- without my participation (except through my website and newsletter).

A few years before, my feelings had been just the opposite. The ministry had become burdensome to me, and my frustration at our side's losses had become almost a depression. The Supreme Court had just released its decision in *Lawrence v. Texas* in 2003, siding with the homosexual movement against the right of states to criminalize sodomy (and setting the pro-family movement back 20 years). On behalf of the Pro-Family Law Center, Rich Ackerman and I had been the only attorneys in the nation to file an *amicus curiae* brief asking the court not to take that case -- and we were among a couple of dozen who filed briefs after they did accept the case for

EXHIBIT 24

Part 5 of 5

their review.

I was burned out, so, at Anne's suggestion, I did something I had learned about from Brother Steven Langa in Uganda -- I took a personal retreat to seek the Lord's guidance. I took a three-day and two-night hike, alone, into Yosemite National Park. There, departing from my usual approach to prayer -- lots of talking -- I just listened to hear what He would say to me. It was on the morning of the second day that He spoke to my heart and mind, very clearly and unmistakably. He said, "Your tour of duty is over." Later in the afternoon He said, "Focus on the law." It was only those two sentences, but they were clear and I had no doubt that it was His direction.

It took me a long time to actually do what He said. I didn't dare to tell my fellow activists that God had told me my tour of duty was over. How could I leave the field of battle in the middle of the war? I felt like a traitor. Yet later, while I was having a conversation with a brother Christian lawyer, Scott Kendall, he asked me "What did God mean when He told you that?" In groping for the answer to that question, I realized that God had not commanded me to leave the battle, nor had he taken away my passion for it. He had only relieved me of my *duty* to be there, giving me the freedom to participate as I saw fit. It was an enormously liberating realization. I then opened the private law practice and maintained the ministry on a part-time basis.

Fast forward to April or May of 2006. I was ready for another tour of duty and began actively praying for a new assignment. A couple of weeks later, out of the blue, I received a call from a friend and ministry supporter from Sacramento, Ed Hernandez. "How would you like to go to Latvia?," he asked. "Sure," I replied, "what's up?" Ed went on to tell me that he had given a copy of my book *The Pink Swastika* to a Pastor Alexei Ledyae, who had been visiting Sacramento from Latvia. Pastor Alexei had been getting attacked in the European media as a "Nazi" for helping to lead the campaign in Latvia against homosexual marriage. When he saw *The Pink Swastika*, he was delighted to have such a powerful counter-weapon to the attacks. He said he wanted to meet me. I was open to the idea, but frankly doubted that anything would come of it. Still, it was satisfying just to have been asked.

The very next weekend I spoke at a pro-family conference in San Diego called Shake the Nation. ATM had given a Pro-Family Charitable Trust grant to help co-sponsor the event -- mostly to help our ex-"gay" activist friend James Hartline to be able to finance it. Because of the grant, I had been invited to be a speaker. It was my first such appearance in quite a long time.

In my presentation I had happened to mention Pastor Alexei's invitation.

--

Afterward, as I manned my book table in the lobby, a young couple approached me. They were Russians. The young man introduced himself as Peter Ganchenko, a relative of Pastor Alexei, and asked me if he could arrange a meeting in Sacramento between the pastor and me. I said yes, and recognized God's hand at work yet again. True to his word, Peter set up an event in Sacramento in which both Alexei and I addressed a small group of pastors and others.

I didn't know much about Alexei before that meeting. As it turned out, on the day of our meeting we arrived simultaneously at noon at the Sacramento airport from opposite directions. We met for the first time on the sidewalk outside the baggage claim. Pastor Alexei had a large entourage, including a full professional camera crew who filmed our greeting for Latvian national television. It was clear that Alexei was not just "a pastor from Latvia," he was the leader of a substantial organization.

I must digress for a moment to relate another important fact. Just a week prior to my meeting with Alexei, I had taken steps to introduce myself to another pro-family leader named Kenneth Hutcherson, the African-American pastor of Antioch Bible Church in Seattle. I had read about Hutch in the newspaper a couple of months before. He was in the news for boldly confronting Microsoft Corporation for some new pro-homosexual policy. I was impressed with what I read and thought that this was a man who would be able to benefit from my pro-family projects, especially the PFCT. So I went to his church website, wrote down the mailing address on a slip of paper and stuck it in my pocket, intending to send him a note right away.

I carried that slip of paper in my shirt pocket for a couple of months, never quite getting around to writing to him. Then, the week before I was to meet Alexei, I was prompted to finally send off a letter. I did so, and included a copy of *The Pink Swastika* as a means of establishing my pro-family credentials. Hutch got the book in the mail, liked it, and had it sitting on his desk. The very next day he received an out-of-town visitor. It was Pastor Alexei from Latvia. He saw *The Pink Swastika* on Hutch's desk and they began their meeting talking about my book and about me.

I did not know that Alexei was going to meet Hutch, so it was astonishing to me that the first thing I would learn from Alexei at the Sacramento airport was that he had just left Hutch in Seattle and that they had discussed *The Pink Swastika*. There was now no mistaking God's direction.

Two months later I shared the stage in Riga, Latvia with Pastor Alexei, Dr. Hutch and a number of Christian activist leaders from around the world at the 2006 annual conference of New Generation Church. The more than 4,000 attendees gave enthusiastic support to our united call to social and political activism on behalf of

family values and in opposition to the homosexual agenda. After giving my presentation on this theme, I was deluged with invitations to speak -- in Russia, the Ukraine, Lithuania, Estonia, Belarus and Germany.

By the end of the year I had accepted and completed short speaking tours in Vilnius, Lithuania and Blagoveschensk, Russia.

For our stay in Russia, Anne and I flew into Vladivostok, rode the Trans-Siberian Railroad 700 miles to Blagoveschensk, and during a ten-day tour gave seventeen lectures in seven different colleges and universities and preached five sermons in two churches. We traveled with a translator, a driver, a camera crew and a team leader who handled all the arrangements. My no-holds-barred lectures on the dangers of the homosexual agenda were enthusiastically received in every one of the secular classrooms we addressed. In fact, in the most "liberal" class of all, the Comparative Religions class at Amur State University, I taught directly from *The Pink Swastika* on the topic of "homo-occultism;" the material was corroborated by the professor (a national expert on religious matters), who later invited me to submit an article on the topic to their Journal of Religion. For an activist accustomed to political correctness in the United States, it was like being in heaven. God had truly answered my prayers.

As I write this chapter I am preparing to fly to Riga later this week to launch a new division of Abiding Truth Ministries. It is a human rights organization called Defend the Family International. In Europe, even more than in the United States, the homosexual agenda is advanced under the human rights theme, usually through human rights provisions in international treaties. The Lord has prepared me to work in this arena, having directed me to "minor" in international human rights in law school and to earn my Certificate of International Human Rights in the United Nations summer program at Strasbourg, France in 1997. (I had always wondered how this training would be put to use).

In a short while, Anne and I will be packing our things into storage for an extended mission tour to Europe, Russia and the Baltics. It will begin with a co-sponsorship role in the 2007 World Congress of Families in Warsaw, Poland, speaking events in England and Lithuania, and then an extended stay in Riga. It will include a tour of churches throughout the former Soviet Union, and innumerable meetings with political leaders, lectures in schools and colleges, and media interviews. We have closed down our law partnership to return to full time ministry. We have given up our comfortable income to rely again on donations from people who support our ministry.

Our plan is to serve the Lord by working alongside the New Generation Church network and its allies to build the international pro-family movement. By the end of

2007 we expect to be back in the United States, ready to begin a tour of U.S. cities that will last into the foreseeable future. In the mean time, we will continue to serve the American pro-family movement through PFCT grants, building the resource base of defendthefamily.com, publishing new books and articles and speaking at select U.S. pro-family events as our travel budget allows.

We don't know what modifications the Lord might make to this plan, but we are confident that we will continue to see His hand at work in our lives, and are ready to serve Him in any way that He desires.

Epilogue

This book, in a slightly different form, was written as a part of my doctoral program for the School of Bible Theology Seminary and University, of the Pentecostal Assemblies of God of America. On March 13, 2007, I was awarded the degree of Doctor of Theology in a private ceremony presided over by Dr. Richard Anderson, President of PAGA. He was my personal mentor and advisor through the doctoral program. It was a great honor and privilege to work so closely with Dr. Anderson, who, now in his 80's, has devoted more than 68 years to serving Jesus in full-time ministry.

A special ceremony was held for Anne and me on March 25th at Temescal Canyon Tabernacle in Corona, California as a part of their Sunday worship service; it was part graduation ceremony and part send-off to the mission field. The gathering was all the more significant in that just a day or two before the service we received word that TCT had been approved by the IRS for tax exemption. TCT is a PAGA church which I, in my legal capacity, had ushered through the non-profit incorporation process. It had been an extremely long and difficult case, with many tax and zoning complications involving the IRS and the local city government respectively.

In the ceremony, Pastors Jim and Judy Mercer related the chronology of our relationship together and all that God had done. Among other things they noted that I had been the very first person outside the family they had informed about their desire to form the church, and remarked on how amazing it was that Anne and I are now the first missionary couple to be sent out from the church.

After the ceremony, a woman came forward with a prophetic word that my ministry would, like the prophet Daniel's, touch high-level political leaders in a significant way.

A few weeks later, on a trip to Latvia to investigate incidents of religious discrimination by pro-homosexual political leaders and media outlets in that city, I met with numerous high-level Latvian government officials, the Political Director of the U.S. Embassy, and the heads of the largest religious denominations in Latvia, including the Cardinal of the Catholic Church, the Arch-Bishops of the Lutheran and Baptist Churches, and leaders from the Orthodox, Pentecostal and Charismatic churches. We

held arrival and departure press conferences which were well (and favorably) covered by the media.

I am writing this epilogue in June of 2007 in Riga after completing the final edits of the manuscript. Already there is much more I could add to this book, but I must leave off somewhere if this is to be published. However, the Lord provided one special experience that I think provides the perfect conclusion which I will now relate.

I know only one person in Ireland. His name is Tommy Brennan (a pseudonym he uses to protect himself from anti-Christian discrimination -- the new pro-homosexual laws there prohibit speech against homosexuality on the public streets and Tommy has been threatened with arrest several times by the police). I know him because he sent me a letter after reading my book *Seven Steps to Recruit-Proof Your Child*. He wanted permission to copy excerpts from the book to pass out in Dublin, where he carries on a lonely mission to promote the pro-family position in a now post-Christian city. I gladly agreed, and sent him copies of my other books with the same offer. I told him I would like to arrange to meet with him in Dublin if he would send me his contact information. Unfortunately, I didn't get a reply before we left.

When we got to Dublin, we realized too late that we had forgotten to bring even his mailing address with us, so I assumed that the Lord intended us not to meet. We went sight-seeing instead. We also needed to do some shopping for a few travel necessities. We were unwilling to pay the high prices in the tourist area and so we got directions from a local woman to a district where the local people shop. As we were passing through that neighborhood I saw in the distance a tall man with a hand-printed sign passing out leaflets. As we got closer, I saw that the sign had a pro-family message, so we went up to introduce ourselves. Sure enough, it was Tommy Brennan, and he was passing out copies of excerpts from my books right there on the street-corner.

Could there be any doubt that this was arranged by the Lord?

We found Tommy be a delightful, twinkling-eyed, humorous man (thoroughly Irish) and a deeply sincere Christian (an Evangelical). We were able to spend about a hour with him in fellowship, and thoroughly enjoyed our time together.

The story doesn't end there, however. A few days later we were in London. We met a Christian couple at a prayer event on Saturday morning and they invited us to stay at their guest house for a couple of nights. Next morning (Sunday) I was in their kitchen talking with Nikki, the wife. Mike, the husband, had taken their daughter to church for her music team rehearsal, and Anne was still in our room

getting ready.

I told Nikki the story about Tommy Brennan. When she remarked at what an amazing story it was, I told her I had just finished writing this book filled with such stories. "I call it 'My Life In His Hands,'" I said. Her hand flew to her mouth and her eyes grew wide. "Just a moment," she said, and ran upstairs. In a flash she came back with a little hand-made book in her hands. It was a book of testimonies and other observations that she had just finished writing, titled "In His Hands."

What more need be said?

When I was a teenager, I read the autobiography of Benjamin Franklin, and was impressed that he had written it when he was around 40 years old. He went on to accomplish far more in the rest of his life than he had in those first decades, (he lived to the age of 84).

It is my prayer that this little set of autobiographical sketches is, in the same way, a mid-career and not an end-of-career project.

I am eager to see what the Lord will cause to unfold for us as Anne and I press on in this ministry, and I hope some day to write another volume of testimonials of God's grace and blessings. We don't know what to expect but we do know that it will be good, for "[A]s it is written, eye hath not seen, nor ear heard, neither have entered into the heart of man, the things which God hath prepared for them that love him." I Corinthians 2:9.

EXHIBIT 25

**This Exhibit Consists of Digital Media,
Which Will Be Filed Separately With
the Clerk**

EXHIBIT 26

Scott Lively Ministries

For such a time as this...

I May Run for MA Governor

Posted on November 14, 2012 by Pastor Scott

PRESS RELEASE

For Immediate Release, November 14, 2012

Contact: Pastor Scott Lively, 413-250-0984

sdllaw@gmail.com

Springfield Pastor Forms Committee to Explore Run For Governor

Pastor Scott Lively of Springfield today announced the formation of a committee to explore the possibility of a run for the governorship of Massachusetts. A fifth generation Bay Stater, born and raised in the Village of Shelburne Falls, Pastor Lively was for many years a Christian missionary and social activist in various parts of the world, based primarily in Oregon and California. In 2008, following a year-long speaking tour through eight countries of the former Soviet Union, he and his wife Anne moved back to Massachusetts to start a mission to the poor and disadvantaged in inner-city Springfield. They bought a home in the heart of the troubled McNight neighborhood and opened a church and ministry center called Holy Grounds Coffee House, strategically located on State Street between the Downtown and Mason Square areas, to serve the homeless and street populations of the city.

www.redemptiongate.org

Pastor Lively has successfully organized a large network of Christians from a variety of local churches who now regularly cooperate together to carry on inner-city outreach and evangelism through annual events such as the March For Jesus and Family Day and through a full schedule of daily and weekly activities based at Holy Grounds Coffee House. The mission's most visible impact on the city has been its TRUST JESUS Campaign, which encourages all the Christians of the area to unify around that simple Gospel message and display it publicly. Through these efforts many lives in inner-city Springfield have been changed for the better and a return to biblical values is being recognized by an increasing number of residents as the only real solution to Springfield's problems.

On September 30th of this year Pastor Lively turned over the day-to-day management of the mission to Pastor C.S. Cooley, senior pastor at United Temple Church of God in Christ and a highly respected leader in the community. Pastor Lively remains the pastor of the Coffee House Church, which holds services at Holy Grounds on Sunday afternoons, and will continue to serve as a member of the board of Redemption Gate Mission Society, the umbrella organization over the various ministries at the mission.

On October 1st, Pastor Lively launched a new effort called the King Josiah Project to begin challenging movements and ideologies in Massachusetts which he perceives as being most responsible for the moral and economic degeneration of Springfield and the state. These include in order of destructiveness: The abortion industry, the homosexual movement, the public education system, corrupt elements in state government, and a broken social

welfare system that breeds dependency instead of rebuilding lives. The King Josiah Project is being conducted under the auspices of Abiding Truth Ministries, a 501(c)(3) religious non-profit organization founded by Pastor Lively in 1997 to promote and defend biblical values in society. As he has done in other states and nations for more than 20 years, Pastor Lively will engage in social activism in Springfield and around the state to rally Christians and other social conservatives to oppose these social ills and to attempt to cure them through a return to biblical values.

www.defendthefamily.com

If, in the course of these efforts, his exploratory committee determines that a run for governor would complement the larger purpose of turning Massachusetts back to God, Pastor Lively will enter the race to win the governorship.

Pastor Lively (54) is fully qualified to serve as governor were he to be elected. An attorney as well as a pastor, he graduated *magna cum laude* from Trinity Law School in Santa Ana, California, and was managing partner of his own successful law firm in Southern California, with a flawless personal record before the state bar.

While running the for-profit firm he also founded the Pro-Family Law Center, a public interest law firm specializing in constitutional law, taking his most significant case, Good News Employee Association v. Hicks all the way to the Federal Ninth Circuit Court of Appeals, where he argued the First Amendment before a three judge panel held in special session at Stanford University.

Pastor Lively holds a *Certificat * in International Human Rights from the Institute of International Human Rights in Strasburg, France, and is the author of the Riga Declaration on Religious Freedom, Family Values and Human Rights (2006). <http://www.defendthefamily.com/intl/>

Pastor Lively is an internationally recognized authority on biblical values in public policy, serving as an educator, trainer and consultant to church, community and government leaders in more than 30 countries, and as a media figure in more than 700 radio and television interviews here at home. He is known as the "Father of the Ugandan Pro-Family Movement" for his work in that country, and his efforts in Russia, Eastern Europe and the Baltics have strengthened both the Christian church and social resistance to the homosexualization of those regions.

Pastor Lively holds a Doctor of Theology degree from the School of Bible Theology of the Pentecostal Assemblies of God, studying directly with PAGA founder Dr. Richard Anderson, who went home to be with the Lord October 11, 2012 after 79 years of active ministry. He was 92. In 2009, Pastor Lively's doctoral thesis was revised and published in book form under the title *Redeeming the Rainbow: A Christian Response to the "Gay" Agenda*, which may be downloaded in PDF form at <http://www.defendthefamily.com/rtr/>.

Pastor Lively is the author of four other books, including *The Pink Swastika: Homosexuality in the Nazi Party* which is in its fourth edition and has been translated into five languages. A fifth edition is in progress, a sample of which may be viewed at

<http://www.scottlively.net/tps/tps1.pdf>. He is the author of countless articles, editorials and essays, many of which are published online at defendthefamily.com and/or www.ScottLively.net.

Pastor Lively, the oldest of six children in a Roman Catholic family, achieved all of these accomplishments despite tremendous hardship and tumult in his early life: becoming homeless and on his own at the age of sixteen after his father's steadily deteriorating mental health left the family destitute; falling into alcoholism and drug addiction from the age of twelve; and finally drifting around the United States as a transient in his late teens and early twenties, sleeping under bridges and begging spare change to survive. He accepted Jesus Christ as Savior in prayer in 1986 and was instantaneously completely healed. With this background, Pastor Lively has a unique perspective, not just on social justice and the needs of the disadvantaged and mentally ill, but also the amazing transformative power of Christianity.

Asked why he is considering a run for governor, Lively replied "I am greatly dismayed at the breakdown of family and morality here in Massachusetts over the past few decades. This state desperately needs a return to God and that means the people of God must begin boldly speaking out about His power to solve our many problems. We also need to speak against the social and moral evils that have come to dominate our culture in the absence of God. I can't think of any better platform to advocate this view than as governor of the state. I don't know of anyone else willing to take the abuse for daring to say these things in the political arena, so I have formed a committee to explore the possibility of entering that race myself."

This entry was posted in [Politics](#). Bookmark the [permalink](#).

Scott Lively Ministries

Proudly powered by [WordPress](#).

EXHIBIT 27

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

-----x

SEXUAL MINORITIES UGANDA,

Plaintiff,

vs. Civil Action No.
3:12-CV-30051 (MAP)

SCOTT LIVELY, INDIVIDUALLY AND
AS PRESIDENT OF ABIDING TRUTH
MINISTRIES,

Defendant.

-----x

DATE: Tuesday, November 10, 2015

TIME: 9:40 a.m.

Videotape deposition of PEPE ONZIEMA, taken by
Defendants, pursuant to notice, held at the
offices of DORSEY & WHITNEY, LLP, 51 West 52nd
Street, New York, New York 10019, before Elizabeth
Willeski, RPR, of Capital Reporting Company, a
Notary Public in and of the State of New York.

146	<p>1 P. Onziema</p> <p>2 To date, I have never received those answers." Do</p> <p>3 you know what Victor Mukasa was referring to in</p> <p>4 that passage I just read?</p> <p>5 A Yes.</p> <p>6 Q What is your understanding of what</p> <p>7 Victor was referring to?</p> <p>8 A My understanding was that Victor</p> <p>9 received information or was being given</p> <p>10 information, in my opinion false information,</p> <p>11 about the way SMUG activities were being run, and</p> <p>12 to him it seemed like mismanagement of resources,</p> <p>13 lack of transparency and all of the things he</p> <p>14 alleges here.</p> <p>15 Q Do you know who was the source of the</p> <p>16 information you believe is false?</p> <p>17 A The source of the information, no.</p> <p>18 Q Why do you believe that Victor was</p> <p>19 receiving false information?</p> <p>20 A I can tell from this that he did not</p> <p>21 have adequate information about what he was</p> <p>22 talking about.</p> <p>23 Q So you do not agree that there was</p> <p>24 mistrust, mismanagement of resources and a lack of</p> <p>25 transparency at SMUG?</p>	148	
147	<p>1 P. Onziema</p> <p>2 A Mistrust existed, I mean, movements have</p> <p>3 those pop up now and then.</p> <p>4 Q What mistrust do you understand Victor</p> <p>5 to be talking about here?</p> <p>6 A I think there was information flow was</p> <p>7 not adequate.</p> <p>8 Q Information between who?</p> <p>9 A The advisor and the secretariat.</p> <p>10 Q The advisor?</p> <p>11 A Victor was an advisor at that time.</p> <p>12 Q Okay. That's who you were talking</p> <p>13 about. At the bottom of that page it says: "I</p> <p>14 request that you keep me out of the wrangles that</p> <p>15 you're having in the organization." Do you know</p> <p>16 what Victor was referring to there?</p> <p>17 A Which part?</p> <p>18 Q The bottom of that page, the last</p> <p>19 paragraph at the bottom.</p> <p>20 A Yes.</p> <p>21 Q Victor says: "I request you to keep me</p> <p>22 out of the wrangles that you are having." Do you</p> <p>23 know what Victor was talking about?</p> <p>24 A This was a very difficult period of time</p> <p>25 for the movement in Uganda and I would attribute</p>	<p>1 P. Onziema</p> <p>2 this statement to that.</p> <p>3 Q Why was it a difficult time for the</p> <p>4 movement?</p> <p>5 A It was a transitional period.</p> <p>6 Q Transitional for SMUG or for the...</p> <p>7 A For SMUG and the movement in general,</p> <p>8 because true to Victor's words, he was a visionary</p> <p>9 leader and the community looked up to him, and</p> <p>10 when he left, with new leadership, the movement</p> <p>11 first what I would refer to as a new leadership</p> <p>12 challenges, so it was difficult for SMUG. It was</p> <p>13 difficult for the movement in general.</p> <p>14 Q Did you get along with Victor when</p> <p>15 Victor was at SMUG?</p> <p>16 A Yes.</p> <p>17 Q You and Frank together basically</p> <p>18 replaced Victor, correct?</p> <p>19 A Yes.</p> <p>20 Q Did that create any tension between you</p> <p>21 and Victor?</p> <p>22 A No.</p> <p>23 Q Did this transition and difficult time</p> <p>24 you talked about at this point in time in 2009</p> <p>25 distract SMUG from its mission and vision and</p>	149

150	<p>1 P. Onziema</p> <p>2 of progress, Mugisha said. Pointing to the white</p> <p>3 tarpaulin under which his group assembled after</p> <p>4 Monday's hour-long march. We are no longer afraid</p> <p>5 of anything. We even have a banner." Were you</p> <p>6 present with Frank Mugisha when he said that?</p> <p>7 A No.</p> <p>8 Q Do you agree with him?</p> <p>9 A Agree with what?</p> <p>10 Q Was he speaking for SMUG when he said</p> <p>11 "we are no longer afraid of anything"?</p> <p>12 A Please ask the question again.</p> <p>13 MR. GANNAM: Can you read it back.</p> <p>14 (The question was read back by the court</p> <p>15 reporter.)</p> <p>16 A Yes.</p> <p>17 Q On the next page about six paragraphs</p> <p>18 down there is a quote attributed to you. It says:</p> <p>19 "It's been a long journey, said Pepe Julian</p> <p>20 Onziema, a gay activist who works with Mugisha.</p> <p>21 The suit against Lively is something we had been</p> <p>22 brainstorming about since he came here in March</p> <p>23 2009. We felt, how can someone come from</p> <p>24 someplace and tell our people that we homosexuals</p> <p>25 are lesser citizens. We felt really insulted."</p>
151	<p>1 P. Onziema</p> <p>2 Do you recall giving this quote to the writer?</p> <p>3 A Yes.</p> <p>4 Q And you testified earlier that it was in</p> <p>5 2010 that the conversation with Frank and David</p> <p>6 began regarding suing Scott Lively. Seeing this</p> <p>7 quote, does that refresh your recollection that it</p> <p>8 was at a different time?</p> <p>9 A Yes, it does.</p> <p>10 Q So having seen this quote now, what is</p> <p>11 your memory of when the discussions to sue Scott</p> <p>12 Lively began?</p> <p>13 A 2009.</p> <p>14 Q And when it says: "We have been</p> <p>15 brainstorming about since he came here in March</p> <p>16 2009." Who's "we"?</p> <p>17 A David, myself, Frank, and other</p> <p>18 activists.</p> <p>19 Q What other activists?</p> <p>20 A They are not affiliated with our</p> <p>21 organization.</p> <p>22 Q So who are they?</p> <p>23 A I don't remember them by name.</p> <p>24 Q I'm sorry, you don't remember...</p> <p>25 A Them by name.</p>
152	<p>1 P. Onziema</p> <p>2 Q Was Kapya Kaoma someone involved in</p> <p>3 those discussions in 2009?</p> <p>4 A Not that I recall.</p> <p>5 Q Do you know who Kapya Kaoma is?</p> <p>6 A I know.</p> <p>7 Q Are you aware that Kapya Kaoma and his</p> <p>8 organization, Political Resource Associates, has</p> <p>9 publically stated that it broke the story about</p> <p>10 Scott Lively's involvement with the 2009</p> <p>11 Anti-Homosexuality Bill in Uganda?</p> <p>12 A Please help me understand the question.</p> <p>13 Q Are you aware that Kapya Kaoma and his</p> <p>14 organization, Political Resource Associates, take</p> <p>15 credit for revealing the connection between Scott</p> <p>16 Lively and the Anti-Homosexuality Bill in 2009?</p> <p>17 A I'm not aware of that.</p> <p>18 Q Do you disagree with that statement?</p> <p>19 A That they broke the news?</p> <p>20 Q That they not only broke the news but</p> <p>21 identified a connection between Scott Lively and</p> <p>22 the 2009 Anti-Homosexuality Bill?</p> <p>23 A I don't agree.</p> <p>24 Q Why don't you agree?</p> <p>25 A Because we were already doing our own</p>
153	<p>1 P. Onziema</p> <p>2 groundwork in Uganda.</p> <p>3 Q Referring back to this quote in the</p> <p>4 article. You said: "How can someone come from</p> <p>5 someplace and tell our people that we homosexuals</p> <p>6 are lesser citizens." Is that something that</p> <p>7 Scott Lively said?</p> <p>8 A I wasn't quoting him. That was my</p> <p>9 quote.</p> <p>10 Q I know. But you said how can someone</p> <p>11 come from someplace and tell our people that we</p> <p>12 homosexuals are lesser citizens. Was that someone</p> <p>13 Scott Lively coming from someplace, the United</p> <p>14 States, and saying that?</p> <p>15 A Again, that's my quote, not Scott</p> <p>16 Lively's quote. I wasn't quoting Scott Lively.</p> <p>17 Q So who were you referring to when you</p> <p>18 said someone coming from someplace and telling our</p> <p>19 people that?</p> <p>20 A The someone in this quote was Scott</p> <p>21 Lively.</p> <p>22 Q So do you believe that Scott Lively said</p> <p>23 that homosexuals are lesser citizens?</p> <p>24 A He alluded to that, yes.</p> <p>25 Q Did you ever hear him say that?</p>

154

1 P. Onziema
 2 A No.
 3 Q Is that one of your goals in this
 4 lawsuit to keep Scott Lively from saying that
 5 homosexuals are lesser citizens?
 6 A No. It's our goal to make sure that he
 7 does not continue to influence society to hate us
 8 for being who we are.
 9 Q But in this quote would you say the suit
 10 against Lively is something we have been
 11 brainstorming about since he came here in March of
 12 2009, we felt how can someone come from someplace
 13 and tell our people that we homosexuals are lesser
 14 citizens. Aren't you saying that that was the
 15 point of the lawsuit because you felt like he was
 16 saying you were lesser citizens?
 17 A We felt that his actions in Uganda would
 18 reduce us to being non-citizens or less citizens.
 19 Q By actions, are you referring to things
 20 that he said?
 21 A His workshops with the anti-gay groups.
 22 Q Where he said things, right?
 23 A Yes.
 24 Q Are you aware of anything Scott Lively
 25 did, other than speak to people, when he was in

155

1 P. Onziema
 2 Uganda?
 3 A Provided manuals and books for them to
 4 use.
 5 Q So he provided things that he had
 6 written?
 7 A Yes.
 8 Q And he spoke to people?
 9 A Yes.
 10 Q Are there any other actions that you're
 11 talking about?
 12 A No.
 13 Q Have you ever said publicly that --
 14 strike that.
 15 Did Sexual Minorities Uganda participate
 16 in a public relations campaign in 2007 called Let
 17 Us Live In Peace?
 18 A Yes.
 19 Q And is it true that following that
 20 public relations campaign there was some backlash
 21 from both the government and citizens of Uganda
 22 towards the LGBT community?
 23 A Yes.
 24 Q Do you recall saying publicly that as a
 25 result of that backlash in 2007, David Kato wanted

156

1 P. Onziema
 2 to sue someone to hold them accountable?
 3 A Yes.
 4 Q Can you explain what David Kato said?
 5 A Well, at that time, he was talking about
 6 the people who are carrying out the backlash,
 7 which was a handful of religious leaders and other
 8 people.
 9 Q So it was not Scott Lively he was
 10 referring to in 2007?
 11 A In 2007, no.
 12 Q Did you know who Scott Lively was in
 13 2007?
 14 A Yes, I did.
 15 Q Did David Kato know who Scott Lively was
 16 in 2007?
 17 A I don't know.
 18 Q But you believe he was not talking about
 19 wanting to sue Scott Lively in 2007?
 20 A No.
 21 Q No, he did not want to or...
 22 A Repeat the question.
 23 Q I didn't ask it well. You believe that
 24 David Kato was not talking about suing Scott
 25 Lively in 2007, correct?

157

1 P. Onziema
 2 A Correct.
 3 Q And is that because David Kato was not
 4 attributing the backlash in 2007 to Scott Lively?
 5 A I think so.
 6 Q Did you attribute the backlash in 2007
 7 to Scott Lively?
 8 A No.
 9 Q But it is accurate that David Kato
 10 wanted to sue someone in 2007?
 11 A Yes.
 12 (Exhibit 5F was marked for
 13 identification.)
 14 Q I'm going to show you what I'm going to
 15 mark as Exhibit 5F. This is an e-mail dated July
 16 25th, 2012. The subject is draft for Frank. It's
 17 from kaoma8john@yahoo.com to
 18 frankmugisha@gmail.com. Do you recognize the
 19 recipient e-mail address as Frank Mugisha,
 20 executive director of SMUG?
 21 A Yes.
 22 Q Do you recognize the sender
 23 kaoma8john@yahoo.com as Kapya Kaoma?
 24 A Yes.
 25 Q This is actually at least a couple of

158

1 P. Onziema
 2 e-mails strung together. Beginning at the top
 3 says: "Frank, here is the draft for Huff Post
 4 blog. See you for breakfast tomorrow. KK." Do
 5 you understand KK to be Kapya Kaoma?
 6 A Yes.
 7 Q The e-mail below that says from Alex
 8 DiBranco to Kapya Kaoma, and subject is draft for
 9 Frank. It says: "Hi, Kapya. The attachment
 10 below is the draft for Frank to you to post in
 11 Huff Post. Please share with him." This appears
 12 to me to be an e-mail, someone writing a post for
 13 the Huffington Post for Frank to post under his
 14 name. Do you have any knowledge of this?
 15 A I don't understand the question.
 16 Q Well, do you know what this document is
 17 talking about, this person Alex DiBranco writing
 18 to Kapya Kaoma about a draft for Frank?
 19 MR. SULLIVAN: Objection to form.
 20 A I don't.
 21 Q Are you aware of any practice of Frank
 22 Mugisha to have other people write things for him
 23 that he then posts on digital media under his own
 24 name?
 25 A No, I don't.

159

1 P. Onziema
 2 Q Were you aware of this particular
 3 Huffington Post piece or at least a piece intended
 4 for Huffington Post in 2012?
 5 A Not that I recall.
 6 MR. GANNAM: Let's take a break.
 7 VIDEOGRAPHER: The time right now is
 8 3:01 p.m. and we're off the record.
 9 (A brief recess was taken.)
 10 VIDEOGRAPHER: This marks the beginning
 11 of Tape Number 4. The time is 3:16 p.m.
 12 and we are back on the record.
 13 EXAMINATION BY MR. GANNAM:
 14 Q I have a document that was previously
 15 marked as Defendant's Exhibit JJJ. This is an
 16 article from the Sunday Monitor published November
 17 10, 2011. The headline reads: Gay Activist
 18 Murderer Sentenced to 30 Years. This is an
 19 article about the person who confessed to killing
 20 David Kato. Have you ever seen this article
 21 before?
 22 A Yes.
 23 Q The article recites certain facts about
 24 the killing of Mr. Kato. And in prior
 25 depositions, Frank Mugisha, the executive director

160

1 P. Onziema
 2 of SMUG, Richard Lusimbo, the head researcher for
 3 SMUG, Kapya Kaoma, the professional researcher for
 4 Political Research Associates, Sam Ganafa, the
 5 chairman of the board for SMUG, all were shown
 6 this article and none of them had knowledge of any
 7 facts in disagreement with the facts reported in
 8 this article; those facts essentially being that
 9 an acquaintance of Mr. Kato who was staying in
 10 Mr. Kato's home killed him and confessed to it and
 11 is now in prison under a 30-year sentence. Do you
 12 have knowledge of any facts that would disagree
 13 with what's reported in this article about the
 14 killing of David Kato and who did it?
 15 A Facts to me? I just want to understand
 16 the question.
 17 Q Well, do you know what a fact is?
 18 A I do.
 19 Q Do you have knowledge of any facts
 20 regarding the circumstances of David Kato's death
 21 that would disagree with the facts reported in
 22 this article?
 23 A I disagree with the facts in this
 24 article.
 25 Q What facts do you disagree with?

161

1 P. Onziema
 2 A I'm having a hard time understanding
 3 what you mean by facts in this case.
 4 Q I will ask you some specific questions
 5 then. Do you have knowledge of any facts contrary
 6 to the fact that the person who killed David Kato
 7 is Sidney Nsubuga Enoch?
 8 A I don't know, but that's the person who
 9 was identified.
 10 Q Do you have knowledge of any facts in
 11 disagreement with the statement in the article
 12 that Mr. Enoch confessed to murdering David Kato?
 13 A It was on the news that he confessed.
 14 Q Do you have knowledge to any facts to
 15 the contrary?
 16 A I don't.
 17 Q And just so I'm clear, do you have any
 18 knowledge to the contrary that Enoch is the person
 19 who killed David Kato?
 20 A I don't.
 21 Q Do you have knowledge of any facts
 22 contrary to the reported fact that Enoch was an
 23 acquaintance of Mr. Kato?
 24 A No.
 25 Q Do you have any knowledge of any fact

162	<p>1 P. Onziema</p> <p>2 contrary to the reported fact that David Kato</p> <p>3 wanted to have sex with Mr. Enoch?</p> <p>4 A No.</p> <p>5 Q And do you have knowledge of any fact</p> <p>6 contrary to the reported fact that Enoch killed</p> <p>7 David Kato because he did not want to have sex</p> <p>8 with him?</p> <p>9 A No.</p> <p>10 Q Do you have any knowledge of any fact</p> <p>11 suggesting that David Kato was killed as a result</p> <p>12 of his LGBT advocacy in Uganda?</p> <p>13 A Please repeat the question.</p> <p>14 MR. GANNAM: Can you read it back.</p> <p>15 (The question was read back by the</p> <p>16 court.)</p> <p>17 A Yes.</p> <p>18 Q And what facts do you have knowledge of?</p> <p>19 A That he received threats through phone</p> <p>20 calls and on his way home.</p> <p>21 Q On his way home when?</p> <p>22 A From the city to Nkona (phonetic) and</p> <p>23 that he was attacked very many times when we were</p> <p>24 at court during the hearings of the Rolling Stone</p> <p>25 case that we had filed.</p>	164
163	<p>1 P. Onziema</p> <p>2 Q Are there other persons who are LGBT</p> <p>3 activists in Uganda who have received death</p> <p>4 threats?</p> <p>5 A Yes.</p> <p>6 Q Who are not dead today?</p> <p>7 A Yes.</p> <p>8 Q So do you know whether any of the</p> <p>9 persons who threatened David Kato perpetrated his</p> <p>10 murder?</p> <p>11 A Please repeat the question.</p> <p>12 (The question was read back by the court</p> <p>13 reporter.)</p> <p>14 A No, I don't.</p> <p>15 Q So would you agree that as you sit here</p> <p>16 today SMUG has no evidence that David Kato was</p> <p>17 killed as a result of his LGBT activism?</p> <p>18 A Right.</p> <p>19 Q Since that is true, is it also true that</p> <p>20 SMUG did not have any such evidence in 2012 in</p> <p>21 March when it filed the lawsuit in this case?</p> <p>22 A I beg your pardon?</p> <p>23 MR. GANNAM: Can you read it back.</p> <p>24 (The question was read back by the court</p> <p>25 reporter.)</p>	165
162	<p>1 P. Onziema</p> <p>2 A Correct.</p> <p>3 Q And isn't it also true then that when</p> <p>4 SMUG filed its Amended Complaint in this case,</p> <p>5 SMUG also did not have any such evidence?</p> <p>6 A Correct.</p> <p>7 Q I'm going to show you an exhibit that</p> <p>8 was previously marked Exhibit 4H. This is a</p> <p>9 somewhat redacted document, but the parts we can</p> <p>10 see show that it's an e-mail string, the latest of</p> <p>11 which is dated June 26, 2014. The subject is</p> <p>12 partially redacted, but in part is SMUG fundraiser</p> <p>13 in NYC June 27/28. The sender and primary</p> <p>14 recipient are redacted. The cc recipients are</p> <p>15 frankmugisha@gmail.com, onziema@gmail.com. And it</p> <p>16 references several attachments. The body of the</p> <p>17 e-mail says: Hi, redacted name. I've attached a</p> <p>18 write-up of SMUG's work, fact sheet about the</p> <p>19 fund, and a PDF of a New Yorker article profiling</p> <p>20 Frank and SMUG from December 2012. The next</p> <p>21 paragraph reads: By coincidence, Pepe Onziema</p> <p>22 SMUG's director of programs will be in New York</p> <p>23 this weekend. He is being interviewed by John</p> <p>24 Oliver. Do you remember receiving this e-mail?</p> <p>25 A No, I don't.</p>	164
163	<p>1 P. Onziema</p> <p>2 Q Onziema@gmail.com is your e-mail</p> <p>3 address, correct?</p> <p>4 A Yes.</p> <p>5 Q Is it true that on June 26 of 2014 you</p> <p>6 were preparing or even headed for New York to be</p> <p>7 on an HBO show?</p> <p>8 A Yes.</p> <p>9 Q So that much is true, correct?</p> <p>10 A Yes.</p> <p>11 Q The attachment that is here which begins</p> <p>12 on page numbered SMUG 020360 is a write-up of SMUG</p> <p>13 showing SMUG's logo at the lower left-hand corner</p> <p>14 and the logo for the</p> <p>15 right, are you familiar with that organization?</p> <p>16 A Yes, I am.</p> <p>17 Q At the very bottom, it says: "All</p> <p>18 proceeds from this event will go to SMUG via the</p> <p>19 ." It appears to be a</p> <p>20 fundraising piece for an event involving SMUG.</p> <p>21 Are you familiar with the event?</p> <p>22 A Yes.</p> <p>23 Q On this fundraising piece for SMUG about</p> <p>24 halfway down the page, a little further than that,</p> <p>25 it says: "Despite the personal risk involved,</p>	165

166	<p>1 P. Onziema</p> <p>2 SMUG's staff and volunteers have remained resolute</p> <p>3 courageous attitude even in the wake of threats</p> <p>4 and tragedy following the brutal 2011 murder of</p> <p>5 SMUG's advocacy director, David Kato. SMUG</p> <p>6 publicly declared its refusal to be intimidated,</p> <p>7 eventually filing and winning an injunction</p> <p>8 against a Ugandan tabloid that had previously</p> <p>9 published David's name and photo under the banner</p> <p>10 hang them." Now, isn't it true this paragraph is</p> <p>11 suggesting that David Kato's death was a result of</p> <p>12 his activities on behalf of SMUG?</p> <p>13 MR. SULLIVAN: Objection to form. The</p> <p>14 document speaks for itself.</p> <p>15 Q You can answer.</p> <p>16 A Maybe.</p> <p>17 Q Where it says that SMUG publicly</p> <p>18 declared its refusal to be intimidated, can you</p> <p>19 think of a reason why SMUG would be intimidated by</p> <p>20 the murder of David Kato if it didn't have</p> <p>21 anything to do with his advocacy?</p> <p>22 MR. SULLIVAN: Objection to form.</p> <p>23 A This is a colleague of mine, someone</p> <p>24 that we worked with day-to-day. Obviously these</p> <p>25 matters will scare us. It will worry us. And the</p>	168	<p>1 P. Onziema</p> <p>2 the same type of death?</p> <p>3 A I don't understand the question.</p> <p>4 Q I could understand being scared of the</p> <p>5 person who perpetrated him, but that person is</p> <p>6 doing a 30-year prison sentence, so what would</p> <p>7 there be to intimidate SMUG?</p> <p>8 A We receive threats on a day-to-day</p> <p>9 basis, some of them being death threats, some of</p> <p>10 them people actually going to the length of</p> <p>11 physically attacking you after those threats. So</p> <p>12 obviously, you know, for you to keep your head</p> <p>13 above all that goes on is to refuse to be</p> <p>14 intimidated by people like that or things like</p> <p>15 that.</p> <p>16 Q So let me ask you this, given that you</p> <p>17 said SMUG has no evidence that David Kato was</p> <p>18 killed because of his LGBT advocacy, do you think</p> <p>19 it would be wrong to suggest that he was killed</p> <p>20 due to his advocacy in order to raise funds for</p> <p>21 SMUG?</p> <p>22 MR. SULLIVAN: Objection to form.</p> <p>23 A I don't understand what you're asking</p> <p>24 me.</p> <p>25 Q What didn't you understand?</p>
167	<p>1 P. Onziema</p> <p>2 choice to move from that would still have to be</p> <p>3 ours and our choice was not to be intimidated even</p> <p>4 if, you know, he was not part of the team anymore.</p> <p>5 Q If David Kato had died in a car</p> <p>6 accident, would SMUG have been intimidated about</p> <p>7 continuing its advocacy work?</p> <p>8 MR. SULLIVAN: Objection to form.</p> <p>9 A When death removes someone from you,</p> <p>10 obviously there are ways you react to that.</p> <p>11 Q Such as?</p> <p>12 A You have given an example of an</p> <p>13 accident. Obviously the rest of us would, you</p> <p>14 know, worry about how we will die.</p> <p>15 Q So reactions to someone you know dying</p> <p>16 would be grief, sadness. That would seem natural,</p> <p>17 correct?</p> <p>18 A Yes.</p> <p>19 Q Why would you be intimidated by</p> <p>20 someone's death unless you believe that you were</p> <p>21 under the threat of experiencing the same death?</p> <p>22 A David was murdered, his brains spilled</p> <p>23 on the floor. That was brutal. That would scare</p> <p>24 anybody who is close to him.</p> <p>25 Q It would scare anyone as to experiencing</p>	169	<p>1 P. Onziema</p> <p>2 A The whole question the way that you</p> <p>3 asked it.</p> <p>4 Q You have testified that SMUG has no</p> <p>5 evidence that David Kato was killed for his LGBT</p> <p>6 activism, correct?</p> <p>7 A Correct.</p> <p>8 Q So knowing that, do you think it would</p> <p>9 be wrong for SMUG to suggest that he was killed as</p> <p>10 a result of his advocacy in order to raise money?</p> <p>11 MR. SULLIVAN: Objection to form.</p> <p>12 A It's wrong to suggest that.</p> <p>13 Q I'm going to read to you a statement.</p> <p>14 "In 2010, a tabloid newspaper, parroting</p> <p>15 characterizations of the gays and lesbians</p> <p>16 repeatedly made to Ugandan officials by Lively</p> <p>17 published an article outing Sexual Minorities</p> <p>18 Uganda's advocacy officer David Kato and others</p> <p>19 under the headline hang them. Some of the</p> <p>20 advocates featured in that article received</p> <p>21 heightened death threats and one of them, Mr.</p> <p>22 Kato, is now dead." Hearing that statement read,</p> <p>23 does that statement suggest to you that Mr. Kato</p> <p>24 was killed because of his advocacy?</p> <p>25 MR. SULLIVAN: Objection to form.</p>

170

1 P. Onziema
2 A May I ask whose statement that is?
3 Q You may ask but I'm not going to answer
4 that question.
5 A Please ask the question again.
6 Q You want me to read the statement again?
7 A Yes.
8 Q "In 2010, a tabloid newspaper parroting
9 characterizations of gays and lesbians, repeatedly
10 made to Ugandan officials by Lively published an
11 article outing Sexual Minorities Uganda advocacy
12 officer David Kato and others under the headline
13 hang them. Some of the advocates featured in that
14 article received heightened death threats and one
15 of them, Mr. Kato, is now dead." Does that
16 statement suggest to you that Mr. Kato is dead
17 because a tabloid published his picture under the
18 headline hang them?
19 MR. SULLIVAN: Objection to form. The
20 statement states what it states.
21 A Yes, it does.
22 Q "And in January 2011 the high court
23 issued a permanent injunction preventing the
24 newspaper from identifying LGBTI persons and
25 ordering the tabloid to pay damages to the

171

1 P. Onziema
2 plaintiffs, Kato, Onziema, and Nabagesera
3 continued to receive death threats. Kato was
4 killed in his home just over one year ago on
5 January 26, 2011." Does that statement suggest
6 that Kato was killed as a result of the newspaper
7 identifying LGBTI persons?
8 MR. SULLIVAN: Same objection.
9 A Yes, it suggests.
10 Q I'm going to show you an article
11 previously marked as Defendant's Exhibit C. This
12 is an article from BBC News dated Monday, October
13 27, 2003 entitled My Life As a Gay Ugandan
14 Christian. It describes a person named
15 Christopher Senteza. First of all, do you know
16 who that person is?
17 A No.
18 Q The article claims that he is a gay
19 Ugandan and that he has worked for Integrity
20 Uganda. Are you familiar with Integrity Uganda?
21 A Yes.
22 Q Towards the bottom of the page it says:
23 "A part of his work for Integrity Uganda, a
24 Christian group which offers support for gays and
25 lesbians, he recalls a visit with a friend to a

172

1 P. Onziema
2 gay teenager's mother he was trying to help. We
3 went and visited the son and his mother decided to
4 chase us from the house. She accused us of trying
5 to preach homosexuality to him, which of course we
6 were not trying to do." Now, you don't have any
7 knowledge of that particular incident he
8 described, do you?
9 A No, I don't.
10 Q Do you have any reason to doubt that
11 this article with that quote from Mr. Senteza was
12 published by BBC News in 2003?
13 A Please ask the question again.
14 Q Do you have any reason to doubt that
15 this article, including that quote from Mr.
16 Senteza, was published by the BBC News in October
17 of 2003?
18 A No.
19 Q Do you have any reason to doubt that in
20 the press, in the media, accusations of a gay
21 Ugandan trying to preach homosexuality appear in
22 print?
23 A Please repeat the question.
24 MR. GANNAM: Can you read it back.
25 (The question was read back by the court

173

1 P. Onziema
2 reporter.)
3 A No.
4 Q On the next page about a third of the
5 way down it says: "In 1999, the President
6 launched a fierce attack on homosexuality and said
7 gays should be sent to jail, referring to
8 President Museveni of Uganda." Are you aware of a
9 1999 verbal attack or other attack by President
10 Museveni to the effect that gays should be sent to
11 jail?
12 A Yes, I'm aware.
13 Q I'm going to show you an article marked
14 Exhibit D. This is an article appearing on
15 PlanetOut Network, October 4, 2004. The headline
16 is Uganda Fines Radio Station For Gay Show. It
17 says: "A radio station in Uganda was fined over
18 \$1,000 after broadcasting a talk show that
19 featured openly gay guests who said homosexuality
20 is an acceptable way of life." Are you familiar
21 with this incident in 2004?
22 A Yes, I am.
23 Q And towards the bottom it says:
24 "Homosexuality is Illegal in Uganda." Do you
25 agree in 2004 with that statement?

210

1 P. Onziema
 2 true that SMUG cannot identify any specific
 3 statements made by Scott Lively in Uganda in 2002?
 4 MR. SULLIVAN: Objection to form.
 5 A Repeat the question please.
 6 (The question was read back by the court
 7 reporter.)
 8 A No, SMUG cannot, but that doesn't mean
 9 that it didn't happen.
 10 Q Are you aware of -- do you know what
 11 evidence SMUG intends to present at the trial of
 12 this case to show what Scott Lively said in Uganda
 13 in 2002?
 14 MR. SULLIVAN: Objection to form.
 15 A Yes.
 16 Q And that --
 17 MR. GANNAM: Can you read back the
 18 question again.
 19 (The question was read back by the court
 20 reporter.)
 21 A You said 2002?
 22 Q Yes.
 23 A No.
 24 Q I'm going to refer you to the notice of
 25 deposition that I showed you when we first got

211

1 P. Onziema
 2 here today. This is the notice that you said you
 3 appeared today under. On the second page it says:
 4 "Defendant Sexual Minorities Uganda pursuant to
 5 Federal Rules of Civil Procedural 30(b)(6) will
 6 designate an individual or individuals with
 7 personal knowledge to appear and attend at the
 8 time and place specified for the purpose of
 9 testifying to the following areas of inquiry in
 10 accordance with this notice." And B in that
 11 listing says SMUG's claims in this lawsuit and
 12 evidence regarding, and it lists several subjects,
 13 and one of them is wrongful conduct by Lively,
 14 including without limitation acts or omissions
 15 undertaken by Lively in Uganda, in the United
 16 States, or elsewhere. So just for the record, you
 17 were on notice that you would be asked today to
 18 answer on behalf of SMUG about any conduct by
 19 Lively in Uganda and in the United States,
 20 correct?
 21 A Correct.
 22 Q I'm going to show you a document that I
 23 will mark as Exhibit 5G.
 24 (Exhibit 5G was marked for
 25 identification.)

212

1 P. Onziema
 2 Q Between 2002 when Scott Lively was in
 3 Uganda and 2009 when Scott Lively visited Uganda,
 4 do you have any knowledge of any actions by Scott
 5 Lively in Uganda?
 6 A I beg your pardon?
 7 Q Between Scott Lively's conference visit
 8 in 2002 in Uganda and Scott Lively's conferences
 9 in 2009 in Uganda, do you have any knowledge of
 10 any activities by Scott Lively in Uganda during
 11 the time in between?
 12 A No, I don't, but I believe from his
 13 meeting with the leaders that he met at that time
 14 that his groundwork was already laid and it took
 15 effect from that period of time towards his next
 16 visit.
 17 Q What groundwork was laid by Scott Lively
 18 in 2002?
 19 A Specific language had come to the
 20 Ugandan space, language like the gay agenda,
 21 language like recruitment of children, promotion
 22 of homosexuality, pro-family, pro-life, those were
 23 all terms that at that time were not used in the
 24 Ugandan community as a description of LGBT people.
 25 Q You just testified that you don't have

213

1 P. Onziema
 2 any evidence of what Scott Lively said in Uganda
 3 in 2002, so what specific language came into
 4 Ugandan space, to use your words, from Scott
 5 Lively?
 6 A The terms that I just mentioned.
 7 Q But what evidence do you have that Scott
 8 Lively said any of those things?
 9 A Those words were mentioned during the
 10 television show that I watched.
 11 Q Those words were mentioned by whom?
 12 A Both the host, Martin Sempa, and Scott
 13 Lively as a guest.
 14 Q Do you have knowledge of whether --
 15 strike that.
 16 What specifically did Scott Lively say
 17 on that show? A moment ago you testified you
 18 could not remember specifically what Scott Lively
 19 said.
 20 A I remember some of those words.
 21 Q So what did Scott Lively say on that
 22 show?
 23 A I can't mention what he said and how he
 24 said it, but I remember the term gay agenda being
 25 mentioned.

218	<p>1 P. Onziema</p> <p>2 Q Were copies of the report submitted to</p> <p>3 the Ugandan government?</p> <p>4 A Yes.</p> <p>5 Q Was it -- were copies distributed to</p> <p>6 people outside of SMUG and SMUG members?</p> <p>7 A Yes.</p> <p>8 Q Did you participate in preparing this</p> <p>9 report?</p> <p>10 A Yes.</p> <p>11 Q And at the time that the report was</p> <p>12 prepared, did you believe everything in it to be</p> <p>13 true and accurate?</p> <p>14 A Yes.</p> <p>15 Q And in fact it would have been important</p> <p>16 to you to make sure that this report was accurate</p> <p>17 given that you were providing it to the</p> <p>18 government, correct?</p> <p>19 A Yes.</p> <p>20 Q I want to refer you to page 6 of the</p> <p>21 report, and the paragraph is titled introduction.</p> <p>22 Now, this has a date of 2008 on it. The</p> <p>23 introduction says: "Recently, a group of Ugandans</p> <p>24 held a press conference. They announced that they</p> <p>25 were homosexual and transgender people. They</p>	220	<p>1 P. Onziema</p> <p>2 correct?</p> <p>3 A Yes.</p> <p>4 Q The second paragraph also refers to a</p> <p>5 related pole showed 95 percent of Ugandans are</p> <p>6 against homosexuals and homosexuality. And you</p> <p>7 believe that was accurate at the time that you</p> <p>8 prepared this report, correct?</p> <p>9 A Those are the statistics we could find,</p> <p>10 yes.</p> <p>11 Q The fourth paragraph, about halfway</p> <p>12 down, it says: "Past arguments and opinions in</p> <p>13 the press and elsewhere --</p> <p>14 A Sorry, which one?</p> <p>15 Q In that same introduction section, the</p> <p>16 fourth paragraph, it begins with the word no. Do</p> <p>17 you see that paragraph?</p> <p>18 A Okay.</p> <p>19 Q About halfway through that paragraph the</p> <p>20 sentence begins: "Past arguments and opinions in</p> <p>21 the press and elsewhere indicate that cultural and</p> <p>22 social ignorance in regard to sexuality in Uganda</p> <p>23 is extensive. Some of the reasons why gay</p> <p>24 Ugandans are feared include myths such as they are</p> <p>25 recruiting others into homosexuality, they are</p>
219	<p>1 P. Onziema</p> <p>2 wanted the general public to know they exist and</p> <p>3 to request that their rights as Ugandans are</p> <p>4 granted." Now, is that first paragraph they are</p> <p>5 referring to the 2007 Let Us Live In Peace</p> <p>6 campaign?</p> <p>7 A Yes.</p> <p>8 Q Was there any other press conference</p> <p>9 that would have fit that description after the</p> <p>10 2007 press conference?</p> <p>11 A This was referring to Let Us Live In</p> <p>12 Peace.</p> <p>13 Q The second paragraph says: "There has</p> <p>14 been an angry response to the event. Churches and</p> <p>15 mosques preached and rallied against it." Is that</p> <p>16 the same backlash we already discussed that Frank</p> <p>17 Mugisha described?</p> <p>18 A Yes.</p> <p>19 Q It included the Interfaith Rainbow</p> <p>20 Coalition protest and Minister Buturo's</p> <p>21 statements?</p> <p>22 A Yes.</p> <p>23 Q Okay. And based on the date of this</p> <p>24 report, it would have been before the March 2009</p> <p>25 conference that Scott Lively participated in,</p>	221	<p>1 P. Onziema</p> <p>2 spreading homosexuality among the rest of the</p> <p>3 population, they are immoral, and they cause HIV.</p> <p>4 One gets the impression that gay Ugandans are an</p> <p>5 infectious population." Now, those are statements</p> <p>6 that SMUG believed were true statements at the</p> <p>7 time that SMUG submitted this report to the</p> <p>8 government and others, correct?</p> <p>9 A Yes.</p> <p>10 Q Going back to page 3, it refers to</p> <p>11 resource materials not submitted with this report.</p> <p>12 The second resource listed is titled homosexuality</p> <p>13 Perspectives from Uganda, edited by Dr. Sylvia</p> <p>14 Tamale, a publication by Sexual Minorities Uganda.</p> <p>15 Are you familiar with that publication?</p> <p>16 A Yes, I am.</p> <p>17 Q Is that a book that SMUG published?</p> <p>18 A Yes.</p> <p>19 Q And do you have any copies of that book?</p> <p>20 A I do. Not here.</p> <p>21 Q Was a copy of that book produced or</p> <p>22 given to your lawyers to produce in this case?</p> <p>23 A I don't remember if it was collected.</p> <p>24 MR. GANNAM: Counsel, I'll just make a</p> <p>25 request that to the extent it is part of the</p>

226	<p>1 P. Onziema</p> <p>2 is ten categories. Are those all the categories</p> <p>3 of things that you would call discrimination</p> <p>4 against LGBTI persons or persecution against LGBTI</p> <p>5 persons?</p> <p>6 A No. This is not a full list.</p> <p>7 Q Okay. With the term persecution, what</p> <p>8 else would be, as you use that term -- as SMUG</p> <p>9 uses that term persecution -- what else would be</p> <p>10 included?</p> <p>11 A Refusal to associate or freely hold</p> <p>12 meetings or workshops.</p> <p>13 Q When you say refusal to associate, you</p> <p>14 mean the government interfering with the ability</p> <p>15 to associate?</p> <p>16 A Yes.</p> <p>17 Q That would include the ability to have</p> <p>18 meetings on whatever issues may be of interest to</p> <p>19 LGBTI persons?</p> <p>20 A Yes.</p> <p>21 Q Is there anything else not in these</p> <p>22 categories of documentation that you would</p> <p>23 consider persecution against LGBTI persons?</p> <p>24 A Media outings of LGBTI persons.</p> <p>25 Q And would that include media outings</p>	228	<p>1 P. Onziema</p> <p>2 A There are laws that guide the media and</p> <p>3 those are governmental laws.</p> <p>4 Q Are some media outlets in Uganda</p> <p>5 actually owned by the government?</p> <p>6 A No.</p> <p>7 Q But not all media outlets are owned by</p> <p>8 the government?</p> <p>9 A No.</p> <p>10 Q Anything else that you would consider</p> <p>11 persecution that is not listed in these categories</p> <p>12 of documentation?</p> <p>13 A Not off of my head at this point.</p> <p>14 MR. SULLIVAN: We have been going about</p> <p>15 an hour. I don't know how much longer you plan to</p> <p>16 go, but if there's going to be more than a few</p> <p>17 minutes, I think we should break pretty soon.</p> <p>18 MR. GANNAM: Okay. Let's take a quick</p> <p>19 break and then we'll finish up.</p> <p>20 VIDEOGRAPHER: The time is 6:02 p.m. and</p> <p>21 we're off the record.</p> <p>22 (A brief recess was taken.)</p> <p>23 VIDEOGRAPHER: The time right now is</p> <p>24 6:13 p.m. and we're back on the record.</p> <p>25 EXAMINATION BY MR. GANNAM:</p>
227	<p>1 P. Onziema</p> <p>2 that don't involve the government but involve only</p> <p>3 the private publications. Not a very good</p> <p>4 question. When you say media outings, are you</p> <p>5 referring to publication of names and other</p> <p>6 identifying information about LGBTI persons by</p> <p>7 newspapers and tabloids?</p> <p>8 A Yes.</p> <p>9 Q And those media outings would not</p> <p>10 involve the government, correct?</p> <p>11 A I don't quite understand the question.</p> <p>12 Q All right. When you say media outings,</p> <p>13 why don't you explain to me what you mean by that?</p> <p>14 A I mean media meaning print, radio,</p> <p>15 television outing LGBT persons through showing</p> <p>16 their pictures, their residence, parading them on</p> <p>17 television.</p> <p>18 Q Any other things?</p> <p>19 A Both by private and government owned</p> <p>20 television stations.</p> <p>21 Q Okay. Some media in Uganda is</p> <p>22 controlled by the government, correct?</p> <p>23 A Yes.</p> <p>24 Q But not all media in Uganda is</p> <p>25 controlled by the government; is that correct?</p>	229	<p>1 P. Onziema</p> <p>2 Q You identified two additional categories</p> <p>3 of persecution that are not included in the</p> <p>4 categories of documentation in Exhibit 5H, those</p> <p>5 being government interference with the right to</p> <p>6 assemble or have meetings and media outings. Does</p> <p>7 SMUG collect information on and documentation on</p> <p>8 those two categories even though they are not</p> <p>9 listed in your documentation categories?</p> <p>10 A Yes.</p> <p>11 Q Has SMUG or a SMUG member experienced</p> <p>12 government interference with a meeting or a</p> <p>13 workshop since 2012?</p> <p>14 A Yes.</p> <p>15 Q What was the -- when did that happen?</p> <p>16 A 2012, mid 2012.</p> <p>17 Q Okay. So it was twice in 2012?</p> <p>18 A Yes.</p> <p>19 Q Anything since then?</p> <p>20 A Just repeat the question.</p> <p>21 Q You said there were two instances of the</p> <p>22 government interfering with SMUG or SMUG members</p> <p>23 meetings in 2012?</p> <p>24 A Yes.</p> <p>25 Q Have there been any other instances</p>

230

1 P. Onziema
 2 since or after those two that you identified?
 3 A Yes.
 4 Q All right. When did that happen?
 5 A I don't remember exactly, maybe 2013.
 6 Q Who was present -- strike that.
 7 Was it a SMUG meeting or a SMUG members
 8 meeting or some other kind of meeting?
 9 A It's a community meeting.
 10 Q What kind of community meeting?
 11 A It's a community project that LGBT
 12 organizations participate in.
 13 Q Does the project have a name?
 14 A It is called PAL project.
 15 Q PAL, is that a SMUG internal code name
 16 or?
 17 A It's Project Planning Administration
 18 Leadership.
 19 Q And who interfered with that meeting?
 20 A The police interfered with it, Ugandan
 21 police.
 22 Q Ugandan police. Was it a particular
 23 officer or where did these police officers come
 24 from?
 25 A They came from a nearby police station.

231

1 P. Onziema
 2 Q Which station was that?
 3 A It is called Kiira Police Station.
 4 Q How do you spell that?
 5 A K-I-I-R-A.
 6 Q You said that was in 2013?
 7 A I think so.
 8 Q What did the police do?
 9 A They said they were tipped off that
 10 homosexuals were having a meeting and that they
 11 shouldn't be having the meeting.
 12 Q Do you know who the officer in charge of
 13 that station is?
 14 A I don't remember.
 15 Q Do you know who ordered the police to
 16 interrupt the meeting?
 17 A No, I don't.
 18 Q So you don't know if that order came
 19 from anyone outside of that particular police
 20 station?
 21 A No, I don't.
 22 Q Any other instances of government
 23 interference with a meeting of LGBTI persons since
 24 that one in 2013?
 25 A Not to my recollection right now.

232

1 P. Onziema
 2 Q Now, do you have any knowledge of any
 3 involvement of Scott Lively in that 2013 police
 4 interference with that meeting?
 5 A No, I don't.
 6 Q Can I refer you back to Exhibit 5G.
 7 It's the 2008 report. Now, you testified that
 8 this was shared with people within the Ugandan
 9 government and did you also share with people
 10 outside of SMUG?
 11 A Yes.
 12 Q Do you know why it is designated
 13 confidential by your attorneys in this case?
 14 A I don't recall.
 15 Q SMUG has not indicated anywhere on this
 16 document that it is to be treated as confidential;
 17 is that correct?
 18 A That is not indicated.
 19 MR. GANNAM: Counsel, is there an
 20 agreement that this can be treated as
 21 nonconfidential?
 22 MR. SULLIVAN: I would have to speak
 23 with my colleagues about the designation.
 24 MR. GANNAM: Okay. In accordance with
 25 the existing confidentiality order, we'll make our

233

1 P. Onziema
 2 objection on the record to treatment of this
 3 document as confidential.
 4 MR. SULLIVAN: Understood.
 5 Q Now, going back to this 2013 meeting
 6 interruption by the Kirra Police Station or police
 7 from that station. In the discovery process in
 8 this case, we have sort of written interrogatories
 9 on SMUG asking for written responses to various
 10 questions, and one of those questions was what
 11 events of persecution are you seeking to hold
 12 Lively responsible for in this case. And this
 13 particular event was not included in any of those
 14 answers. Is it fair to say that SMUG does not
 15 seek to hold Scott Lively responsible for this
 16 2013 event that you describe?
 17 MR. SULLIVAN: Objection to form.
 18 A That event had non SMUG members.
 19 Q So is that correct that SMUG does not
 20 seek to hold Scott Lively responsible for this
 21 event in this lawsuit?
 22 MR. SULLIVAN: Objection to form.
 23 A No.
 24 Q No, I'm not correct or no SMUG doesn't
 25 seek to hold him liable for it?

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION
3:12-CV-30051-MAP

-----x
SEXUAL MINORITIES UGANDA,

 Plaintiff,

 - against -

SCOTT LIVELY,

 Defendant.
-----x

Date: November 11, 2015
Time: 9:18 a.m.

Continued Videotaped Deposition of
PEPE JULIAN ONZIEMA, taken by the
Defendants, pursuant to Notice and
Adjournment, held at the offices of Dorsey
& Whitney, LLP, 51 West 52nd Street, New
York, New York, before Tammy O'Berg, a
Shorthand Reporter and Notary Public of
the State of New York.

1 PEPE JULIAN ONZIEMA

2 I want to refer you back to the
3 Amended Complaint which is Exhibit 4-I.
4 It's in front of you.

5 I'm going to begin on page 42,
6 numbered paragraph 165.

7 Paragraph 165 reads, On June 18,
8 2012, Ugandan police raided a
9 skills-building workshop for LGBTI rights
10 advocates from East Africa that was being
11 held at the as Esella Country Hotel
12 outside Kampala.

13 Are you familiar with this event
14 described in paragraph 165?

15 A. Yes.

16 Q. It alleges that Ugandan police
17 raided a workshop, correct?

18 A. Correct.

19 Q. Are you --

20 MR. GANNAM: Strike that.

21 Q. Do you have knowledge of any
22 assistance provided to the Ugandan police
23 by Scott Lively in connection with that
24 raid described in paragraph 165?

25 MR. SULLIVAN: Objection to

1 PEPE JULIAN ONZIEMA

2 A. I wouldn't know.

3 Q. You're saying you wouldn't know.

4 My question is a little different.

5 My question is do you know?

6 A. I don't.

7 Q. Do you have any knowledge of
8 anything Scott Lively did in the United
9 States directed to helping the Ugandan
10 police carry out the raid described in
11 paragraph 165?

12 A. No.

13 Q. Can you turn the page to
14 paragraph -- I'm sorry, page 44?

15 A. Same document?

16 Q. Same document, yes. Numbered
17 paragraph 176.

18 Paragraph 176 begins, On
19 February 14, 2012, Sexual Minorities
20 Uganda and one of its member
21 organizations, Freedom and Roam Uganda,
22 were wrapping up a two-week conference on
23 LGBT issues that drew together
24 approximately 30 participants at the
25 Imperial Resort Hotel in Entebbe.

1 PEPE JULIAN ONZIEMA

2 Are you familiar with that
3 event?

4 A. Yes, I am.

5 Q. Were you present for that event?

6 A. Yes.

7 Q. Paragraph 179 says, Around noon
8 on February 14, 2012, during a session
9 that was being facilitated by Dr. Hilda
10 Tadria, cofounder of the African Women's
11 Development Fund, the Minister of Ethics
12 and Integrity, Simon Lakodo, accompanied
13 by the police, entered the conference room
14 and declared the meeting illegal.

15 Did you witness what's described
16 in paragraph 179?

17 A. Yes, I did.

18 Q. Are you aware of any
19 communication between Scott Lively and
20 Simon Lakodo regarding the event described
21 in paragraph 179?

22 A. No, I don't.

23 Q. What about communication between
24 Scott Lively and the Ugandan police
25 regarding the event described in paragraph

1 PEPE JULIAN ONZIEMA

2 assistance provided by Scott Lively to
3 Simon Lakodo or the Ugandan police in
4 connection with the event described in
5 paragraph 179?

6 A. I don't know.

7 Q. The next page, 46, beginning in
8 paragraph 186 reads, On June 4, 2008,
9 three LGBTI rights activists were arrested
10 as they were attempting to peacefully
11 protest at the 2008 HIV/AIDS implementers
12 meeting in Kampala against the policy of
13 the Uganda AIDS Commission excluding LGBTI
14 persons from the commission's programs.

15 Are you familiar with that event
16 described in paragraph 186?

17 A. Yes.

18 Q. Were you in fact one of the
19 activists arrested?

20 A. Yes, I was.

21 Q. Were you aware of any
22 communication between Scott Lively and the
23 Ugandan police who carried out those
24 arrests in June of 2008?

25 A. No.

1 PEPE JULIAN ONZIEMA

2 around the time the lawsuit was filed.

3 MS. SHAH: So I -- Mr. Onziema's
4 testimony was that there was an e-mail
5 sometime in 2012, and we identified
6 that e-mail as Defendant's Exhibit K.

7 MR. GANNAM: Defendant's Exhibit
8 K. All right. Thank you.

9 There was a question about the
10 2008 report shared with the Ugandan
11 government and whether SMUG would
12 agree to lift the confidential
13 designation from that report.

14 MS. SHAH: We haven't addressed
15 that yet, but we can get back to you
16 after today.

17 MR. GANNAM: Okay.

18 (Discussion off the record.)

19 MR. GANNAM: All right.

20 BY MR. GANNAM:

21 Q. When we finished yesterday, we
22 were talking about the damages disclosure
23 in SMUG's Fifth Supplemental Responses to
24 Defendant Fifth Supplemental Responses to
25 Defendant Scott Lively's.

1 PEPE JULIAN ONZIEMA

2 A. No, I don't.

3 Q. Have you now told me everything
4 you know about Scott Lively's visit to
5 Uganda in 2000; that he came twice, that
6 he had contact with Langa, that they
7 discussed creating an organization? Is
8 there anything else?

9 A. As much as I remember, that's
10 it.

11 Q. And to be clear, you're still
12 answering on behalf of both yourself and
13 SMUG, correct?

14 A. Correct.

15 Q. You testified yesterday that
16 SMUG sent five representatives to observe
17 Scott Lively's presentation in Uganda in
18 2009, correct?

19 A. Correct.

20 Q. So SMUG knew about everything
21 Scott Lively said at that conference at
22 the moment he said it, correct?

23 MR. SULLIVAN: Objection to
24 form.

25 (Pause.)

1 PEPE JULIAN ONZIEMA

2 A. Yes.

3 Q. And upon hearing Scott Lively's
4 speech, SMUG believed that Scott Lively
5 was persecuting SMUG; is that correct?

6 (Pause.)

7 A. Yes.

8 Q. And upon hearing that speech,
9 SMUG believed that Scott Lively was
10 harming SMUG, correct?

11 (Pause.)

12 A. The content of what was being
13 said at that seminar was harming SMUG,
14 yes.

15 Q. One of the claims in this case
16 is --

17 MR. GANNAM: Strike that.

18 Q. Lively has not coerced or forced
19 SMUG to do anything, has he?

20 A. I beg your pardon.

21 Q. Lively hasn't forced or coerced
22 SMUG to take any particular action, has
23 he?

24 MR. SULLIVAN: Objection to
25 form.

1 PEPE JULIAN ONZIEMA

2 A. I don't understand the question.

3 Q. Do you understand what it means
4 to coerce someone to do something?

5 (Pause.)

6 Q. Or to force someone to do
7 something they don't want to do?

8 A. Yes, I understand.

9 Q. So Scott Lively hasn't coerced
10 or forced SMUG to do anything, has he?

11 MR. SULLIVAN: Objection to
12 form.

13 (Pause.)

14 A. I feel the way you're asking the
15 question does not give me the opportunity
16 to answer it accurately.

17 Q. Well, is your answer yes or no?
18 Either Scott Lively did coerce SMUG to do
19 something or he didn't.

20 (Pause.)

21 A. Please repeat the question.

22 Q. Has Scott Lively coerced SMUG to
23 do anything?

24 MR. SULLIVAN: Objection to
25 form.

1 PEPE JULIAN ONZIEMA

2 A. No.

3 Q. Are any of the things that Scott
4 Lively said or did in Uganda directed
5 towards SMUG specifically or towards the
6 LGBTI community in general?

7 MR. SULLIVAN: Objection to
8 form.

9 A. Yes.

10 Q. Yes, what? Scott Lively did
11 something directed to SMUG specifically?

12 A. That was not your question.

13 Q. Okay.

14 Did any of the things Scott
15 Lively said or did in Uganda --

16 MR. GANNAM: Strike that.

17 Q. Were any of the things Scott
18 Lively said or did in Uganda directed
19 towards SMUG specifically?

20 MR. SULLIVAN: Objection to
21 form.

22 (Pause.)

23 A. I believe so, yes.

24 Q. When Scott Lively was in Uganda
25 in 2002, SMUG did not exist, correct?

1 PEPE JULIAN ONZIEMA

2 in concert with Lively?

3 A. Langa's organization was the one
4 that hosted Lively in 2009.

5 Q. The 2009 conference?

6 A. Yes.

7 Q. In March of 2009?

8 A. Yes.

9 Q. Okay. What else?

10 (Witness perusing document.)

11 A. That they've been in touch prior
12 to the 2009 seminar.

13 Q. During what period of time were
14 they in contact with each other between
15 2002 and the 2009 seminar?

16 A. I believe it was after 2002 and
17 right before and during 2009, but I don't
18 have a specific date for you.

19 Q. Okay.

20 Apart from communications
21 between Scott Lively and Steven Langa in
22 2009 concerning the upcoming conference,
23 are you aware of any other contact between
24 Scott Lively and Steven Langa after 2002?

25 (Pause.)

1 PEPE JULIAN ONZIEMA

2 A. I would like you to repeat the
3 question.

4 MR. GANNAM: Can you read that
5 back?

6 (Record read.)

7 A. Yes.

8 Q. Okay. What other contact?

9 A. I think I just mentioned it,
10 that right before 2009 they had contact.

11 Q. So tell me about -- what
12 contacts before the 2009 conference do you
13 know about?

14 (Pause.)

15 A. That they exchanged e-mails.

16 Q. About how many e-mails?

17 A. I don't know.

18 Q. Were these e-mails you're just
19 describing close in time to the beginning
20 of the 2009 conference?

21 A. I don't have a specific timeline
22 for it.

23 Q. Were the e-mails concerning the
24 2009 conference?

25 (Pause.)

1 PEPE JULIAN ONZIEMA

2 anti-homosexuality bill?

3 A. I don't know.

4 Q. And if you don't know who wrote
5 the first draft, what do you know about
6 Scott Lively participating in drafting
7 that bill?

8 A. He said it in different pieces
9 that he assisted with that.

10 Q. What different -- different
11 pieces of what?

12 A. Media.

13 Q. Can you recall specifically any
14 media in which Scott Lively said he
15 participated?

16 A. No, I cannot specifically
17 recall.

18 Q. Do you know what Scott Lively's
19 contribution was to the anti-homosexuality
20 bill that was tabled by David Bahati?

21 A. Specific contributions? No, I
22 don't.

23 Q. Do you know whether Scott Lively
24 initiated contact with Bahati to offer
25 suggestions or content for an

1 PEPE JULIAN ONZIEMA

2 anti-homosexuality bill?

3 A. Please repeat the question.

4 Q. Do you know whether Scott Lively

5 initiated contact with Bahati to offer

6 suggestions or content for an

7 anti-homosexuality bill?

8 A. No, I don't.

9 Q. Do you know whether someone sent

10 Scott Lively a draft of the bill and asked

11 him for comments or content for the bill?

12 A. Please repeat the question.

13 MR. GANNAM: Can you read that

14 back?

15 (Record read.)

16 (Pause.)

17 A. Let me just hear the question

18 one more time, please.

19 (Record read.)

20 A. I don't know.

21 Q. Do you know whether Scott Lively

22 proposed changes to a draft of the bill?

23 A. Yes.

24 Q. What do you know about that?

25 A. I saw the draft copy with his

1 PEPE JULIAN ONZIEMA

2 comments from my attorney.

3 Q. Do you know whether the comments
4 that Scott Lively provided on a draft of
5 the bill would have made the bill harsher
6 or would have made the bill less harsh?

7 A. There's no harsher or less
8 harsher with that bill.

9 Q. Why do you say that?

10 (Pause.)

11 A. It's just my belief that the
12 bill was harsh in its entirety.

13 Q. If a draft of the bill
14 contained, for example, the death penalty
15 as punishment for an offense and Scott
16 Lively suggested taking out the death
17 penalty and replacing that with some term
18 of imprisonment, would that be making the
19 bill harsher or less harsh?

20 MR. SULLIVAN: Objection to
21 form.

22 A. It still remains harsh.

23 Q. But more or less so?

24 A. Harsh --

25 MR. SULLIVAN: Objection to

1 PEPE JULIAN ONZIEMA

2 from undertaking further actions.

3 Do you understand what
4 injunctive relief is?

5 A. I believe it's putting a stop.

6 Q. So what further actions is SMUG
7 asking this court to stop Scott Lively
8 from undertaking?

9 MR. SULLIVAN: Objection to
10 form.

11 (Witness perusing document.)

12 A. That Scott Lively put an end to
13 his activities with antigay leaders in
14 Uganda in persecuting SMUG and the LGBT
15 community in Uganda.

16 Q. But what specifically does SMUG
17 want the court to tell Scott Lively not to
18 do?

19 MR. SULLIVAN: Objection to
20 form.

21 (Pause.)

22 A. I think I just said it, that he
23 should stop contributing to the
24 persecution of LGBT people through the
25 people that he works with.

1 PEPE JULIAN ONZIEMA

2 Q. Do you want the U.S. court --
3 this court in this case to order Scott
4 Lively not to go to Uganda?

5 A. To promote persecution of LGBT
6 people? Yes.

7 Q. My question was do you want the
8 court to order Scott Lively not to go to
9 Uganda?

10 A. Not to come to Uganda to carry
11 out persecution of LGBT people.

12 Q. That's not my question.

13 My question is do you want the
14 U.S. court to order Scott Lively not to go
15 to Uganda?

16 (Pause.)

17 A. I don't think that's what we're
18 seeking to do.

19 Q. Do you want the U.S. court to
20 order Scott Lively not to sell or give
21 away his books in Uganda?

22 (Pause.)

23 MR. SULLIVAN: I'll add an
24 objection to form to that.

25 (Pause.)

1 PEPE JULIAN ONZIEMA

2 Q. Yes.

3 A. Yes.

4 Q. You made edits on that page,
5 correct?

6 A. Yes.

7 Q. The bottom paragraph on that
8 page, under the heading Challenges, reads,
9 Many LGBT continue to live in fear,
10 continue to be harassed by the public and
11 law enforcement. As a result, one of
12 Uganda's leading LGBT activists, David
13 Kato, was cold-bloodedly killed in his
14 house. In spite of the massive and local
15 and international condemnation, law
16 enforcement has not admitted that his
17 death was a hate crime.

18 Now, in 2013, did you have any
19 evidence or were you aware of any evidence
20 suggesting that David Kato's murder was a
21 hate crime?

22 (Witness perusing document.)

23 A. I remember earlier saying that
24 David faced death threats and harassment
25 and that his murder couldn't just be a

1 PEPE JULIAN ONZIEMA

2 coincidence or -- unrelated to that. I
3 mentioned that, and I'm mentioning it
4 again.

5 Q. I believe you testified
6 yesterday that David Kato had received
7 death threats. I don't remember you
8 testifying that his death couldn't be
9 unrelated to those threats.

10 Isn't it possible his death was
11 not related to death threats that he
12 received?

13 MR. SULLIVAN: Objection to
14 form.

15 A. I don't know.

16 Q. But according to this document,
17 you didn't edit this statement by
18 Mr. Lucimbo regarding the failure of law
19 enforcement to admit that Kato's death was
20 a hate crime?

21 A. No, I did not.

22 Q. And at this point in time, you
23 were not in possession of any evidence
24 that would contradict the confession of
25 Enoch to murdering David Kato?

1 PEPE JULIAN ONZIEMA

2 (Witness perusing document.)

3 A. I don't know.

4 Q. On page eight -- before we go

5 there, is everything in this Mid-Term

6 Report you submitted to this donor

7 accurate at the time it was submitted?

8 A. I believe so, yes.

9 Q. Please turn to page eight.

10 Halfway down the page it says,

11 The presence of the anti-homosexuality law

12 has not prevented Sexual Minorities

13 Uganda, SMUG, from continuing its

14 activities and claiming its space in the

15 global human rights realm with its

16 centrality on liberating LGBT persons in

17 Uganda. This is exemplified in the

18 central projects it is running currently

19 which are, and then there's a listing of

20 six projects.

21 Is everything I just read an

22 accurate statement as of the time this

23 document was submitted to this donor?

24 A. Except for number three.

25 Q. Number three on page eight?

1 PEPE JULIAN ONZIEMA

2 A. Yes.

3 Q. What's wrong with number three?

4 A. "The Voices of The Abasiyazzi"

5 project is not a SMUG project.

6 Q. But otherwise, is the statement
7 accurate?

8 A. With that exception, yes.

9 Q. So it's true that the presence
10 of the anti-homosexuality law has not
11 prevented SMUG from continuing its
12 activities, correct?

13 MR. SULLIVAN: Asked and
14 answered.

15 You can answer.

16 (Witness perusing document.)

17 A. The statement is correct.

18 However, it shouldn't be undermined to --
19 to mean that everything is rosy for Sexual
20 Minorities Uganda when carrying out
21 activities.

22 Q. But the statement is correct as
23 written in this report to your donor?

24 (Witness perusing document.)

25 A. Yes.

EXHIBIT 28

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

-----x

SEXUAL MINORITIES UGANDA,

Plaintiff,

vs.

Civil Action No.
3:12-CV-30051 (MAP)

SCOTT LIVELY, INDIVIDUALLY AND
AS PRESIDENT OF ABIDING TRUTH
MINISTRIES,

Defendant.

-----x

DATE: Monday, June 22, 2015

TIME: 10:03 a.m.

Videotape deposition of FRANK MUGISHA, taken by
Defendants, pursuant to notice, held at the
offices of DORSEY & WHITNEY, LLP, 51 West 52nd
Street, New York, New York 10019, before Elizabeth
Willeski, RPR, of Capital Reporting Company, a
Notary Public in and of the State of New York.

38

1 F. Mugisha

40

1 F. Mugisha
 2 A It was mostly about safe sex and then
 3 challenges of coming out.
 4 Q What kinds of challenges?
 5 A People just say what different
 6 challenges, telling their friends, telling their
 7 family about their sexual orientation.
 8 Q Did anyone attending these meetings
 9 claim that they were persecuted?
 10 MR. SULLIVAN: Objection to form.
 11 A Not that I remember.
 12 Q Did anyone, during the course of these
 13 meetings, ever complain that either they were
 14 harassed because they identified as gay or lesbian
 15 or transgender or any LGBT category?
 16 A No. It was mostly about fear of the
 17 outcome.
 18 Q What kinds of fears were discussed at
 19 the meetings?
 20 A It was mostly about rejection.
 21 Q Give me an example of the kind of
 22 rejection a person would be fearful of?
 23 A Losing their friends and friends not
 24 talking to them after they come out.
 25 Q After the person identifies as an LGBT

39

1 F. Mugisha
 2

7 MR. SULLIVAN: Yeah. I'm going to
 8 instruct him not to answer questions about that.
 9 Q We're still in 2005, you're at Ice
 10 Breakers. You're working full time for Ice
 11 Breakers. Apart from having regular meetings and
 12 sending out regular e-mail messages, what else did
 13 Ice Breakers do?
 14 A That is most of it.
 15 Q But was that all of it?
 16 A Yes.
 17 Q Did Ice Breakers engage in any kind of
 18 public advocacy?
 19 A No.
 20 Q Did Ice Breakers or anyone representing
 21 Ice Breakers meet with members of the government
 22 of Uganda?
 23 A I don't remember.
 24 Q During the regular meetings, the weekly
 25 meetings, what kinds of things would be discussed?

41

1 F. Mugisha
 2 person?
 3 A Yes.
 4 Q Was this a common fear among people who
 5 came to the meetings?
 6 MR. SULLIVAN: Objection to form.
 7 A No, it wasn't.
 8 Q It was not common?
 9 A Some people were -- people came with
 10 different fears. Some people just wanted to come
 11 and listen to what others were saying. You'd have
 12 maybe two or three people worried that if they
 13 come out they might be rejected by their family
 14 members, and then some people didn't know. So I
 15 wouldn't say it was the most common. The biggest
 16 issue for us for the meetings was to have a space
 17 where we are in the same company of people who
 18 identify the same.
 19 Q And forgive me if I've asked this, I'm
 20 just trying to understand, what would be the
 21 reason why people would feel a need for a specific
 22 group, like Ice Breakers, to come together and
 23 discuss whatever you discussed at these meetings?
 24 MR. SULLIVAN: Objection to form.
 25 A Like I mentioned earlier, it was not

50

1 F. Mugisha
 2 should join.
 3 Q How was what SMUG was doing different
 4 from what you were doing with Ice Breakers?
 5 A Our work at Ice Breakers wasn't so much
 6 about public advocacy. We were not going out and
 7 sustain people about LGBT rights. We were just
 8 mainly focusing on the LGBT community. And then
 9 Ice Breakers, by then, was mostly gay men and SMUG
 10 was a broader picture.
 11 Q And what kinds of advocacy was SMUG
 12 involved in when you joined the board in 2006?
 13 A Like, you know, talking to people about
 14 LGBT rights.
 15 Q When you say talking to people, give me
 16 an example of how they would do that.
 17 A They would go in the media and explain
 18 that gay people are normal -- LGBT are normal
 19 people. They are not here to harm anyone. We
 20 just want to live like anyone else.
 21 Q So there were media appearances by
 22 representatives of SMUG at that time?
 23 A Yes.
 24 Q What else did SMUG do?
 25 A It was mostly about that, talking in the

51

1 F. Mugisha
 2 media, radio, newspapers. Yeah.
 3 Q Any meetings with people involved with
 4 government?
 5 A I don't recall any at that moment.
 6 Q And at the time that you joined SMUG in
 7 2006, was SMUG ever prevented from doing any of
 8 the advocacy that it wanted to do?
 9 MR. SULLIVAN: Objection to form.
 10 A No.
 11 Q And I'll just be more specific. Was
 12 there anyone in government or anyone outside of
 13 SMUG who ever tried to stop SMUG from what it was
 14 doing during the time that you were on the board?
 15 A No.
 16 Q Again, focusing on the time period while
 17 you were on the board before you became an
 18 employee, did SMUG as an organization experience
 19 anything that you would call persecution or
 20 harassment?
 21 A No, none. None.
 22 Q At the time that you joined the board in
 23 2006, was SMUG advocating against -- or not
 24 against, but did any of SMUG's advocacy involve
 25 the issue of persecution of LGBT persons?

52

1 F. Mugisha
 2 A Yes.
 3 Q Okay. Tell me what kind of advocacy
 4 SMUG engaged in on that issue.
 5 A Like I mentioned, talking to people,
 6 LGBT people want to live like anyone else and they
 7 don't want to do any harm to anyone.
 8 Q So that sounds like education about LGBT
 9 persons?
 10 A Yes.
 11 Q Was there any kind of what you would
 12 call persecution going on that SMUG was trying to
 13 advocate against?
 14 A No.
 15 Q So why did you become an employee of
 16 SMUG?
 17 A I didn't understand the question or I
 18 didn't hear it properly.
 19 Q You testified earlier you became an
 20 employee in 2007?
 21 A Yes.
 22 Q Okay. What led to you becoming an
 23 employee? Why did you decide to become an
 24 employee?
 25 A The chairperson, Victor Mukasa, was

53

1 F. Mugisha
 2 leaving. He got a job and they selected me. The
 3 vote selected me to replace Victor.
 4 Q And what was that position that you
 5 stepped into?
 6 A Co-chairperson.
 7 Q And that was in 2007?
 8 A Yes.
 9 Q Do you remember what month?
 10 A I don't have a vivid recollection, but
 11 it might be between August, October, and September
 12 on that.
 13 Q Who was -- well, strike that.
 14 You said co-chair. Does that mean there
 15 was another chairperson?
 16 A Yes.
 17 Q Who was the other chairperson?
 18 A Pepe Julian. P-E-P-E, J-U-L-I-A-N,
 19 O-N-Z-I-E-M-A.
 20 Q What were your duties as co-chair of
 21 SMUG as an employee?
 22 A The same duties as Victor was doing, to
 23 tell them that we are not here to harm anyone, not
 24 in Uganda to harm anyone.
 25 Q Were there other employees of SMUG at

66

1 F. Mugisha
 2 exist in 2007?
 3 A No.
 4 Q When was that position created?
 5 A 2008.
 6 Q And did you become the executive
 7 director in 2008?
 8 A Yes.
 9 Q All right. What was the change that
 10 occurred in 2010?
 11 A Because we had this structure, so we
 12 started to -- we said we wanted to put it on
 13 paper, like have a structure, an organizational
 14 structure. We're doing organization involvements,
 15 making sure that the structure is clear, we know
 16 the office, we know the duties of each person.
 17 Q So just going back to the budget
 18 question. In 2010, when you say you had no real
 19 budget, did SMUG receive any money in 2010?
 20 A Yes.
 21 Q Do you remember how much?
 22 A About
 23 Q What about in 2011, how much did SMUG
 24 receive?
 25 A Like I said, I don't do the finances,

67

1 F. Mugisha
 2 but I can estimate about
 3 Q You said in 2012. What about in
 4 2013?
 5 A Again, I'm estimating about
 6 Q And what was the 2013 budget?
 7 A I don't remember.
 8 Q And what about in 2014, total receipts?
 9 A About
 10 Q You said about ?
 11 A
 12 Q . Okay. And the budget in
 13 2014? You don't remember?
 14 A I don't remember.
 15 Q What happened between 2012 and 2013 that
 16 SMUG's revenues increased by over ?
 17 A We did a lot of fundraising.
 18 Q What did you do differently from what
 19 you did in 2012 when you received ?
 20 A 2011, we had, like, a lot of security
 21 cases and security problems and then we attracted
 22 more donors to fund security support.
 23 Q What kinds of things would you do to
 24 attract more donors?
 25 A It's not what we did. It's what was in

68

1 F. Mugisha
 2 the media.
 3 Q Give me an example of what you're
 4 talking about.
 5 A There were media reports of how there is
 6 too much violence towards LGBT persons in Uganda
 7 and that there were overwhelming cases to work on
 8 and so the donors peaked interest to give us money
 9 for those cases.
 10 Q So are you saying that SMUG did not do
 11 anything different to raise money between 2012 and
 12 2013?
 13 A We did.
 14 Q What kinds of different things did you
 15 do to raise money -- strike that.
 16 What did you do to raise money during
 17 that time period that the receipts increased from
 18 to ?
 19 A We had a better structure. As I
 20 mentioned, we had better structures. And then I
 21 was also traveling. People knew about the
 22 organization more than before. And then also,
 23 people referenced donors who were able to fund our
 24 work for us.
 25 Q What kind of traveling did you do?

69

1 F. Mugisha
 2 A What does that mean?
 3 Q You said you traveled in order to raise
 4 funds. Where did you go?
 5 A I said I was traveling, and part of the
 6 traveling I would meet people who would ask me do
 7 you have funding, and part of the traveling would
 8 also raise funding.
 9 Q Where did you travel to?
 10 A Different places around the world.
 11 Q Give me some examples. Did you go to
 12 the United States?
 13 A The United States. United Kingdom.
 14 Europe.
 15 Q What is your current salary with SMUG?
 16 A I'm still receiving allowances.
 17 Q Allowances and a stipend?
 18 A Yes.
 19 Q What is the stipend?
 20 A About .
 21 Q Per month?
 22 A Yes.
 23 Q And how much are the allowances?
 24 A Oh, everything added together.
 25 Q Is a month?

82

1 F. Mugisha
 2 A The general assembly is the membership
 3 of SMUG.
 4 Q So does every SMUG member also have
 5 membership on the general assembly?
 6 A I don't understand the question.
 7 Q Is every member of SMUG also a member of
 8 the general assembly?
 9 A The member organizations.
 10 Q All the member organizations?
 11 A Are you asking about the member
 12 organizations or the individual members?
 13 Q I'm asking who are the members of the
 14 general assembly?
 15 A The member organizations of SMUG.
 16 Q Okay. All of them?
 17 A Yes.
 18 Q And the general assembly appoints the
 19 board; is that correct?
 20 A Elects the board.
 21 Q Elects the board.
 22 A Yes.
 23 Q Okay. And then how does the board
 24 interact with the executive director or other paid
 25 staff of SMUG?

83

1 F. Mugisha
 2 A They interact with me and they make sure
 3 we follow the guidelines of the objectives of the
 4 organization from the constitution.
 5 Q Does the board set those objectives and
 6 guidelines for the organization?
 7 A No.
 8 Q Who sets the objectives and goals?
 9 A The general assembly.
 10 Q So the general assembly elects the
 11 board, the general assembly decides the goals and
 12 objectives of the organization.
 13 A Yes.
 14 Q What does the board do?
 15 A Make sure we follow them. They check.
 16 I present reports and make sure everything is in
 17 line with the objectives of the constitution of
 18 the organization.
 19 Q So would it be fair to say the board
 20 supervises SMUG, you and the other staff?
 21 A I supervise SMUG. So I'm the only
 22 person who reports to the board.
 23 Q So you supervise all of SMUG's
 24 operations?
 25 A Yes.

84

1 F. Mugisha
 2 Q You report to the board?
 3 A Yes.
 4 Q Okay. When the decision was made to
 5 file this lawsuit against Scott Lively, who made
 6 that decision?
 7 A SMUG made the decision.
 8 Q When you say SMUG, was it the general
 9 assembly? Was it the board or someone else?
 10 A The secretariat.
 11 Q Who is that?
 12 A That is myself and the staff of SMUG.
 13 Q And you call that the secretariat?
 14 A Yes.
 15 Q Does that include all of the staff?
 16 A Yes.
 17 Q Even the gardener?
 18 A By the time we made the decision to
 19 bring the lawsuit, we hadn't employed a gardener,
 20 but at the moment, they are part of the
 21 secretariat. They are support staff.
 22 Q So all staff members of SMUG are a
 23 member of this secretariat?
 24 A Our secretariat ends with
 25 administration. So the administrator has all the

85

1 F. Mugisha
 2 support stuff under her. They don't attend our
 3 meetings, the gardener, the guard.
 4 Q Did SMUG have to get approval from the
 5 board to file the lawsuit against Scott Lively?
 6 A I don't think so.
 7 Q Did the idea to sue Scott Lively come
 8 from the board or did it come from the
 9 secretariat?
 10 A The secretariat.
 11 Q Who specifically on the secretariat?
 12 A I don't remember.
 13 Q Were you involved in that decision?
 14 A Yes, I was.
 15 Q When did you first discuss the idea of
 16 bringing a lawsuit against Scott Lively?
 17 A 2009.
 18 Q And who did you have that discussion
 19 with?
 20 A I think it was some of my friends who
 21 attended the conference conducted by Mr. Lively in
 22 Uganda.
 23 Q You're talking about the 2009
 24 conference?
 25 A Yes.

122

1 F. Mugisha
 2 A Yes.
 3 Q You know that he did?
 4 A Yes.
 5 Q Is there anyone else at SMUG who may
 6 know details about these arrests?
 7 A No. The two people.
 8 Q What you know about these 7 to 10
 9 arrests, is that based on personal knowledge of
 10 facts that you investigated or based on what other
 11 people have told you?
 12 A I don't do any investigations. It's
 13 based on what issues going on that they follow
 14 from our legal team that works on this, you know,
 15 from activities that SMUG is involved in, from the
 16 media, from e-mail updates that I receive from my
 17 colleagues through their legal work, and then also
 18 from the documentation that were produced.
 19 Q So would it be fair to say that any
 20 knowledge you have of these 7 to 10 arrests is
 21 based on things that other people have either said
 22 or written to you about them?
 23 A Yes.
 24 Q What was Scott Lively's involvement with
 25 the passage of the new AHA in December of 2013,

123

1 F. Mugisha
 2 the passage by parliament?
 3 A Can you ask me the question again.
 4 Q Do you know of any involvement by Scott
 5 Lively in the passage of the AHA in December 2013
 6 by the Ugandan parliament?
 7 A Apart from supporting the initial
 8 stages, I don't know if he was involved in the
 9 passing of it by parliament.
 10 Q So apart from what we have already
 11 talked about regarding the 2009 AHB, you don't
 12 know of anything else that Scott Lively did in
 13 connection with the 2013 AHA?
 14 A No.
 15 Q And then after the passage of the AHA by
 16 the parliament, are you aware of any involvement
 17 Scott Lively had with the President signing the
 18 bill into law?
 19 A I don't know.
 20 Q Do you know of anyone who does have
 21 knowledge of involvement by Scott Lively?
 22 A No.
 23 Q Have you seen any documents referring to
 24 involvement by Scott Lively in the 2013 passage of
 25 the AHA?

124

1 F. Mugisha
 2 A I don't remember. I don't remember so
 3 well if I've seen e-mails with him and maybe David
 4 Bahati or the Ugandan Christians talking about the
 5 passing of the law.
 6 Q So you're saying you don't remember if
 7 you've seen e-mails?
 8 A I don't remember, but I could have seen
 9 in the e-mails or something where they saying --
 10 talking about the law and everything.
 11 Q Would these e-mails, if you had seen
 12 them, be among the e-mails you have produced in
 13 this case from your Gmail account?
 14 A That Scott Lively produced, not me.
 15 Q E-mails that Scott Lively produced?
 16 A Yes.
 17 Q Okay. Are you aware of any e-mails that
 18 might be in your e-mails that you produced in this
 19 case that might refer to Scott Lively's
 20 involvement in the 2013 AHA?
 21 A No.
 22 Q And you're just not sure if you've seen
 23 anything in the e-mails that Scott Lively
 24 produced?
 25 A To some extent, I'm sure I read

125

1 F. Mugisha
 2 somewhere where he's talking about it, but I don't
 3 remember in what context.
 4 Q So you're sure you've read somewhere
 5 Scott Lively talking about the 2013 AHA?
 6 A Yes.
 7 Q But you don't remember where you read
 8 that?
 9 A Yes.
 10 Q Do you remember what it said?
 11 A No, not vividly.
 12 Q Did it say, I wrote the 2013 AHA?
 13 A Probably a celebration, I'm happy it has
 14 passed.
 15 Q You're saying probably.
 16 A I don't remember. Oh, asking how far or
 17 what's happening, but I remember those e-mails
 18 where he was talking about it.
 19 Q So you remember --
 20 A I don't want to strain my memory, but
 21 maybe asking what version of the AHB did pass. I
 22 read lots of e-mails, I don't remember, but there
 23 was communication on AHA and AHB from him.
 24 Q So we're talking specifically about
 25 communication involving Scott Lively and the AHA?

130

1 F. Mugisha
 2 decision that you ultimately obtained in this
 3 lawsuit?
 4 A No. I don't think so.
 5 Q Did Scott Lively get involved in this
 6 lawsuit in any way?
 7 A I don't know.
 8 Q Are you aware of anything Scott Lively
 9 said or did to try to defend the AHA?
 10 A I don't remember.
 11 Q Are you familiar with the Refugee Law
 12 Project?
 13 A Yes, I am.
 14 Q What is the Refugee Law Project?
 15 A It's an organization in Uganda.
 16 Q Can you tell me more about it? What
 17 does it do?
 18 A I don't know their detailed work, but I
 19 know that they were a host of a coalition that I
 20 was involved with. And I know that it's a
 21 department of Makerere University.
 22 Q Are you familiar with an investigation
 23 of the Refugee Law Project following the passage
 24 of the AHA?
 25 A Yes.

131

1 F. Mugisha
 2 Q What do you know about that?
 3 A From our meetings that we held with the
 4 coalition that they were hosting, there are
 5 constant updates from --
 6 Q Can I stop you right there. When you
 7 say a meeting that "we" had with the coalition,
 8 let's start with, who is "we" that is meeting?
 9 A The Refugee Project was hosting a
 10 coalition of civil society organizations that was
 11 aimed at challenging the AHB, and so we had hours
 12 on the steering committee of that coalition. So
 13 we met constantly.
 14 Q Now, this was a coalition you said to
 15 challenge the 2009 AHB or the 2013 AHA?
 16 A Both.
 17 Q Both. So going back to -- I'm sorry
 18 that I interrupted you earlier. You said that,
 19 when I asked what do you know about this
 20 investigation, you started by saying you had a
 21 meeting with the coalition. And then what
 22 happened next?
 23 A In one of the meetings of the coalition,
 24 we were updated from the executive director of the
 25 Refugee Law Project how there is an investigation

132

1 F. Mugisha
 2 into the Refugee Law Project.
 3 Q What was the result of that
 4 investigation?
 5 A I don't know.
 6 Q Are you aware of any government imposed
 7 suspension of the Refugee Law Project as a result
 8 of that investigation?
 9 A Again, from the updates, we saw
 10 documents, that I didn't read, and also the
 11 executive director informed us that the activities
 12 in the refugee camps had been suspended until
 13 further notice.
 14 Q And this suspension was imposed by the
 15 Ugandan government; is that correct?
 16 A Yes.
 17 Q Do you know whether Scott Lively had
 18 anything to do with the investigation or
 19 suspension of the Refugee Law Project by the
 20 Ugandan government?
 21 A I don't know.
 22 Q Do you believe that he had any
 23 involvement?
 24 A Yes.
 25 Q Why do you believe he had involvement?

133

1 F. Mugisha
 2 A Because, again, his actions in working
 3 with Ugandans were mostly around promotion of
 4 homosexuality. And in the Refugee Law Project was
 5 again say they are promoting homosexual activities
 6 in refugee camps. And that's part of the reason.
 7 Q What activities of Scott Lively do you
 8 believe contributed to this investigation of the
 9 Refugee Law Project?
 10 A His advice and work with the Ugandan
 11 politicians and religious persons.
 12 Q Describe this work. When did this work
 13 occur with the Ugandan government?
 14 A I don't know exact dates of time.
 15 Q Was it at the time of the 2009
 16 conference that Scott Lively attended?
 17 A From communications now that I've seen
 18 from some of the documents, it goes back before
 19 2009.
 20 Q Goes back before 2009.
 21 A Yeah.
 22 Q Who was Scott Lively communicating with
 23 before 2009 that is related to the investigation
 24 of the Refugee Law Project?
 25 A 2009, no, none that I'm aware of.

138

1 F. Mugisha
 2 A From the news, yes.
 3 Q Do you have any personal knowledge of
 4 that raid? In other words, did you witness it?
 5 A No.
 6 Q Apart from what you have heard in the
 7 news, do you have any knowledge of what happened?
 8 A Yes.
 9 Q Okay. What knowledge do you have apart
 10 from what you heard in the news?
 11 A I asked people who used to go to Walter
 12 Reed to provide me with more information about the
 13 raid and the details, and they did.
 14 Q People who were there when the raid
 15 occurred?
 16 A No, people who go there for support.
 17 Q So you spoke to people who were patrons
 18 of the Walter Reed Clinic, but who weren't
 19 actually there when the raid occurred?
 20 A Yes.
 21 Q Okay. Do you have any personal
 22 knowledge of involvement by Scott Lively in the
 23 2014 raid of the Walter Reed Clinic?
 24 A No, I don't.
 25 Q Do you know if anyone at SMUG has any

139

1 F. Mugisha
 2 personal knowledge of Scott Lively's involvement
 3 at the 2014 raid of the Walter Reed Clinic?
 4 A No, I don't.
 5 Q Are you aware of any documents that show
 6 Scott Lively had involvement in the 2014 raid of
 7 the Walter Reed Clinic?
 8 A I'm not sure. Like I said, I could have
 9 read in an e-mail communication talking about it
 10 and I don't remember.
 11 Q As you sit here today, do you remember
 12 any document that refers to Scott Lively and the
 13 raid at the Walter Reed Clinic?
 14 A No, I don't.
 15 Q And I think I already asked you about,
 16 does anyone at SMUG that you know of have a
 17 document or has ever talked about a document
 18 referring to Scott Lively's involvement with the
 19 2014 raid of the Walter Reed Clinic?
 20 A No.
 21 MR. GANNAM: Why don't we take a quick
 22 break.
 23 MR. SULLIVAN: Okay.
 24 VIDEOGRAPHER: Off 2:51.
 25 (A brief recess was taken.)

140

1 F. Mugisha
 2 VIDEOGRAPHER: Back on 3:04.
 3 EXAMINATION BY MR. GANNAM:
 4 Q Mr. Mugisha, the Amended Complaint
 5 refers to a visit by Scott Lively in 2002 in
 6 Uganda, a conference organized by Stephen Langa
 7 about pornography and homosexuality. Are you
 8 generally aware of this allegation in the
 9 Complaint?
 10 A Yes.
 11 Q What do you know about the 2002
 12 conference that's referred to in the Complaint?
 13 A Nothing much.
 14 Q Were you present at the conference?
 15 A No.
 16 Q Do you know what Scott Lively said at
 17 the conference?
 18 A I don't remember. I don't know.
 19 Q Do you know anyone who went to the
 20 conference in 2002?
 21 A No.
 22 Q Do you know anyone at SMUG who has
 23 knowledge of what Scott Lively said at that
 24 conference?
 25 A I don't know anyone.

141

1 F. Mugisha
 2 Q Are you aware of any documents that
 3 refer to what Scott Lively said at the 2002
 4 conference?
 5 A I'm not very sure, but there could be
 6 documents in the Complaint.
 7 Q But do you as you sit here have any
 8 knowledge of any documents that refer to what
 9 Scott Lively said at the 2002 conference?
 10 A No, I don't.
 11 Q Do you know one of the purposes is for
 12 us to understand what you know so we understand
 13 what you might say at trial. So are you going to
 14 remember something at trial that you don't
 15 remember here today?
 16 MR. SULLIVAN: That would be a nice --
 17 if we all had that gift, that would be a nice one
 18 to have. Are you really asking if he's going to
 19 remember something then that he doesn't remember
 20 now?
 21 Q My question is, I'm not only just asking
 22 you what you remember, but where would you go to
 23 look to find out if there are documents that refer
 24 to what Scott Lively may have said at the 2002
 25 conference?

142

1 F. Mugisha
 2 A I don't know. Ask the people who hosted
 3 him and you would find out.
 4 Q I'm sorry, ask who?
 5 A You say where would I go to look for
 6 documents. Maybe I would ask the people who
 7 hosted him then.
 8 Q Okay. Have you looked for any documents
 9 yourself related to the 2002 conference?
 10 A No.
 11 Q And do you know whether anyone at SMUG
 12 has done that?
 13 A I don't know. We have a consultant who
 14 was helping us with the case in Uganda. Probably
 15 she could have looked, but I don't know.
 16 Q Who is that consultant?
 17 A .
 18 Q What's her last name?
 19 A
 20 Q What is position? You
 21 called her a consultant. How does she fit into
 22 SMUG?
 23 A To find for us information that we may
 24 need for the case.
 25 Q Did SMUG hire her? Did SMUG pay her to

143

1 F. Mugisha
 2 find information?
 3 A The Center For Constitutional Rights.
 4 Q Is she an employee of the Center For
 5 Constitutional Rights?
 6 A She's a consultant.
 7 Q And when did the Center For
 8 Constitutional Rights engage her to assist with
 9 this case?
 10 A Sometime last year.
 11 Q Is in Uganda or in the United
 12 States?
 13 A Uganda.
 14 Q Does she live in Uganda?
 15 A Yes.
 16 Q Do you know how much she's being paid to
 17 consult for you?
 18 A I don't know.
 19 Q What do you know of her specific
 20 assignment or assignments in connection with this
 21 case?
 22 A To look for information, like if you
 23 want to get that document from court, if you want
 24 to get a document from one of our partners.
 25 Q Are you aware of what she's found so

144

1 F. Mugisha
 2 far?
 3 A No.
 4 Q Are you aware of whether there is a
 5 report that she prepared?
 6 A No.
 7 Q Do you know whether she is going to
 8 prepare a report or she promised anyone a report
 9 of what she's found?
 10 A I'm not aware.
 11 Q So apart from , you aren't
 12 aware of where you might find documents that would
 13 show what Scott Lively said at the 2002
 14 conference?
 15 A I don't know. I wouldn't think of
 16 another person who would be able to find for us
 17 documents. Maybe our lawyers. The Center For
 18 Constitutional Rights, maybe they have the
 19 documents.
 20 Q Do you know of any documents that
 21 has located which have been produced in
 22 this case?
 23 A I don't know. Probably related to the
 24 cases with the AHA was in place, court documents
 25 related to the time when the AHA was in place.

145

1 F. Mugisha
 2 Q Do you know whether has any
 3 documents that have not been produced, any
 4 documents relating to this case which have not
 5 been produced?
 6 A I don't know.
 7 Q The Complaint says, the Amended
 8 Complaint says that: "Defendant Lively entered
 9 into an unlawful agreement with others to
 10 intentionally and severely deprive persons of
 11 fundamental rights on the basis of their sexual
 12 orientation and gender identity." Now the
 13 Complaint doesn't say a date, but are you aware of
 14 an unlawful agreement that Lively entered into
 15 with other people to deprive people of rights
 16 based on sexual orientation or gender identity?
 17 MR. SULLIVAN: Objection to the extent
 18 it calls for a legal conclusion, but you can
 19 answer.
 20 A No, I am not.
 21 Q Is there anyone at SMUG who has
 22 knowledge of what's described in the Amended
 23 Complaint as an unlawful agreement between Scott
 24 Lively and others to deprive persons of their
 25 fundamental rights on the basis of their sexual

146

1 F. Mugisha
 2 orientation and gender identity?
 3 MR. SULLIVAN: Same objection.
 4 A No.
 5 Q Was that a no?
 6 A No.
 7 Q The Amended Complaint says that after
 8 the 2002 conference that Lively attended, it says:
 9 "In furtherance of their plan, Lively returned to
 10 Uganda in June 2002." First of all, do you know
 11 what in the Complaint is referring to as "their
 12 plan"?
 13 A Can I look at a copy?
 14 MR. SULLIVAN: What paragraph are you
 15 looking at?
 16 MR. GANNAM: Paragraph 49, page 16.
 17 A So what was the question?
 18 Q The question is, Paragraph 49 says: "In
 19 furtherance of their plan, Lively returned to
 20 Uganda in June 2002." My question is what is
 21 "their plan"? What does that mean?
 22 A Their plan.
 23 Q Who is "they"?
 24 A The groups that are stopping my work in
 25 Uganda.

147

1 F. Mugisha
 2 Q And who are those groups? I want you to
 3 tell me if you know who these people are.
 4 A Stephen Langa and other religious
 5 groups.
 6 Q So when it says "their plan," it's
 7 referring to Steven Langa?
 8 A And Mr. Lively and Mr. Ssempana.
 9 Q Anyone else?
 10 A Mr. Nsaba Buturo.
 11 Q When you say that's the "they," what's
 12 "the plan"?
 13 A The plan to shut down my work. The plan
 14 is to stop any kind of visibility, like, existence
 15 of LGBT persons.
 16 Q The existence of LGBT persons?
 17 A Like visible existence, not life
 18 existence.
 19 Q So this is in 2002 this plan existed?
 20 A I don't know. I'm referring to what
 21 you're showing me.
 22 Q So apart from what is said here, you
 23 don't have any knowledge of what the plan was?
 24 A No.
 25 Q Who does know what the plan was?

148

1 F. Mugisha
 2 A I think it was information that was
 3 collected by our lawyers.
 4 Q From who?
 5 A I don't know what they researched from
 6 and got the information.
 7 Q So who would know, who at SMUG would
 8 know what the 2002 plan of Scott Lively and those
 9 other individuals you identified was?
 10 A I don't know who knew.
 11 Q Is there anyone outside of SMUG who
 12 would know what this plan was?
 13 A No one I can think of.
 14 Q Paragraph 50 says: "During the June
 15 2002 trip, Lively and Langa had an all-day
 16 pastors' conference which was a closed-door
 17 meeting with no media or guests who had been
 18 specifically invited." I assume you were not at
 19 the conference?
 20 A No.
 21 Q Do you know anyone who was at that
 22 conference?
 23 A No.
 24 Q Do you know what was said at the
 25 conference?

149

1 F. Mugisha
 2 A I don't know.
 3 Q Does anyone at SMUG know what was said
 4 at the conference?
 5 A I don't know.
 6 Q Have you seen any documents referring to
 7 what was said at the conference?
 8 A I don't remember. I might have seen
 9 documents from my lawyers.
 10 Q You might have seen documents from your
 11 lawyers?
 12 A Yeah, but I don't remember if I have or
 13 not.
 14 Q Do you know whether anyone else at SMUG
 15 has seen documents that refer to what was said
 16 during that closed-door meeting in 2002?
 17 A No.
 18 Q Paragraph 51 refers to an address to
 19 students at -- I may not pronounce this right --
 20 Nkumbe University. N-K-U-M-B-E. Were you present
 21 for that address to the students at Nkumbe
 22 University?
 23 A I don't know -- the one I know has a "B"
 24 at the end not an E at the end, if that's what you
 25 are referring to.

150

1 F. Mugisha
 2 Q So N-K-U-M-B-E, you are not familiar
 3 with that?
 4 A It should be Nkumb University. I don't
 5 know what happened there.
 6 Q So you don't know of any -- you weren't
 7 at a conference at either one that's here or the
 8 one that you described?
 9 A No.
 10 Q How did you say you spell that?
 11 A Nkumb.
 12 Q Nkumb?
 13 A Yes.
 14 Q It said he led a service at the Ugandan
 15 Christian University and conducted a seminar for
 16 550 students and staff of local high schools.
 17 I'll just lump all these together because I get
 18 the impression you weren't at any of these events,
 19 correct?
 20 A No, I was not.
 21 Q Do you know anyone who was at any of
 22 these events?
 23 A I don't know anyone.
 24 Q Have you seen any documents referring to
 25 what was said at any of these events?

151

1 F. Mugisha
 2 A I might have, but I don't know.
 3 Q Do you know whether anyone else at SMUG
 4 has seen documents referring to what was said at
 5 any of these events?
 6 A I don't know.
 7 Q Paragraph 52 says: "During Lively's
 8 June visit, Lively also met with the Kampala City
 9 Council and notes that they had a very frank and
 10 profitable discussion during which he offered a
 11 number of practical suggestions for dealing with
 12 porn, including use of Uganda's power of
 13 censorship."
 14 A What was the question?
 15 Q Do you want to read Paragraph 52? It
 16 says: "During Lively's June visit, Lively also
 17 met with the Kampala City Council." Do you know
 18 what Lively discussed with the Kampala City
 19 Council?
 20 A I don't know.
 21 Q Do you know anyone at SMUG who knows
 22 what was said there?
 23 A No.
 24 Q And have you seen any documents that
 25 refer to what was said at that meeting?

152

1 F. Mugisha
 2 A I might have seen documents, but I don't
 3 remember.
 4 Q And do you know whether anyone at SMUG
 5 has seen documents that refer to what was said at
 6 that meeting?
 7 A I don't know.
 8 Q Paragraph 53 says: "All of these
 9 activities were planned and arranged by
 10 co-conspirator, Langa, in furtherance of their
 11 strategy to build an infrastructure or climate in
 12 Uganda in which they could promote and bring about
 13 the persecution of the LGBTI community." What do
 14 you know about the strategy that's referred to in
 15 Paragraph 53?
 16 A I think it's the conspiracy to, like,
 17 stop advocacy on LGBT rights.
 18 Q When you say you think it is, do you
 19 have knowledge of what Scott Lively and Stephen
 20 Langa intended to do? Have you ever heard one of
 21 them say to the other what their strategy was?
 22 A No, I never heard anyone speak to each
 23 other.
 24 Q Have you ever heard either Scott Lively
 25 or Stephen Langa tell someone else what this

153

1 F. Mugisha
 2 strategy was?
 3 A Yes.
 4 Q Who?
 5 A Stephen Langa.
 6 Q You heard Stephen Langa?
 7 A Yes.
 8 Q Who did you hear him speak to about it?
 9 A Audience.
 10 Q Where?
 11 A At two presentations.
 12 Q And where were these presentations?
 13 A One was at Makerere University and one
 14 was at Hotel Triangle.
 15 Q And when was the Makerere University
 16 presentation?
 17 A 2012.
 18 Q 2012?
 19 A Yes.
 20 Q What was the title of the presentation
 21 or the occasion?
 22 A It was a debate on the AHB.
 23 Q It was a debate between Stephen Langa
 24 and who else?
 25 A Professor Sylvia Tamale.

154

1 F. Mugisha
 2 Q Spell that?
 3 A S-Y-L-V-I-A T-A-M-A-L-E.
 4 Q So this was a public debate?
 5 A Yes.
 6 Q Open to any member of the public who
 7 wanted to see it?
 8 A Yes.
 9 Q And was Scott Lively in that
 10 presentation?
 11 A No.
 12 Q Did Stephen Langa say that he had a
 13 strategy or agreement or plan with Scott Lively to
 14 do something?
 15 A No.
 16 Q Was Scott Lively mentioned at the
 17 presentation by Stephen Langa or the professor?
 18 A Stephen Langa mentioned him.
 19 Q What did Stephen Langa say about him?
 20 A He referenced his book.
 21 Q Which one?
 22 A Pink Swastika.
 23 Q The Pink Swastika?
 24 A Yes.
 25 Q What did Langa say about the book?

155

1 F. Mugisha
 2 A I don't remember, but he had quotations
 3 from there, but I don't remember properly.
 4 Q Do you know when the Pink Swastika was
 5 written?
 6 A I don't know the Pink Swastika.
 7 Q Okay. Did the quotes that he made or
 8 that he said were from the Pink Swastika book, I
 9 mean, you're not familiar with the book, so you
 10 wouldn't know if the quotes were from the book or
 11 not, correct?
 12 A Um-um.
 13 Q Did any of these quotes talk about a
 14 plan by Scott Lively?
 15 A No.
 16 Q And just for the record, did you say
 17 that -- earlier when I asked you if you would know
 18 whether the quotes came from the Pink Swastika
 19 book, did you say yes or no?
 20 A I said he quoted the Pink Swastika. But
 21 I don't know what quotes. I don't remember the
 22 quotes. You asked me did he mentioned Scott
 23 Lively, I said yes, you said in what relation. I
 24 said he talked about him and the Pink Swastika.
 25 Q Okay. My question is, have you read the

156

1 F. Mugisha
 2 Pink Swastika?
 3 A No.
 4 Q So if Stephen Langa said he was quoting
 5 the Pink Swastika, would you know whether he was
 6 or not?
 7 A I wouldn't know.
 8 Q Okay. But in the quotes that he said
 9 were from the Pink Swastika, did any of those
 10 quotes talk about a plan by Scott Lively to do
 11 anything?
 12 A No.
 13 Q Did any of those quotes talk about an
 14 agreement between Scott Lively and Stephen Langa
 15 to do anything?
 16 A No.
 17 Q You said there was another address where
 18 you heard Stephen Langa talking at the Triangle
 19 Hotel?
 20 A Yes.
 21 Q When was that?
 22 A 2009.
 23 Q Was that "the" 2009 conference that
 24 Scott Lively attended?
 25 A Right after the conference.

157

1 F. Mugisha
 2 Q Right after the conference?
 3 A Yes.
 4 Q Was it the final event of the conference
 5 or something else?
 6 A I don't know, but it was one of the
 7 events after.
 8 Q Were you there for the event?
 9 A Yes.
 10 Q And what did Stephen Langa say at that
 11 event?
 12 A He said as the man of God told us, we
 13 need to stop the -- I remember he said as the man
 14 of God told us and then he said Lively. I'm not
 15 sure the other words, either we need to stop the
 16 promotion of homosexuality or we need to tighten
 17 the laws, along those lines.
 18 Q Now, his exact words were as the man of
 19 God told us?
 20 A It was the man of God, and then I
 21 remember the name Lively, but then I'm not so
 22 clear about the other words.
 23 Q So you remember him referring to Lively,
 24 but you don't remember exactly what he said about
 25 Lively?

170

1 F. Mugisha
 2 A I don't know, but from the e-mails I
 3 have seen, it may be by talking on e-mail.
 4 Q So you believe you've seen e-mails from
 5 after June of 2002 between Lively and Langa?
 6 A I have not seen the dates, but I've seen
 7 e-mails that refer to before Mr. Lively came back
 8 to Uganda, so that should be after 2002.
 9 Q So you believe you've seen e-mails from
 10 before 2009?
 11 A Yes.
 12 Q And you believe they were after 2002?
 13 A That's my thinking.
 14 Q Do you know how many of these e-mails
 15 there are?
 16 A I don't know.
 17 Q Are you aware of any other
 18 communications between Lively and Langa between
 19 2002 and 2009?
 20 A No, not now.
 21 Q And the e-mails that you believe you've
 22 seen, were those e-mails that were produced by
 23 Scott Lively?
 24 A Yes.
 25 Q Have you seen any in your own e-mails

171

1 F. Mugisha
 2 that you have produced?
 3 A I don't understand.
 4 Q Let me back up. In any of the documents
 5 that SMUG has produced to Lively, are you aware of
 6 any e-mails in addition to those you read in
 7 Lively's production that are communications
 8 between Lively and Langa?
 9 A No.
 10 Q So apart from e-mails that you might
 11 have seen, do you have any knowledge of how Lively
 12 might have maintained a relationship with Langa
 13 after 2002 and before 2009?
 14 A No.
 15 Q And does anyone at SMUG have knowledge
 16 of how they might have maintained a relationship?
 17 A No.
 18 Q Paragraph 55 also says that: "Lively
 19 maintained his relationship with co-conspirator
 20 Martin Ssempe." I'll ask the same types of
 21 questions. How did Lively maintain a relationship
 22 with Martin Ssempe after 2002?
 23 A From the e-mails I've seen. That's it.
 24 Q And would these be e-mails in Scott
 25 Lively's production?

172

1 F. Mugisha
 2 A Yes.
 3 Q Are you aware of any other documents
 4 referring to a relationship being maintained
 5 between Lively and Ssempe after 2002?
 6 A I might have -- maybe I read it on
 7 social media where Ssempe refers to having spoken
 8 to Lively.
 9 Q When might you have seen that?
 10 A I don't remember.
 11 Q Do you follow Martin Ssempe on social
 12 media?
 13 A I read his social media.
 14 Q What kind of social media does Martin
 15 Ssempe participate in to your knowledge?
 16 A I think all social media, but I read his
 17 Twitter.
 18 Q His Twitter account?
 19 A Yeah.
 20 Q And what other kinds of social media did
 21 you say?
 22 A I don't know. I don't know if he does
 23 Facebook and other things. I don't follow him on
 24 Twitter but I know he does because he follows me.
 25 Q So if I understand, you may or may not

173

1 F. Mugisha
 2 have seen something on social media about Martin
 3 Ssempe communicating with Scott Lively?
 4 A Correct.
 5 Q What kind of social media do you
 6 participate in?
 7 A All social media.
 8 Q You have a Twitter account?
 9 A Yes.
 10 Q You have a Facebook account?
 11 A Yes.
 12 Q What is your Twitter account name?
 13 A Frank Mugisha.
 14 Q Just Frank Mugisha all together?
 15 A Yes.
 16 Q Any other symbols or anything?
 17 A The "at" is Frank Mugisha and the name
 18 is Dr. Frank Mugisha.
 19 Q So it's @frankmugisha?
 20 A Yes.
 21 Q And then Dr. Mugisha?
 22 A Yes.
 23 Q Do you hold a doctorate degree, a
 24 doctorate level degree?
 25 A Honorary.

198

1 F. Mugisha
 2 this conference?
 3 A Yes.
 4 Q Were you there?
 5 A Yes.
 6 Q Paragraph 179 says that: "February
 7 14th, 2012 that Simon Lokodo, accompanied by
 8 police, entered the conference and declared the
 9 meeting illegal." Were you there when that
 10 happened?
 11 A Yes.
 12 Q What else did Lokodo or the police say
 13 about the conference being illegal?
 14 A Reverend Lokodo came -- Father Lokodo
 15 came into the meeting and asked if this conference
 16 is about promoting of LGBT, then it's illegal.
 17 And he said I'm closing this meeting. That's it,
 18 null and void. And that's it.
 19 MR. SULLIVAN: What was that last word?
 20 THE WITNESS: Null and void.
 21 Q And did he say why it was illegal?
 22 A He came in the room and asked if this
 23 meeting is about promotion of LGBT activities,
 24 then it's illegal and then one of my colleagues
 25 said, well, this meeting might be about LGBT and

199

1 F. Mugisha
 2 he didn't let him finish. You said LGBT, this
 3 meeting is null and void. I'm closing it.
 4 Q And is it your understanding that the
 5 meeting was illegal?
 6 A No.
 7 MR. SULLIVAN: Objection to form.
 8 Q Were there any arrests made at the
 9 meeting?
 10 A None. None. None.
 11 Q Were there any prosecutions of members
 12 of SMUG or participants of the meeting or anything
 13 like that?
 14 A There were threats to arrest one of the
 15 organizers.
 16 Q Was that organizer arrested?
 17 A No.
 18 Q Who was that?
 19 A Kasha Jacqueline.
 20 Q Did SMUG take any legal action as a
 21 result of the actions of Minister Lokodo and the
 22 police?
 23 A Yes. We brought a lawsuit against the
 24 minister.
 25 Q Okay. And what was the basis of the

200

1 F. Mugisha
 2 lawsuit?
 3 A I don't have the exact legal language.
 4 Q What is your understanding?
 5 A My understanding is that it was about
 6 freedom of assembly and freedom of association.
 7 Q And what was the outcome of that
 8 lawsuit?
 9 A We were not successful.
 10 Q And has there been an appeal of that
 11 decision?
 12 A Yes.
 13 Q And has that finished or is it still
 14 pending?
 15 A It is in early stages.
 16 Q So the lawsuit is not over. You lost
 17 the first decision and now it's on appeal?
 18 A Yes.
 19 Q Apart from the decision not going the
 20 way you wanted it to, were there any obstacles or
 21 impediments to SMUG being able to file this
 22 lawsuit to try to vindicate its rights?
 23 A A few hindrances, but I wouldn't say
 24 obstacles because we were able to bring it up.
 25 Q You were able to, for example, retain

201

1 F. Mugisha
 2 legal counsel to help file the suit?
 3 A Yes.
 4 Q And were you able to proceed all the way
 5 through a trial or a hearing?
 6 A Yes.
 7 Q What kinds of hindrances did you
 8 experience?
 9 A We had to raise money. The media
 10 covered the lawsuit sometimes. And some people
 11 who came to court appeared on TV and then received
 12 violations after that as identified or known to be
 13 hanging out with homosexuals or perceived to be
 14 homosexuals, and we have to put in planning, that
 15 means we couldn't carry out our programs timely
 16 because we had to spend time on the case
 17 consulting with the lawyers.
 18 Q What kind of delays are you talking
 19 about? You said you couldn't carry out things on
 20 time?
 21 A Because we have, like I mentioned, early
 22 in the morning, we have a work plan to follow, but
 23 when we take up lawsuits and other things, they
 24 take up time from our activities.
 25 Q What specific projects were affected by

202

1 F. Mugisha
 2 having to go through with the lawsuit?
 3 A Off head, I can't point at one, but some
 4 particular projects.
 5 Q Are you aware of any involvement by
 6 Scott Lively in the February 2012 raid of the
 7 Entebbe conference?
 8 A Say that again.
 9 Q Are you aware of any involvement by
 10 Scott Lively in the raid of the February 2012
 11 conference?
 12 A No.
 13 Q Does anyone at SMUG have any knowledge
 14 of any involvement by Scott Lively in that raid?
 15 A No.
 16 Q Have you seen any documents referring to
 17 involvement by Scott Lively in that raid?
 18 A I don't remember if I have.
 19 Q And do you know whether anyone at SMUG
 20 has seen documents referring to an involvement by
 21 Scott Lively in that raid?
 22 A I don't know.
 23 Q In Paragraph 186 of the Complaint refers
 24 to a June 2008 arrest of LGBTI rights activists.
 25 Are you familiar with this event?

203

1 F. Mugisha
 2 A Yes, I am.
 3 Q Tell me what you know about it.
 4 A It was -- someone was watching the news
 5 and then he saw the HIV/AIDS, the head of the
 6 Uganda AIDS Commission saying that there's going
 7 to be HIV/AIDS meeting in Uganda and that in the
 8 policies, there's no intervention for homosexuals,
 9 and so he called me and we met with my colleagues
 10 and decided how to respond to such statements and
 11 so we decided to go and do a silent demonstration
 12 at the conference.
 13 Q Were you yourself present at this
 14 demonstration?
 15 A Yes.
 16 Q And what happened?
 17 A We decided to go and do a silent message
 18 with posters, and we had written messages of what
 19 we wanted on the posters and so we met near the
 20 hotel, about seven of us, seven I think. And so
 21 we were walking in and when I was in the front and
 22 I went through the security machine, the police
 23 called me by name and asked me, do you have an
 24 invitation. I said, it's inside. I have it but
 25 it's inside because the person who was making for

204

1 F. Mugisha
 2 us tags had them. He said, okay, but would you be
 3 able to identify the person -- and then we wanted
 4 to send a message, so I thought this may stop my
 5 other colleagues, so I told him that, you know
 6 what, I'll wait here until the person comes. So I
 7 waited until my colleagues got in, and since I
 8 been called by name, I didn't want to stop us from
 9 sending our message. I left and waited at the
 10 same place we had met for the other colleagues
 11 going inside.
 12 Q So what happened? When did the arrest
 13 occur?
 14 A When I was waiting, my other colleague
 15 came running, David, David Kato, and I asked him
 16 what's the problem. And he told me run with me,
 17 let's go to amnesty. So we went to amnesty and he
 18 said, I think they have arrested our other
 19 colleagues. And I was like, why? And he said
 20 because the police came and stopped us as soon as
 21 we opened the posters. And so we had agreed all
 22 of us that it is going to be very silent, nobody
 23 says anything, we open the posters and within a
 24 period of 25 minutes everybody should be out of
 25 the place, and we agreed that everybody should

205

1 F. Mugisha
 2 phone me when they come out. So people who didn't
 3 phone me and their phones were not working, so I
 4 realize they had been arrested.
 5 Q The three people who were arrested, who
 6 were they?
 7 A One was Val Kalende.
 8 Q How do you spell that?
 9 A K-A-L-E-N-D-E.
 10 Q And who else?
 11 A
 12 Q And who else?
 13 A Pepe Onziema.
 14 Q According to the Complaint they were
 15 arrested for trespass. Is that your
 16 understanding?
 17 A That was the complaint from the police.
 18 Q And why was that not correct?
 19 A Because the organizers did not complain
 20 about any trespass.
 21 Q Is it true that the three had been
 22 invited, the three who were arrested had been
 23 invited to the event?
 24 A We have invitations arranged for us,
 25 yes.

<p style="text-align: right;">206</p> <p>1 F. Mugisha</p> <p>2 Q When you say invitations arranged,</p> <p>3 meaning someone with authority to issue an</p> <p>4 invitation had invited you?</p> <p>5 A Yes, my colleague who called me, one of</p> <p>6 the organizers, and said we were interested in</p> <p>7 attending, so they had put us on the list and they</p> <p>8 made the name tags for us.</p> <p>9 Q And were the three people who were</p> <p>10 arrested, were they prosecuted or what happened to</p> <p>11 them?</p> <p>12 A Sorry, again explain for me prosecution.</p> <p>13 Q Let me back up. What happened after</p> <p>14 they were arrested?</p> <p>15 A When they were arrested, we couldn't</p> <p>16 find them. Then we started asking, checking</p> <p>17 different police stations. And eventually, Pepe</p> <p>18 called me and told me they have been arrested.</p> <p>19 After one hour, Pepe called me and told me they</p> <p>20 had been arrested and held in their room in the</p> <p>21 hotel and then driven off by police car to Ginger</p> <p>22 Road Police Station.</p> <p>23 Q And how long were they held there?</p> <p>24 A They were held in Ginger Road Police</p> <p>25 Station for 48 hours and then transferred to</p>	<p style="text-align: right;">208</p> <p>1 F. Mugisha</p> <p>2 Q And does anyone at SMUG have any</p> <p>3 knowledge of such communications between Scott</p> <p>4 Lively and the people involved in this arrest?</p> <p>5 A No.</p> <p>6 Q And can you refer to any documents that</p> <p>7 refer to Scott Lively being involved in this</p> <p>8 arrest?</p> <p>9 A I don't remember.</p> <p>10 Q Does anyone at SMUG have any knowledge</p> <p>11 of any documents that would show Scott Lively's</p> <p>12 involvement with this arrest?</p> <p>13 A I don't know.</p> <p>14 Q Is there anyone at SMUG who has more</p> <p>15 knowledge than you about Scott Lively's</p> <p>16 involvement or potential involvement in the 2008</p> <p>17 arrests?</p> <p>18 A No. I don't know.</p> <p>19 Q Is there anyone at SMUG that has more</p> <p>20 knowledge than you regarding Scott Lively's</p> <p>21 involvement in Uganda in general?</p> <p>22 A I don't know. Our knowledge could be at</p> <p>23 the same level.</p> <p>24 Q So you don't know if anyone knows more</p> <p>25 than you?</p>
<p style="text-align: right;">207</p> <p>1 F. Mugisha</p> <p>2 Kampala Central Police Station.</p> <p>3 Q And were they released from there?</p> <p>4 A They were held there I think for 24</p> <p>5 hours and then released.</p> <p>6 Q Now this is in 2008, before the 2009</p> <p>7 conference that Scott Lively attended.</p> <p>8 A Yes.</p> <p>9 Q Do you know whether Scott Lively had any</p> <p>10 involvement with the June 2008 arrest of three</p> <p>11 activists?</p> <p>12 A I don't know.</p> <p>13 Q Do you believe that Scott Lively was</p> <p>14 involved with that 2008 arrest?</p> <p>15 A Um-hum.</p> <p>16 Q Why do you believe he was involved?</p> <p>17 A From reading, again, from reading the</p> <p>18 e-mails and the fact that he was already involved</p> <p>19 with Ugandan people. I believe he could have been</p> <p>20 involved in this as well.</p> <p>21 Q Do you know of any -- are you personally</p> <p>22 aware of any communication between Scott Lively</p> <p>23 and anyone involved in this arrest prior to it</p> <p>24 happening?</p> <p>25 A No.</p>	<p style="text-align: right;">209</p> <p>1 F. Mugisha</p> <p>2 A I don't know if anyone knows more than I</p> <p>3 do.</p> <p>4 Q Okay. In July of 2012, Minister Lokodo</p> <p>5 told a news agency he intends to investigate a</p> <p>6 clinic for promoting homosexuality. Do you have</p> <p>7 any knowledge of this statement by Minister</p> <p>8 Lokodo?</p> <p>9 A Is this referred to here?</p> <p>10 Q This is Paragraph 197 of the Complaint.</p> <p>11 A 197. Yes.</p> <p>12 Q What clinic is he talking about?</p> <p>13 A Ice Breakers clinic.</p> <p>14 Q What's it called again?</p> <p>15 A Ice Breakers clinic.</p> <p>16 Q Is this the same Ice Breakers that you</p> <p>17 were formerly involved with?</p> <p>18 A Yes.</p> <p>19 Q Was the clinic in fact investigated</p> <p>20 after this July 2012 announcement by Minister</p> <p>21 Lokodo?</p> <p>22 A I don't know.</p> <p>23 Q Do you know whether Scott Lively had any</p> <p>24 involvement with this announcement to investigate</p> <p>25 the clinic?</p>

210

1 F. Mugisha
 2 A I don't know.
 3 Q And does anyone at SMUG know if Scott
 4 Lively had any involvement with this announcement?
 5 A I don't know.
 6 Q Are you aware of any documents referring
 7 to Scott Lively's involvement in this
 8 announcement?
 9 A Say that again.
 10 Q Are you aware of any documents that
 11 refer to Scott Lively being involved with Minister
 12 Lokodo's announcement?
 13 A I don't have a good memory of if I have
 14 seen any documents in relation to that.
 15 Q Do you know whether anyone at SMUG has
 16 knowledge of any document referring to Scott
 17 Lively's involvement with this announcement?
 18 A I don't know.
 19 MR. SULLIVAN: Roger, when you come to a
 20 logical point, I need a break.
 21 MR. GANNAM: We can do it now.
 22 VIDEOGRAPHER: Of at 4:34.
 23 (A brief recess was taken.)
 24 VIDEOGRAPHER: Back on 4:48 p.m.
 25 EXAMINATION BY MR. GANNAM:

211

1 F. Mugisha
 2 Q Mr. Mugisha, in 2007, the Complaint
 3 says, at Paragraph 199: "SMUG held a press
 4 conference called "Let Us Live in Peace" or were
 5 launching a campaign called "Let Us Live in
 6 Peace." What can you tell me about that?
 7 A In 2007, we wanted the Ugandan public to
 8 know about LGBT lifestyles and also to address the
 9 same issue that we want to live like anyone else,
 10 and that's why we called it Live in Peace. It was
 11 a campaign that started with a press conference,
 12 but the press conference was followed by 45 days
 13 of going to different radio stations to talk to
 14 people and explain that we're just like any other
 15 Ugandan. We don't want any special rights or
 16 anything else. We just want to live in peace.
 17 Q And the Complaint also says that: "Less
 18 than a week later, the Deputy Attorney General
 19 Fred Ruhindi called upon the relevant agencies to
 20 take appropriate action because homosexuality is
 21 an offense under the laws of Uganda. The penal
 22 code in no uncertain terms punishes homosexuality
 23 and other unnatural offenses." So my question is,
 24 was that -- is it your understanding that that
 25 announcement or that statement by the deputy

212

1 F. Mugisha
 2 attorney general was in response to the "Let Us
 3 Live in Peace" campaign?
 4 MR. SULLIVAN: Objection to form.
 5 THE WITNESS: Should I answer?
 6 MR. SULLIVAN: Yes.
 7 A I don't know. It could have been that,
 8 but also during that very time there were
 9 demonstrations from churches. So it could have
 10 been the response to the churches asking for
 11 stopping our activities or it could have been
 12 because of our campaign.
 13 Q Paragraph 201 says: "Minister of Ethics
 14 and Integrity Buturo also stated that the
 15 government was considering changing the laws so
 16 that promotion itself becomes a crime and to have
 17 catalogs of people we think are involved in
 18 perpetuating the voice of homosexuality." I want
 19 to focus on that statement where Minister Buturo
 20 said that the government was considering changing
 21 the law so that promotion itself becomes a crime.
 22 That was in 2007. The Uganda conference that's
 23 Scott Lively attended wasn't until 2009. So my
 24 question is, do you believe Scott Lively had
 25 something to do with Minister Buturo talking about

213

1 F. Mugisha
 2 changing a law that would outlaw promotion?
 3 A In 2007?
 4 Q 2007, yes.
 5 A I did not believe but now I have some
 6 belief that he could have been involved.
 7 Q So you have some belief that Scott
 8 Lively could have been involved in 2007.
 9 A Yes.
 10 Q Two years before the conference that he
 11 attended in Uganda?
 12 A Yes.
 13 Q What is the involvement?
 14 A First, the Minister of Ethics and
 15 Integrity then talked about promotion and then two
 16 years later, when Mr. Lively came to Uganda, the
 17 same thing, he was talking in Uganda to stop the
 18 action and promotion. So in my opinion, this is
 19 not coincidence that we have two people talking
 20 about promotion.
 21 Q So you don't think anyone could have
 22 come up with that idea apart from Scott Lively?
 23 MR. SULLIVAN: Objection to form.
 24 A In my opinion, I don't think.
 25 Q Have you seen any communications between

226

1 F. Mugisha
 2 there's a paragraph that begins, "in 1999." It's
 3 about the fifth full paragraph to the left of that
 4 picture. It says: "In 1999, the President
 5 launched a fierce attack on homosexuality and said
 6 gays should be sent to jail. I know of two men
 7 who were jailed for being gay," Christopher says
 8 starkly. This is referring to a statement by the
 9 President in 1999 and refers to it as a fierce
 10 attack and said gays should be sent to jail.
 11 First of all, do you have any knowledge of that
 12 statement by the President?
 13 A I have read it in the media.
 14 Q So you have heard that before?
 15 A From the media, yes.
 16 Q Now, do you have any reason to doubt
 17 that the President said that?
 18 A No.
 19 Q Do you think there's a connection
 20 between something that the President of Uganda
 21 said in 1999 and Scott Lively?
 22 A I don't know. I never thought of that
 23 connection.
 24 Q So you don't have any knowledge of any
 25 connection between what the President is saying in

227

1 F. Mugisha
 2 1999 about gays should be sent to jail and Scott
 3 Lively.
 4 A No.
 5 (Defendant's Exhibit D was marked for
 6 identification.)
 7 Q I'm handing you another document through
 8 counsel, along with a copy. This shows on its
 9 face that it's from the PlanetOut Network, October
 10 4th, 2004. The headline is Uganda Fines Radio
 11 Station for Gay Show. It says that: "A radio
 12 station in Uganda was fined over \$1,000 after
 13 broadcasting a talk show that featured
 14 homosexuality was an 'acceptable way of life.'
 15 Are you familiar with this radio station, Radio
 16 Simba or the radio show?
 17 A I'm not familiar with the radio show,
 18 but I've heard about this incident.
 19 Q So you've heard about the incident where
 20 the chairman of the Ugandan broadcast council said
 21 the program was contrary to public morality and is
 22 not in compliance with existing law?
 23 A Yes.
 24 Q The very last paragraph says, he said
 25 the guest on the show would not be sought for

228

1 F. Mugisha
 2 prosecution, but added we are not going to give
 3 them the opportunity to recruit others. Now, this
 4 2004 document refers to the concept of homosexuals
 5 recruiting others. Is there any connection
 6 between that statement by the broadcast council
 7 chairman and Scott Lively?
 8 A I don't know, apart from the word
 9 recruiting. It seems to have been very prominent
 10 after 2009 when Mr. Lively was in Uganda, but I
 11 don't know any other connection.
 12 Q Do you have any reason to doubt that
 13 this chairman said we are not going to give them
 14 the opportunity to recruit others in 2004, five
 15 years before that 2009 conference?
 16 A I don't know.
 17 Q Did Scott Lively make any appearances in
 18 Uganda in 2004 where he discussed recruiting into
 19 homosexuality?
 20 A Apart from the information that I know
 21 from the communication and from my lawyers that he
 22 was in Uganda in 2002, I don't know any public
 23 appearances in 2004.
 24 Q Did Scott Lively talk about recruiting
 25 into homosexuality in 2002?

229

1 F. Mugisha
 2 A Like I mentioned earlier, I don't know
 3 the events of 2002 off head.
 4 (Defendant's Exhibit E was marked for
 5 identification.)
 6 Q I'm handing you a copy through counsel
 7 and a copy marked as Defendant's E. This is a
 8 document appearing in a publication called New
 9 Vision. Are you familiar with this?
 10 A Yes.
 11 Q And the date is February 2005. The
 12 headline or title of the article is Vagina Play
 13 Dropped?
 14 A Yes.
 15 Q This is an article referring to
 16 organizers of a play called the Vagina Monologues
 17 saying that they'd abandoned their plans to stage
 18 the play after the Ugandan media council banned
 19 it. Now, are you familiar with this incident?
 20 A Yes.
 21 Q Minister Buturo is quoted. At the time
 22 information Minister Dr. James Nsaba Buturo said
 23 the government would punish whoever defies the
 24 media council order to stop shows of the play. He
 25 also said in the very last paragraph, he said if

234

1 F. Mugisha
 2 that everything he said was totally not Ugandan.
 3 The idea of a gay agenda of recruiting people to
 4 homosexuality, that language wasn't used in Uganda
 5 pre-2009?
 6 A Yes.
 7 Q Now, we've just gone through several
 8 examples of references to recruiting people into
 9 homosexuality or promotion of homosexuality. Do
 10 you still believe that those things weren't said
 11 in Uganda prior to 2009?
 12 A Yes. Not at a larger extent like they
 13 are said after 2009.
 14 Q So that distinction isn't made here.
 15 This says that language wasn't used in Uganda
 16 pre-2009. Your testimony is that's not what you
 17 meant when you said that?
 18 A I meant that it wasn't -- the language
 19 used by Ugandans now wasn't -- sorry, the language
 20 that is used right now of recruiting western
 21 agenda and promotion of homosexuality is almost
 22 what everyone is saying when they're referring to
 23 homosexuality, whereas before it wasn't as much as
 24 that.
 25 Q But you would agree with me that based

235

1 F. Mugisha
 2 on these exhibits that we just went through,
 3 things like that were said by Ugandans before
 4 2009, weren't they?
 5 A Some people did say them. And you can
 6 see that most of the people that said these things
 7 were either writers or politicians, but not the
 8 general public.
 9 Q But you did not identify a single person
 10 making those statements prior to 2009 that had any
 11 connection to Scott Lively, did you?
 12 A No.
 13 Q So is it still your belief as you sit
 14 here that those concepts of recruitment or
 15 promotion of homosexuality or a gay agenda that
 16 those are still all the fault of Scott Lively?
 17 A Yes.
 18 Q And in light of the fact that Ugandans
 19 are published to have said those things prior to
 20 2009, why do you still believe that Scott Lively
 21 is the source of such statements?
 22 A Because after the public meetings in
 23 Uganda, we started seeing this kind of messaging
 24 coming from not only writers but ordinary
 25 Ugandans, and not only politicians, but ordinary

236

1 F. Mugisha
 2 Ugandans.
 3 Q Who would have been reading BBC News and
 4 The Monitor and New Vision and The Independent if
 5 not ordinary Ugandans during the times that all
 6 these things were said?
 7 MR. SULLIVAN: Objection to form.
 8 THE WITNESS: Should I answer?
 9 MR. SULLIVAN: Yes.
 10 A I wouldn't know, because mostly the way
 11 of communication in Uganda is mostly through
 12 radio. I don't know who was reading newspapers at
 13 that time of the year, if it was a lot.
 14 Q So is it your belief that Scott Lively
 15 spoke to more people at one conference in 2009
 16 than the people who read these various articles
 17 that we just went through discussing things like
 18 recruitment and promotion of homosexuality and the
 19 gay agenda?
 20 A It is my belief that before then there
 21 were people that write articles on, but after
 22 2009, there was organizing by groups that work
 23 with Mr. Lively to promote that idea of recruiting
 24 and the promotion and homosexuality and sexual
 25 violence towards children.

237

1 F. Mugisha
 2 Q What groups were working with Mr. Lively
 3 to promote such ideas?
 4 A The groups invited him to Uganda, the
 5 Family Life Network, Ssempe, and Honorable -- he's
 6 not anymore -- Buturo, and David Bahati.
 7 Q Is there anything else that makes you
 8 believe that Scott Lively is the source of these
 9 statements other than those things that you have
 10 just testified to?
 11 A Apart from my earlier statements of
 12 saying that there could have already been a
 13 connection that wasn't visible from, again, the
 14 e-mails that I saw.
 15 Q There could have been a connection that
 16 wasn't visible?
 17 A Yes.
 18 Q But you don't know what that connection
 19 was?
 20 A I saw the e-mails that the communication
 21 was going, perhaps from the communication perhaps
 22 the Ugandans that Mr. Lively works with had spoke
 23 to the people who published these articles. I
 24 don't know.
 25 Q But you don't know, do you?

238

1 F. Mugisha
 2 A I don't know.
 3 Q All right. I want to cover a subject
 4 that I fear is not pleasant. I want to talk now
 5 about the death of Mr. David Kato. How did
 6 Mr. Kato die, Mr. Mugisha?
 7 A Can you ask the question again please.
 8 Q How did Mr. Kato die?
 9 A I wasn't in the country then when he was
 10 murdered.
 11 Q And what do you know about the
 12 circumstances of his murder?
 13 A It was said that someone beat him with a
 14 hammer.
 15 Q Do you have any knowledge of what
 16 happened to him apart from what you have heard
 17 from other people?
 18 A No, I don't.
 19 Q Now, do you understand that it was
 20 reported in 2011 that a person, an acquaintance of
 21 Mr. Kato's, had confessed to the murder?
 22 A Yes.
 23 Q And do you have any reason to doubt that
 24 confession?
 25 A Yes.

239

1 F. Mugisha
 2 Q And why do you doubt that confession?
 3 A Because David was my friend, and as a
 4 person who was close friend, I would have known
 5 that -- he would have shared information with me
 6 about the person who they say allegedly murdered
 7 him that they had a connection.
 8 Q So you did not know this person who has
 9 been imprisoned for his murder?
 10 A No.
 11 Q So do you have any knowledge, apart from
 12 what has been reported in the news or what the
 13 police have said, about the murder that's
 14 different from what they've said?
 15 A I don't.
 16 Q You can go ahead. Do you have any
 17 knowledge?
 18 A I do not.
 19 Q Are you aware of evidence of someone
 20 other than the person who has been put in prison?
 21 A I do not.
 22 Q Is there any reason other than your
 23 friendship with Mr. Kato that causes you not to
 24 believe what the police have said?
 25 A I had my suspicions because before his

240

1 F. Mugisha
 2 murder, he did complain about harassment.
 3 Q Have you yourself received threats or
 4 have you been harassed since you've been an LGBT
 5 advocate in Uganda?
 6 A Yes.
 7 Q Do you know others involved with your
 8 movement, either within SMUG or outside of SMUG,
 9 who were advocates for LGBT persons who've
 10 received threats and harassment, things like that?
 11 A Yes.
 12 Q Was it unusual for Mr. Kato to receive
 13 such threats and harassment?
 14 A No, it was not.
 15 Q I'm going to show you a document I'm
 16 marking as Defendant's Exhibit I.
 17 (Defendant's Exhibit I was marked for
 18 identification.)
 19 Q This is a document from December 22nd,
 20 2011. The title is Gay and Vilified in Uganda
 21 from the New York Times opinion pages. Are you
 22 the author of this article?
 23 A Yes.
 24 Q And for the record, Mr. Kato was
 25 murdered in January of 2011; is that correct?

241

1 F. Mugisha
 2 A Yes.
 3 Q The second page of this article, the
 4 fourth full paragraph.
 5 A Second page?
 6 Q Yes. Fourth full paragraph that begins:
 7 "I remember." It says: "I remember the moment
 8 when my friend David Kato, Uganda's best known gay
 9 activist, sat with me in a small unmarked office
 10 of our organization, Sexual Minorities Uganda.
 11 'One of us will probably die because of this
 12 work.' He said. We agreed that the other would
 13 then have to continue. In, January because of
 14 this work, David was bludgeoned to death at his
 15 home with a hammer." Now, at this point in time
 16 that you wrote -- first of all, let me ask, did
 17 you in fact write that paragraph?
 18 A Yes.
 19 Q At this point in time, the person who
 20 the police say confessed to the murder had already
 21 been sentenced to prison; isn't that correct?
 22 A Yes, I think. I don't remember.
 23 Q At the time you wrote this, you were
 24 aware that someone had confessed to the killing,
 25 according to the police?

EXHIBIT 29



Scott Lively <sdllaw@gmail.com>

British Delegation

6 messages

Scott Lively <sdllaw@gmail.com>

Tue, May 29, 2007 at 3:37 AM

To: Igor at NG Riga <newgen@mailbox.riga.lv>

Igor,

Alexey asked me to inform you that three men from England will arrive Sunday morning 10:30 at the airport and will need to be picked up and provided lodging one night. They will speak at the anti-Pride event. The leader of the delegation is Stephen Green of The Christian Voice. <http://www.christianvoice.org.uk/>

Also, I found a news story about Stephen Langa, our new WOW coordinator in Uganda to give to Alexey. <http://www.ugpulse.com/articles/daily/news.asp?ID=3406>

EXHIBIT 30



Scott Lively <sdllaw@gmail.com>

RE: KEEP UP THE GOOD WORK

5 messages

Stephen Langa <stephenlanga@yahoo.com> Fri, Oct 19, 2007 at 7:20 AM
To: "DefendTheFamily.com Scott" <abidingtruth@defendthefamily.com>, Scott Lively <sdllaw@gmail.com>, Scott Lively <lively@abidingtruth.com>, Scott Lively <info@abidingtruth.com>, Scott Lively <scottdlively@adelphia.net>

Dear Scott,

Thanks a lot for all the great work you are doing out there and the battle you have steadily engaged in to safeguard our civilization.

We are also engaged in a fierce battale in Uganda on homosexuals who have taken the government to court over gay rights. The gays have got backing from their overseas counterparts who have brough much money to fight their cause. Some of their activists have flown into the country to give guidance and support to the local gays.

I am writing:

1. To encourage you to keep up the fight that you are engaged. The Lord and the World is looking to you to help the world get rid of this vice that has brough much misery to the victims and promoters of homosexuality.
2. We had agreed to conduct a conference on homosexuality sometime next year here in Africa. Are you still for it and are you able to participate?

God bless.

Stephen Langa

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

Scott Lively <sdllaw@gmail.com> Fri, Oct 19, 2007 at 9:19 AM
To: Igor at NG Riga <newgen@mailbox.riga.lv>, Vadim Privedenyuk <vadng@hotmail.com>, Sergey Velbovets <sergeyvelbovets@gmail.com>, Wade Kusak <qusack@mac.com>, George Neverov <just4precept@yahoo.com>, "Dr. Kenneth Hutcherson" <khutch59@theblackman.org>

Can we do a WOW conference in Uganda in 2008?

Scott
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com> Fri, Oct 19, 2007 at 9:23 AM
To: Stephen Langa <stephenlanga@yahoo.com>

I want to do it, and will try to come myself and bring the Russians.

Does the govt have good lawyers to fight this? Is the judge an honorable man? Beware of bribes.

If I come alone I will pay my own way but can you provide lodging and transportation while I'm there?

Read the attached booklet tolearn how we're organizing people in other countries.

Blessings,

Scott

[Quoted text hidden]

 **Defend the Family Activist Handbook.rtf**
202K

Precept 4 Life <just4precept@yahoo.com> Fri, Oct 19, 2007 at 9:50 AM
To: Scott Lively <sdllaw@gmail.com>, Igor at NG Riga <newgen@mailbox.riga.lv>, Vadim Privedenyuk <vadng@hotmail.com>, Sergey Velbovets <sergeyvelbovets@gmail.com>, Wade Kusak <qusack@mac.com>, "Dr. Kenneth Hutcherson" <khutch59@theblackman.org>
Cc: just4precept@yahoo.com

Dear Scott,

The movement must grow for God's glory. The church must act accordingly to Acts 1:8. We must be in Uganda.

God's blessings,

George

Scott Lively <sdllaw@gmail.com> wrote:

Can we do a WOW conference in Uganda in 2008?

Scott

----- Forwarded message -----

From: Stephen Langa
Date: Oct 19, 2007 4:20 AM
Subject: RE: KEEP UP THE GOOD WORK

[Quoted text hidden]

Precept 4 Life <just4precept@yahoo.com> Fri, Oct 19, 2007 at 9:58 AM
To: Scott Lively <sdllaw@gmail.com>

Dear Scott,

This is the opportunity that Lord providing us to grow more and worldwide. I feel that we must go there. I would be interested to participate along with you, Pastor Alexei and Vlad Kusakin to be there in Uganda. I need to grow in this ministry and learn from you especially, and partnering with Vlad Kusakin along to fight the good fight, to finish the course, to keep the faith (2 Tim 4 :7) that lays ahead of me.

I will need your prayers along with me and my wife. And my prayers with you and your wife too.

George

Scott Lively <sdllaw@gmail.com> wrote:

Can we do a WOW conference in Uganda in 2008?

Scott

----- Forwarded message -----

From: Stephen Langa
Date: Oct 19, 2007 4:20 AM
Subject: RE: KEEP UP THE GOOD WORK

To: "DefendTheFamily.com Scott" ,
Scott Lively , Scott Lively
, Scott Lively , Scott
Lively

Dear Scott,

Thanks a lot for all the great work you are doing out there and the battle you have steadily engaged in to safeguard our civilization.

We are also engaged in a fierce battale in Uganda on homosexuals who have taken the government to court over gay rights. The gays have got backing from their overseas counterparts who have brought much money to fight their cause. Some of their activists have flown into the country to give guidance and support to the local gays.

I am writing:

1. To encourage you to keep up the fight that you are engaged. The Lord and the World is looking to you to help the world get rid of this vice that has brought much misery to the victims and promoters of homosexuality.
2. We had agreed to conduct a conference on homosexuality sometime next year here in Africa. Are you still for it and are you able to participate?

God bless.

Stephen Langa

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

EXHIBIT 31



Scott Lively <sdllaw@gmail.com>

RE: UGANDAN SEMINAR (MARCH 4-7, 2009)

6 messages

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Wed, Jan 28, 2009 at 9:52 AM

Dear Scott,

We are busy now working towards the seminar.

As I might have mentioned to you, we have another speaker from USA, Don Schmierer. Don is more gifted in rehabilitation of homosexuals and has a two-day timetable that can help in training counselors on the rehabilitation work. He has written a book "An Ounce of Prevention" Our thinking at the moment is that you could take the first two days of the conference March 5-6, 2009 and deal with the issues of activism, advocacy and exposing of the homosexual agenda etc. Then Don could handle the last two days, and then if you are still around on 8th, you and Don could feature in a public meeting on the Sunday afternoon. So if possible, you could arrive on March 3rd or 4th and then leave on March 9th. This program is still tentative but will be finalized soon after hearing from you and Don.

In the meantime, can you please let us have a proposed two-day time table on the topics you intend to tackle? I would imagine that you would probably include some training in activism within the time table.

Please also let us know the following: -

- i. What kind of people would most benefit from your two day program? (This will help us invite the right category of people)
- ii. We intend to invite people from the public. This means that we will have both Christians and non-Christians. Are your materials suitable for such a mixed audience or is your material suitable for only a Christian audience?
- iii. Would you know any body who is a former homosexual/lesbian who could be willing to come and testify at the seminar and possibly answer questions from the participants?
- iv. How do you intend to handle the issue of materials that you intend to use as handouts at the seminar?
- v. How do you intend to handle resource materials such as tapes, books etc that you will come with?

Please send to me your bio-data plus a photograph for promotional purposes.

Please find attached a draft of the theme for the seminar.

God bless.

Stephen Langa

 **Concept Homosexuality Seminar (Jan 28, 09).doc**
26K

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Wed, Jan 28, 2009 at 2:46 PM

Stephen,

We've suffered a major financial setback due to the bank and stock market crisis. I cannot do foreign travel unless my expenses are covered, which I doubt you could do. I'm afraid I won't be able to come this year. However, I can send you some free materials that you could use.

Blessings,

Scott

[Quoted text hidden]

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Thu, Jan 29, 2009 at 8:05 AM

Dear Scott,

I am sorry about the financial challenges that USA is facing and its implications to you and your ministry. We think that your presence at this meeting would be very crucial. In light of this, and since I have now just received your financial position, I wish to share this information with others involved so that we can come up with a way forward.

In the meantime, please let us know what the cost of your air ticket would be so that we can make an informed decision.

God bless.

Stephen Langa

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Thu, Jan 29, 2009 at 10:25 AM

The ticket would cost \$1575. I could bring products to sell to offset the cost of my expenses.

[Quoted text hidden]

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Fri, Jan 30, 2009 at 8:39 AM

Thanks, will get back to you.

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Wed, Feb 4, 2009 at 6:36 PM

I have an airline credit of \$550 and am ready to send a fundraising letter to raise the rest more. Have you had any success in finding sponsors for my trip?

[Quoted text hidden]



Scott Lively <sdllaw@gmail.com>

I've raised over half of the need by now

2 messages

Scott Lively <sdllaw@gmail.com>

Wed, Feb 4, 2009 at 11:04 PM

To: Stephen Langa <stephenlanga@yahoo.com>

It looks like I'll be able to come. What exactly are the dates that you need me?

Blessings,

Scott

Stephen Langa <stephenlanga@yahoo.com>

Thu, Feb 5, 2009 at 5:07 AM

To: Scott Lively <sdllaw@gmail.com>

Dear Scott,

Praise the Lord for the miracle of your being able to come. We have decided to make the official seminar three days and then we will have a series of other meetings with different groups. The details are being worked out. So you would facilitate in first day of the seminar.

We will therefore need you from March 5-8, 2009. This means that you can arrive on 4th or if you prefer to have sufficient time to rest before the seminar you can arrive on the 3rd. Then you can leave anytime from on March 9th.

For the moment, please put together a one day program from 9.00am-5.00pm of what you would wish to cover. This is a meeting where policy makers and people who are concerned about the homosexual propaganda will be present.

I had not yet got a sponsor for your trip, but thank God for His provision from your end.

God bless.

Stephen Langa

[Quoted text hidden]



Scott Lively <sdllaw@gmail.com>

RE: PLEASE SEND BIO-DATA & PROPOSED TIME TABLE

2 messages

Stephen Langa <stephenlanga@yahoo.com>
To: sdllaw@gmail.com

Fri, Feb 6, 2009 at 12:59 PM

Dear Scott,

Please urgently send me your picture and bio-data for promotional purposes. Also send me your proposed program for one full day.

We are planning to get you a speaking opportunity over and above the whole day at the seminar. At the moment what we have in mind is as follows: -

- 1. March 5th, whole day seminar:- Scott Lively
- 2. March 6th, address university students: 2.00pm to 5.00pm
- 3. March 8th, address school students 2.00pm to 5.00pm

Let me send to you the two day timetable that Don has suggested for the two days he is facilitating so that you can make your timetable to match in terms of the time for the sessions.

God willing we really want to send the information you and Don will share far and wide through the media.

Please plan to arrive on March 3rd so that you can rest part of the day on the 4th and possibly have light engagements like a press conference and light meeting.

God bless.

Stephen Langa

 **Training Seminar Schedule - 2 Day.doc**
29K

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Fri, Feb 6, 2009 at 7:10 PM

Here is the pic and bio. I'll send program outline soon

[Quoted text hidden]

2 attachments



Scott's picture.jpeg
788K



DON'S TWO-DAY TRAINING
SEMINAR

DAY 1

9:00-9:30 **Worship**

9:30-11:00 Don speaking
Seminar: Youth & Sexual
Behaviors

**I. Understanding Root
Issues & Causes**

11:00-11:30 **Tea Break**

11:30-1:30 Don speaking
Seminar: Youth & Sexual
Behaviors

**II. Practical & Biblical
applications**

1:30-2:30 **LUNCH**

2:30-3:30 Small Group Problem
Solving/Discussion
**What's Your Opinion? –
Case Studies**

3:30-4:00 **Tea Break**

4:00-5:00 Don Speaking
**Ten Personal Tips
for
Successful Parenting**

5:00-5:30 **Closing Discussion & Prayer**

DAY 2

9:00-9:30 **Worship**

9:30-11:30 Don Speaking
*Healing Wounds of
the Past*
**Following in Jesus
Footsteps**

11:30-12:00 **Tea Break**

12:00-1:30 Small Group
Discussion
**CGD –Youth
Curriculum #3
Eric's Story**

1:30-2:30 **LUNCH**

2:30-3:30 Small Group
Discussion
**CGD Youth
Curriculum #9
Kim & Sam's Story**

3:30-4:00 **Tea Break**

4:00-5:00 Group Discussion
Where Do We Go

From Here?

5:00 Closing Prayer



Scott Lively <sdllaw@gmail.com>

Re: Itinerary For LIVELY SCOTT -

3 messages

Stephen Langa <stephenlanga@yahoo.com>
To: "Dr. Scott Lively" <sdllaw@gmail.com>

Sat, Feb 14, 2009 at 10:04 AM

Dear Scott,

We thank the Lord who has opened the door for you to come to minister in Uganda at this time. It is our prayer that the Lord uses this upcoming seminar and the series of scheduled meetings to accomplish His will and purposes in our country, continent and generation.

Please find attached the invitation letter you can use for visa purposes. Please ignore the four days of the seminar stated in the official letter. This is because at the time we wrote the first letter for one of the facilitators, we thought that we would have four days of seminar. Some things have since changed, but we wanted to be consistent in the letters requesting for Ugandan visas.

Please do not hesitate to contact us if you require further information.

God bless.

SL

Dr. Scott Lively <sdllaw@gmail.com> wrote:

A personalized travel itinerary has been sent to you courtesy of your Worldspan Travel Agency and Travelport ViewTrip. You have received this travel bulletin because you or your travel agent registered you in the Travelport ViewTrip Bulletins program. If you would like to be withdrawn from this program and receive no further Travel Bulletins, please contact your travel agent. Also, if you have questions regarding your itinerary, please contact your travel agent. Do not reply to this email

Comments by Dr. Scott Lively:
Here is my itinerary

[Click here to view itinerary.](#)

Note: If your software does not open the hyperlink above, try clicking on the link below or copying the entire text of the link below and pasting it into your browser's address field:

<https://mytripandmore.com/4PDPN8.pnr?LN=LIVELY>

Invitation Letter Scott (Feb 14, 09).pdf
158K

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Sat, Feb 14, 2009 at 10:16 AM

Do I present this letter upon my arrival or do I need to do something in advance?
[Quoted text hidden]

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Wed, Feb 18, 2009 at 4:34 PM

You can either choose to use the letter to obtain a visa to Uganda at the Ugandan Embassy in USA, or like before, you can get the visa upon arrival for a fee to the immigration.

[Quoted text hidden]



Committed to the Restoration of Family Values and Morals

Ggaba Road, Kansanga, Opposite K.I. University, P.O Box 28614, Kampala
Tel: +256-414-268981, +256-312-264147/8, +256-772-476071
Email: fln@infocom.co.ug Website: www.familylife.ug

The Consulate General of Uganda

January 29, 2009

Dear Sirs/Madam:

RE: VISA FOR DR. SCOTT LIVELY

Family Life Network is a Ugandan based non-governmental organization (charity organization) that was established in 2002 and is working towards the transformation of our society through the family institution. To this end, FLN runs numerous programs targeting different population groups. This includes seminars, workshops and conferences.

We are conducting a four day training seminar scheduled for March 4-7, 2009 in Kampala, Uganda at Hotel Equatoria. We have invited Dr. Scott Lively to be one of the trainers at the seminar. He has accepted our invitation and intends to depart from the United States on March 2, 2009 and will arrive at Entebbe, Uganda on March 4, 2009. He then intends to stay for a total of five days in Uganda before returning to the Unites States.

While in Uganda, Family Life Network (FLN) whose offices are located on Ggaba Road, Kansanga, Opposite Kampala International University, telephone +256-414-268981, will be responsible for Dr. Scott Lively. (The contact person is the Executive Director of FLN Mr. Stephen Langa, cell phone +256-772-476071). FLN will guarantee that Dr. Scott Lively will have adequate funds in his possession, will have confirmed living accommodation, and will have a return ticket back to USA. FLN further guarantees that Dr. Scott Lively will not become dependent upon the government of Uganda in any way during his stay in Uganda.

We would appreciate any assistance you can give to Dr. Scott Lively to make his visit to Uganda possible. We wish to thank you in advance for your kind assistance on this matter. Please do not hesitate to contact the undersigned if you require further information.

Yours truly,
FAMILY LIFE NETWORK

A handwritten signature in black ink, appearing to read "Stephen Langa", written over a vertical line.

Stephen Langa
EXECUTIVE DIRECTOR

EXHIBIT 32



Scott Lively <sdllaw@gmail.com>

Hi Don

4 messages

Scott Lively <sdllaw@gmail.com>

Fri, Mar 13, 2009 at 6:36 AM

To: Don Feder <dfeder@rcn.com>

I really wanted to come to your event but had terrible jet lag after returning from Uganda. You were brave to try and I applaud you for that. Nobody appreciates the realities of "homo-fascism" more than me.

Uganda may be a secret weapon for us re the intl pro-family agenda. We launched a national pro-family movement there last week out of various smaller elements and it looks very hopeful. Uganda is the key to Africa! The key leaders want to coordinate something with WCF to unify African nations and align them with counterparts throughout the world. They have also suggested that we hold a global contest to design a non-religious pro-family symbol/flag we could all use. I think WCF would be the best entity to spearhead this. We could register a list of global pro-family organizations as the voting pool and schedule the campaign for a final unveiling at the next WCF conference.

Blessings,

Scott

Don Feder <dfeder@rcn.com>

Fri, Mar 13, 2009 at 9:20 AM

To: Scott Lively <sdllaw@gmail.com>

Cc: Theresa Okafor <okafortessy@hotmail.com>, "Larry@Profam.Org" <larry@profam.org>

Scott,

All excellent ideas. It sounds like you made a great start in Uganda.

Can we get some of the leaders you're working with to the Nigeria conference (June 4-7, 2009) in Abuja? Theresa Okafor, head of the organizing committee, is expecting 300 pro-family leaders, scholars and policymakers, mostly from the African continent. It's our first African conference -- "World Congress of Families Dialogue of Civilizations" (Theme: Plan of Action On The Family In Africa).

More information is available at their website (<http://www.fach-ng.org/>). FACH is the Foundation for African Cultural Heritage. I'm copying Theresa on this e-mail, as well as Larry.

Pastor Alexi and Vadim were with us at the Int'l Planning Committee meeting in Amsterdam.

Please call me when you have a chance.

Don

----- Original Message ----- From: "Scott Lively" <sdllaw@gmail.com>

To: "Don Feder" <dfeder@rcn.com>

Sent: Friday, March 13, 2009 6:36 AM

Subject: Hi Don

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Fri, Mar 13, 2009 at 9:55 AM

To: Stephen Langa <stephenlanga@yahoo.com>

Can you forward this to Martin? What is his direct e-mail?

[Quoted text hidden]

Theresa Okafor <okafortessy@hotmail.com>
To: don feder <dfeder@rcn.com>, sdllaw@gmail.com
Cc: Larry Jacobs <larry@profam.org>

Fri, Mar 13, 2009 at 1:35 PM

Dear Scott,

Great job you are starting in Uganda. It will be wonderful if we can all meet up in Nigeria i.e. if your team and yourself can attend the conference as Don mentioned. We have also tried to invite the first lady of Uganda and we are yet to get a feedback from her protocol officer. Uganda has some good experience to share with the rest of us and Nigeria also has a lot to offer. The World Congress would really be the platform for a good interaction among countries and an opportunity to foster existing non-religious, pro-family league of African nations. I am happy to provide more details on the conference.

Best regards

Theresa

> From: dfeder@rcn.com
> To: sdllaw@gmail.com
> CC: okafortessy@hotmail.com; larry@profam.org
> Subject: Re: Hi Don
> Date: Fri, 13 Mar 2009 09:20:59 -0400

[Quoted text hidden]

Get news, entertainment and everything you care about at Live.com. Check it out!

EXHIBIT 33

SAME SEX MARRIAGE (PROHIBITION) ACT, 2013

EXPLANATORY MEMORANDUM

This Act prohibits a marriage contract or civil union entered into between persons of same sex, and provides penalties for the solemnisation and witnessing of same thereof.

SAME SEX MARRIAGE (PROHIBITION) ACT, 2013

ARRANGEMENT OF SECTIONS

Section:

1. Prohibition of marriage or civil union by persons of same sex.
2. Solemnization of same sex marriage in places of worship.
3. Recognized marriage in Nigeria.
4. Registration of homosexual clubs and societies.
5. Offences and penalties.
6. Jurisdiction.
7. Interpretation.
8. Citation.

SAME SEX MARRIAGE (PROHIBITION) ACT, 2013

A BILL

FOR

An Act to prohibit a marriage contract or civil union entered into between persons of same sex, solemnization of same; and for related matters.

[] Commencement.

ENACTED by the National Assembly of the Federal Republic of Nigeria:

1. (1) A marriage contract or civil union entered into between persons of same sex:
 - (a) is prohibited in Nigeria; and
 - (b) shall not be recognised as entitled to the benefits of a valid marriage.
- (2) A marriage contract or civil union entered into between persons of same sex by virtue of a certificate issued by a foreign country is void in Nigeria, and any benefit accruing there-from by virtue of the certificate shall not be enforced by any court of law.
2. (1) A marriage contract or civil union entered into between persons of same sex shall not be solemnized in a church, mosque or any other place of worship in Nigeria.
- (2) No certificate issued to persons of same sex in a marriage or civil union shall be valid in Nigeria.
3. Only a marriage contracted between a man and a woman shall be recognized as valid in Nigeria.
4. (1) The Registration of gay clubs, societies and organisations, their sustenance, processions and meetings is prohibited.
- (2) The public show of same sex amorous relationship directly

Prohibition of marriage or civil union by persons of same sex.

Solemnization of same sex marriage in places of worship.

Recognized marriage in Nigeria.

Registration of homosexual clubs and societies.

or indirectly is prohibited.

5. (1) A person who enters into a same sex marriage contract or civil union commits an offence and is liable on conviction to a term of 14 years imprisonment. Offences and Penalties.
- (2) A person who registers, operates or participates in gay clubs, societies and organisation, or directly or indirectly makes public show of same sex amorous relationship in Nigeria commits an offence and is liable on conviction to a term of 10 years imprisonment.
- (3) A person or group of persons who administers, witnesses, abets or aids the solemnization of a same sex marriage or civil union, or supports the registration, operation and sustenance of gay clubs, societies, organisations, processions or meetings in Nigeria commits an offence and is liable on conviction to a term of 10 years imprisonment.

6. The High Court of a State or of the Federal Capital Territory shall have jurisdiction to entertain matters arising from the breach of the provisions of this Act. Jurisdiction.

7. In this Act: Interpretation.

“marriage” means a legal union entered into between persons of opposite sex in accordance with the Marriage Act, Islamic Law or Customary Law;

“Court” means High Court of a State or of the Federal Capital Territory;

“same sex marriage” means the coming together of persons of the same sex with the purpose of living together as husband and wife or for other purposes of same sexual relationship;

“witness” means a person who signs or witnesses the solemnisation of the marriage; and

“civil union” means any arrangement between persons of the

same sex to live together as sex partners, and includes such descriptions as:

- (a) adult independent relationships;
- (b) caring partnerships;
- (c) civil partnerships;
- (d) civil solidarity pacts;
- (e) domestic partnerships;
- (f) reciprocal beneficiary relationships;
- (g) registered partnerships;
- (h) significant relationships; and
- (i) stable unions.

8. This Act may be cited as the Same Sex Marriage (Prohibition) Act, 2013. Citation.

CERTIFY, IN ACCORDANCE WITH SECTION 2 (1) OF THE ACTS
AUTHENTICATION ACT, CAP. A2, LAWS OF THE FEDERATION OF NIGERIA 2004,
THAT THIS IS A TRUE COPY OF THE BILL PASSED BY BOTH HOUSES OF THE
NATIONAL ASSEMBLY.



SALISU ABUBAKAR MAIKASUWA, OON, mni
CLERK TO THE NATIONAL ASSEMBLY

30th DAY OF DECEMBER, 2013

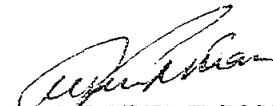
SCHEDULE TO THE SAME SEX MARRIAGE (PROHIBITION) BILL, 2013

SHORT TITLE OF THE BILL	LONG TITLE OF THE BILL	SUMMARY OF THE CONTENTS OF THE BILL	DATE PASSED BY THE SENATE	DATE PASSED BY THE HOUSE OF REPRESENTATIVES
SAME SEX MARRIAGE (PROHIBITION) BILL, 2013	An Act to prohibit a marriage contract or civil union entered into between persons of same sex, solemnization of same; and for related matters.	This Act prohibits marriage contract or civil union between persons of same sex and provides penalties for the solemnization and witnessing of same.	17 th December, 2013	17 th December, 2013

I certify that this Bill has been carefully compared by me with the decision reached by the National Assembly and found by me to be true and correct decision of the Houses and is in accordance with the provisions of the Acts Authentication Act Cap. A2, Laws of the Federation of Nigeria, 2004.



SALISU ABUBAKAR MAIKASUWA, OON, mni
 Clerk to the National Assembly
 30th Day of December, 2013



DR. GOODLUCK EBELE JONATHAN, GCFR
 President of the Federal Republic of Nigeria
 7th Day of December, 2013 2014

I ASSENT.

EXHIBIT 34

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

-----x

SEXUAL MINORITIES UGANDA,

Plaintiff,

vs. Civil Action No.
3:12-CV-30051-MAP

SCOTT LIVELY, INDEPENDENTLY
AND AS PART of ABIDING TRUTH
MINISTRIES,

Defendant.

-----x

DATE: Tuesday, October 27, 2015

TIME: 9:32 a.m.

Deposition of SAMUEL GANAFI, taken by
Defendants, pursuant to notice, held at the
offices of DORSEY AND WHITNEY, LLP, 51 West 52nd
Street, New York, New York, before Elizabeth
Willeski, RPR, of Capital Reporting Company, a
Notary Public in and of the State of New York.

1 S. Ganafa

2 Q . Is that a street
3 address?

4 A No. Box number.

5 Q That's your mailing address?

6 A Kgsamuel2000@yahoo.com, as well as
7 kgsamuel@gmail.com.

8 Q The address, that box number you gave
9 me, that is your mailing address for paper mail;
10 is that correct?

11 A Yes.

12 Q And you've given me two e-mail
13 addresses, kgsamuel@yahoo.com and
14 kgsamuel@gmail.com. Are there any other e-mail
15 addresses that you use?

16 A No.

17 Q Do you have -- are you currently
18 employed?

19 A Yes.

20 Q Where are you employed?

21 A I work with the MTN Uganda. It's a
22 mobile telephone company.

23 Q Okay. And do you have an e-mail that
24 you use with MTN?

25 A Yes.

1 S. Ganafa

2 A Yes.

3 Q And would your purpose in agreeing to
4 the letter be to stop Buturo's attempt to
5 criminalize promotion of homosexual conduct?

6 A Yes.

7 Q There were a series of questions on the
8 e-mail itself back on the first page. Do you
9 recall whether you answered those questions for
10 Victor?

11 A I don't remember what was my response.

12 Q So you don't remember whether you
13 responded back to Victor?

14 A Yes.

15 Q Would it have been your usual practice
16 in October of 2007 to respond to e-mails from
17 Victor asking you questions?

18 A Yes.

19 Q Do you recall reading whether any of the
20 other recipients of this e-mail, David Kato, John
21 Wambere, Kasha, Val Kalende, Frank Mugisha, do you
22 recall whether any of them responded to Victor
23 Mukasa's e-mail?

24 A No.

25 Q And seeing your name listed only as Sam

1 S. Ganafa

2 Q As the chairman of the board of SMUG and
3 as a described backbone of the LGBT movement in
4 Uganda, is it true you aren't able to identify one
5 way that Scott Lively has damaged SMUG as an
6 organization?

7 MR. SULLIVAN: Objection to form.

8 Q Monetarily?

9 A Monetarily, no.

10 Q No, you're not able to tell me any
11 damages?

12 A No.

13 Q Apart from monetary damages, can you
14 tell me any way that Scott Lively has damaged SMUG
15 as an organization?

16 MR. SULLIVAN: Objection to form.

17 A Putting limitation on our work because
18 of our security reasons, but the rest I think it
19 can be best answered by Frank.

20 Q You said can be testified to by Frank?

21 MR. SULLIVAN: Best answered.

22 A Best answered by Frank about monetary
23 losses.

24 Q What limitations on SMUG's activities
25 were you referring to just a moment ago?

1 S. Ganafa

2 A Limited scope of advocacy.

3 Q What kind of advocacy has SMUG not been
4 able to do that it wants to do?

5 A Reaching out to our constituents.

6 Q And does SMUG not do that today?

7 A Some of them are fearful of the current
8 situation.

9 Q When you say some of them, some of your
10 constituents?

11 A Yes.

12 Q How do you know this?

13 A By the turnout of events. Even the
14 level of advocacy that is being carried out, you
15 can gauge whether you're reaching more people or
16 fewer people.

17 Q And so during what periods of time are
18 you comparing when you say that SMUG is reaching
19 fewer people?

20 A From the time the bill was actually
21 passed and then signed into law, there were some
22 significant changes.

23 Q Are you talking about from the time in
24 late 2013 when it was passed by Parliament?

25 A Yes.

1 S. Ganafa

2 A Of SMUG.

3 Q Now, were you aware of this column in
4 December of 2011?

5 A No.

6 Q Are you personally satisfied with the
7 Court process that led to the conviction and
8 sentencing of the person that confessed to killing
9 David Kato?

10 MR. SULLIVAN: Objection to form.

11 A Not entirely.

12 Q What are you not satisfied with, what
13 aspect?

14 A What happened is that the person who was
15 arrested confessed or pleaded guilty, so that
16 meant there was no trial, so that leaves a lot of
17 gaps in understanding what exactly transpired. If
18 somebody says yes, I did it, then it stays in in
19 sentencing so you may not understand exactly what
20 happened, who was behind him, what are the
21 circumstances that led him to do that.

22 Q So you would have rather there been a
23 trial?

24 A A trial.

25 Q But as you sit here, do you have any

EXHIBIT 35



Scott Lively <sdllaw@gmail.com>

Fw: FYI--Scott Lively coming to Uganda

3 messages

Linda Harvey <lpharvey@columbus.rr.com>
To: Scott Lively <sdllaw@gmail.com>

Wed, Mar 4, 2009 at 10:06 AM

From a staff member of Parliament in Uganda who has been on my mailing list for many years--

Linda
----- Original Message ----- From: <ctuhaise@parliament.go.ug>
To: "Linda Harvey" <lpharvey@columbus.rr.com>
Sent: Saturday, February 28, 2009 11:58 AM
Subject: Scott Lively coming to Uganda

Linda,

Thank you for the information on Scott Lively's visit to Uganda. I'm in touch with Family Life Network, the local organisers of Scott's meetings in Uganda next week. He's scheduled to speak at 5 or more meetings, including one for Members of Parliament on Thursday.

There has been wide publicity of the meetings and the information has leaked to homosexual networks around the globe. Stephen Langa, the Executive Director Family Life Network was in my office yesterday and told me that some of the people registering for the main Seminar (March 5-7, 09) are Homosexual activists who are travelling to Uganda to attend the seminar. We hope they will not try to disrupt the meetings as they are known to do, especially in the US. The organisers have notified security, so Police will ensure no one disrupts the meetings.

Thank you once again for keeping in touch on this matter. Let's pray that Scott's visit will achieve its purpose.

Charles Tuhaise

This mail sent through IMP: <http://horde.org/imp/>

Scott Lively <sdllaw@gmail.com>
To: Linda Harvey <lpharvey@columbus.rr.com>

Wed, Mar 4, 2009 at 12:59 PM

cool
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Scott Lively <psalm37nasb@gmail.com>

Fri, Apr 11, 2014 at 4:37 PM

[REDACTED. ATTORNEY-CLIENT PRIVILEGE. COMMUNICATION FROM MR. LIVELY TO COUNSEL REGARDING SMUG LITIGATION]

EXHIBIT 36

The Lively Letter

PO Box 2373, Springfield, MA 01101, www.defendthefamily.com, sdllaw@gmail.com

January 15, 2009

THE PLAN FOR '09

«Organization»

«Full Name»

«Address 1»

«City», «State» «Zip Code»

Dear «Salutation»,

2008 was a year of foundation-laying. We relocated to Springfield, MA, launched a new missions-oriented model for pro-family activism, bought and restored an abandoned former crack house in the middle of the ghetto as an example of redemptive living, established a new local network of pro-family activists, conducted a full schedule of community-impacting activities, and (through the PFCT) bought a commercial building to serve as a Christian coffee house and ministry center.

2009 will be a year for building on the foundation, which means developing our local programs and activist network, and promoting our Redemption Zone as a mission field throughout the US and even the world. I will use my speaking appearances as opportunities to emphasize the missionary model as a new and better way to advance the pro-family agenda. This month I will travel to Vermont to help launch a Mission Society on the pattern we have established in Springfield. My host and the project facilitator is a Vermont state legislator who attended a strategy meeting I addressed in November in that state.

I expect to have many speaking events in '09 because this is the year in which I will get back into the public dialog on culture war issues in a bigger way. With a new book soon to be published, and three new versions of *The Pink Swastika* in the pipeline (5th edition e-book, Russian version, and audio version) I will have many opportunities to solicit radio interviews and speaking appearances through press releases and word-of-mouth publicity. I've shunned the media strategy in recent years as counterproductive to ATM's then-current mission, but it's time to jump back into the fray.

The homosexual issue will be more pressing than ever in 2009, and I'll be better equipped to impact it than ever before. To my knowledge, *Redeeming the Rainbow* is the first solutions-oriented text-book on the "gay" agenda from the pro-family perspective ever to be published, and (for the first time) I will be launching a national marketing campaign through my publisher, directed at the church market. I'll reintroduce myself to the talk-radio networks through press releases and write and submit a series of editorials to conservative media outlets.

Another thing that might garner media attention is my beef with the Southern Poverty Law Center. In my last letter to them I asked what we would need to do to be removed from their list of hate groups. I did not receive a response. This week I'll resend the letter by registered mail. If they again decline to respond, and include us in their 2009 list, I will begin a public campaign to

challenge their status as an “independent” arbiter of hate groups. The SPLC has in fact become a front group for the “gay” movement and is thoroughly partisan on the topic.

Secondarily, independent of it’s homosexual advocacy, the SPLC has become a blatantly anti-Christian entity which raises funds by fear-mongering about the “Christian Right” (lumping Bible-believing Christians with Nazis and the KKK). I wasn’t able to find a single hate crime against a Christian listed on its website, but did find a great many perpetrators of hate crimes labeled as Christians. This organization has no business “teaching tolerance” to public schools (though it publishes and distributes an annual “tolerance” resource to every school district in the nation) nor holding seminars on “hate groups” for law enforcement agencies (which it has been doing for years). If the SPLC continues to slander ATM, we WILL take action in 2009 to expose their anti-Christian/anti-family hate and bigotry to the public.

I expect to do more traveling this year, not like in 07, which was virtually non-stop, but more than last year. I’ll be going to Latvia in July for a Watchmen on the Walls conference, with a possible swing through Uganda on the way there or back for a pro-family training conference. Nothing has yet materialized on the trip to Brazil. Uganda is under siege on the homosexual front by various elements of the U.N. and other internationalists of the Far Left. I received a request by one Ugandan organization for permission to make copies of *Seven Steps to Recruit-Proof Your Child*, which I granted. We’ll probably ship them the last two cases or so of that book that we have in storage as a donation to their work there. It is now out-of print and likely to remain so.

Part of my schedule for the next few months will be taken up by the renovation of the new building to convert the first floor into Holy Grounds Coffee House, and the two apartments above into missionary housing. Just this week we finished preparing one of the two apartments for our first tenant, a young medical missionary (MD) in preparation for foreign missions work. The other will likely house Anthony’s family. He is doing a great job managing the building and running the thrift store (which we’re operating in the interim). We’re developing an evangelistic program to capitalize on his youth-ministry talents to the high school and college kids who make up the majority of the pedestrians who pass by the building daily.

I met with the Christian contractor this week who will do the renovation work. We’re awaiting a report from the architect and code compliance specialist before we can determine exactly what it will cost to do the project. In the mean time, we’ve invested a substantial portion of what we’ve raised so far in a new electrical service for the building. This is a complete service change with new meters, breaker box and sub-panels on each of the floors. The old system looks like it was done in the 30’s or 40’s. The new system is top quality. Our goal is to do everything in the building to a high standard.

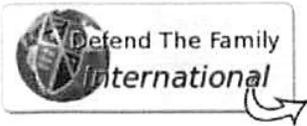
By God’s grace, and His financial provision to us through you, our ATM mission continues to unfold, and in the process is spreading hope and encouragement to those who share our pro-family values. Please continue to give generously to our work.

In Him,

Dr. Scott Lively

PS. Please give what you can above your regular donations to help fund the renovation of the Coffee House building. It is our biggest financial challenge ever, but a valuable investment in the future of this ministry.

EXHIBIT 37



The Pro-Family Resource Center

of Abiding Truth Ministries

Google

 Search the web
 Search this site

Home | The Pro-Family Resource Center | The Pro-Family Charitable Trust | Pro-Family News Sites | Links | Bookstore | Contact Us | Donate Site index

Resource Archives menu

[Bookstore](#) | [Resource archives](#) | [News archives](#)

View most recent resources

Useful Links:

[View all in-house resources](#)

View archives by:

- **Topic:**
 - ["Gay" Recovery](#)
 - [Business World](#)
 - [Crime](#)
 - [Funding of "Gay" Agenda](#)
 - [Hate Crimes & Fraud](#)
 - [History](#)
 - [Homofascism](#)
 - [International](#)
 - [Legal Issues](#)
 - [Marriage and Family](#)
 - [Media and Culture](#)
 - [Military](#)
 - [Miscellaneous](#)
 - [Politics](#)
 - [Pro-Family Advocacy](#)
 - [Religion](#)
 - [Russia](#)
 - [Schools and Colleges](#)
 - [Science and Medicine](#)
 - [Sexual Orientations](#)
 - [Sports](#)
 - [Street Activism](#)
 - [Uganda](#)
 - [Youth](#)

- [Accuracy in Media](#)
- [America Asleep Know More](#)
- [American Family Association](#)
- [American Traditions Magazine](#)
- [Americans for Divorce Reform](#)
- [Americans For Truth](#)
- [Beam Research Center](#)
- [Campaign for Working Families](#)
- [Catholic League](#)
- [Catholic Medical Association](#)
- [Center for Reclaiming America](#)
- [Choice 4 Truth](#)
- [Christian Coalition](#)
- [Citizens for Community Values](#)
- [Citizens for Parents' Rights](#)
- [Concerned Women For America](#)
- [Coral Ridge Ministries](#)
- [Corporate Resource Council](#)
- [Democrats for Life of America](#)
- [Dr. Judith Reisman](#)
- [Eagle Forum](#)
- [Family Dynamics Institute](#)
- [Family Policy Network](#)
- [Family Research Council](#)
- [Family Research Institute](#)
- [Focus on the Family](#)
- [Howard Center for Family, Religion & Society](#)
- [Institute for American Values](#)
- [Jews For Morality](#)
- [Laigle's Forum](#)
- [Libertarians for Life](#)
- [Love Won Out](#)
- [Massachusetts Citizens For Life](#)
- [Mission: America](#)
- [National Association for the Research and Therapy of Homosexuality](#)
- [National Network of Youth Ministries](#)
- [National Right to Life](#)
- [Parent's Rights USA](#)
- [Parents and Friends of Ex-Gays and Gays](#)
- [Parents Rights Coalition](#)
- [Portland Fellowship](#)
- [Preserve Liberty](#)
- [Revolution Ministry](#)
- [RSVP America](#)
- [Society for Law, Life, and Religion](#)
- [Susan B. Anthony List](#)
- [TeenPact](#)
- [The Bible As History & Literature](#)
- [The Heritage Foundation](#)
- [The Heritage Foundation](#)
- [The Justice Foundation](#)
- [The Leadership Institute](#)
- [Traditional Values Coalition](#)
- [True Knights](#)
- [Urban Conservative](#)
- [ValuesUSA](#)

Report from Uganda

from the 'Uganda' topic
Added: 17-Mar-2009
Published: N/A

Source:

Author: Dr. Scott Lively

Description:

Comments about March 3-9 pro-family mission to Uganda
[\[send this resource to a friend \]](#)

Defendthefamily.com Report from Kampala
By Scott Lively

I'm writing from Kampala, Uganda where I am teaching about the "gay" agenda in churches, schools colleges, community groups and in Parliament. My visit here is being treated as an international crisis by the "gay" activists and their media toadies, who are spinning lies in their usual manner, but the Ugandan response has been resoundingly positive.

My week began with a meeting with about fifty members of the Ugandan Christian Lawyers Association on the evening of my arrival, then an address to members of the Parliament on the following morning. There were from fifty to one hundred persons in attendance, including numerous legislators and the Minister of Ethics and Integrity, with whom I enjoyed a personal chat for more than half an hour leading to the event. The centerpiece event was a three-day conference featuring myself, Don Schmierer, author of An Ounce of Prevention and several other books designed to help the families of homosexuals, and Caleb Lee Brundidge of International Healing Foundation, a formerly "gay" African-American man who now leads recovery workshops. It was a paid event, very well attended, mostly by professionals in various fields including education, counseling, government and medicine. Their feedback was extremely favorable.

My part of the conference was a series of three lectures on the final day, lasting most of the day. We gave two seminars at Kampala Pentecostal Church, to a combined total of about 2,000. I shared the platform with the other men the first night, then gave what I think was one of my best motivational sermons ever as the main presenter on the following night. Caleb and I were joint presenters at one of the biggest universities in the city to a crowd of up to 5,000 college students (which began by learning some traditional Ugandan dance moves on stage (to some uproarious laughter from the youths). We spoke to three large groups of secondary school students, a total of maybe 4,000, and did two radio shows, one Christian, one secular, and a one-hour television program on live national television. I did interviews with several newspapers during the week, and had private conversations with several influential leaders. I ended the week with a strategy and brainstorming session with a small group of key Christian activist leaders. All in all it was a highly successful and satisfying campaign.

The Ugandan people are strongly pro-family, and there is a large Christian population which is much more activist minded than that of most western countries. However, the international "gay" movement has devoted a lot of resources to transforming the moral culture from a marriage-based one to one that embraces sexual anarchy. Just as in the U.S. many years ago they are leading with pornography to weaken the moral fiber of the people, and propagandizing the children behind the parents' backs. On the TV show we exposed a book distributed to schools by UNICEF that normalizes homosexuality to teenagers. (We expect a massive protest by parents, who are mostly not aware that such materials even exist in their country, let alone in their childrens' classrooms.)

And remember that homosexuality is literally illegal in this country. Imagine how bad things would be if the criminal law were abandoned. By the way, the false accusation against me, now circulating in the US, is that I called on the Ugandan government to force homosexuals into therapy. What I actually said is that the law against homosexuality should be liberalized to give arrestees the choice of therapy instead of imprisonment, similar to the therapy option I chose after being arrested for drunk driving in 1985 (during which time I accepted the Lord and was healed and transformed into a Christian activist).

Uganda is an important target for the "gays" because of it's internationally-renowned victory over AIDS through abstinence campaigns. It went from having the highest to the lowest disease rates in Africa.

Sadly, there are numerous indications that the "gay" efforts are working. We heard

NOTE: Some resources may refer to our old address. Please note our new address below.


Abiding Truth Ministries
PO Box 2373
Springfield MA 01101

testimonies in our meetings from teachers, pastors and counselors that incidents of homosexuality are on the rise among the youth, including male-on-male rapes in boys boarding schools, and increasing lesbianism in several public schools. It was reported that in at least one of the schools two girls had actually been hired by the underground "gay" movement to recruit other girls at school, resulting in a total of thirteen girls self-identifying as lesbians by the end of the year. There is also a very high incidence of cross-generational relationships (i.e. pederasty), so much so that during my stay there was a public-service radio campaign urging young people not to give in to "sugar-daddies." What happens, according to reports from the youths, is that wealthy white "gays" are coming to Uganda from Europe and America using cash and gifts to lure teenage boys into homosexual relationships. These "rent boys" then brag to their friends that they too can have money and material things if they offer the same services. Unfortunately, in a poor country like Uganda where many people live on less than \$5 per day, it isn't very expensive to corrupt the young.

On the positive side, my host and ministry partner in Kampala, Stephen Langa, was overjoyed with the results of our efforts and predicted confidently that the coming weeks would see significant improvement in the moral climate of the nation, and a massive increase in pro-family activism in every social sphere. He said that a respected observer of society in Kampala had told him that our campaign was like a nuclear bomb against the "gay" agenda in Uganda. I pray that this, and the predictions, are true.

Now my attention is turned to equipping the activists in Uganda with helpful materials. I have given them permission to make unlimited use of Defeating "Gay" Arguments With Simple Logic, and Seven Steps to Recruit-Proof Your Child (a much-esteemed book among the Africans). I still want to send them my remaining stock of about 100 or so copies of Seven Steps, but I didn't raise any money toward this in my last appeal. If you would like to help, please make a donation at www.defendthefamily.com/help/donate.php.

Please also pray for my ministry (which has come under withering attack in recent weeks) and the Ugandan people.

Your Fellow Servant,

Dr. Scott Lively

© 2002-2013 Abiding Truth Ministries, all rights reserved.

EXHIBIT 38



EXHIBIT 39



EXHIBIT 40



EXHIBIT 41



Scott Lively <sdllaw@gmail.com>

From Martin Ssempe

3 messages

Martin Ssempe <ssempam@gmail.com>
To: Scott Lively <sdllaw@gmail.com>
Cc: "Langa, Stephen" <stephenlanga@yahoo.com>

Sat, Nov 7, 2009 at 3:00 PM

Dear Scott,

Howdy? We are making progress with the bill though we predictably have a lot of attacks. I have been in conversation with a heretic called Warren Thorckmorton which I would like to copy you in.

I will forward my emails privately to you for you to take a look and give me your insights on what you are sensing. I have not started firing at him but have taken a civil line with him to try and help him understand.

He seems to have much hatred for you..surprise!

We are continuing..

Martin

PS: The correspondance starts with the most recent on top..going to last below. You may start below to get a the full brief. The email here is not yet gone out.

Dear Mr. Throckmorton,

Thank you for your responses.

1. Getting informed about our Laws: You asked for more information in the issue of the current law on defilement and its punishment. There many issues you raised below and asked for a link for more information. You said concerning the current defilment law?.

==I was not aware of this. It is quite different than here. Is this based on the notion that a girl under 18 cannot consent to sex? Are the girls also incarcerated if a 17 year old girl and boy have sex? This view of responsibility is quite foreign to me. If two people consent to have sex, I have a hard time understand how that is of concern to the state. It may be quite immoral but don't understand the compelling state interest in penalizing it. Here the parents would be responsible for any consequences and if there were no parents, then the guardian or child would be responsible. How long are these 17 year olds in jail?

A good story for you to understand from an American perspective is the story by LA times writer as below. Read the full story to appreciate the whole issue though the angle of the writer is to complain about its impact on the boys. As you can see many boys are in jail..

.Going All the Way -- to Jail: A statute in Uganda aims at men who prey on girls and makes such activity a capital crime. But it is teenage boys who are being ensnared. *Los Angeles Times* - March 14, 2006 **Edmund Sanders, Times Staff Writer**
<http://www.aegis.com/news/Lt/2006/LT060307.html>

....."The East African nation has one of the toughest "defilement" laws anywhere when it comes to girls. **Spurred by a burgeoning women's movement and a growing anti-AIDS campaign, Ugandan lawmakers in 1990 made it illegal for any person to engage in sexual intercourse with a girl younger than 18.**

Unlike statutes in most other countries in Africa and the rest of the world, **the law makes no distinction based upon whether the sex was consensual, or on the age of the alleged "defiler."** Boys, however, **cannot be defiled under the law, either by older women or men.**

By contrast, in the United States, age of consent under statutory rape laws varies between 14 and 18, regardless of gender. In some states, such as California, the offense is only a misdemeanor if consenting participants are close in age.

The Uganda law was intended to crack down on pedophiles seducing girls or offering money in exchange for sex, a serious problem throughout Africa. With AIDS on the rise, older men prey on school-age girls, believing the risk of catching the disease to be lower. And some men believed tales that sleeping with virgins could cure AIDS. "

2. Is there a contradiction? When it comes to making laws, I am a bit at loss. You seem to say that the church should not get involved in the making or care about the kind of laws being made. Your paper attached is construed to do the same by Charles Tuhaise. Yet you seem to bring up "Jesus" when making a law to defend the acceptance of homosexuality. (One may disapprove of homosexuality and still treat others the way you want to be treated (Jesus teaching)).

3. Hate Crimes: What is your take on the hate crimes bill in as much as the bibles teaching on homosexuality will be illegal as currently in Canada. It is illegal to read parts of the bible on the broadcast airwaves in canada ie Romans 1.

4. View on Christian Advocacy for legal reform: Haman in the book of Ester made a law to kill the Jews. While all of the Jews fasted and prayed, Ester went in and practiced "advocacy" to change the terrible law. Is this a precedence we can use in dealing with unjust laws as believers?

5. Your biblical interpretation on the subject. Kindly give me your interpretative thoughts on this passage:

Romans says 1:27..men abandoned "natural" relations with women and were inflamed with lust for one another. Men committed "indecent acts" with other men, and recieved in themselves the "due penalty for their pervasion"....Although they know God's righteous decree that those who do such things "deserve death", they not only continue to do these very things but also "approve of those who practice them".

What do you understand by

- a. Indecent Acts.
- b. "due penalty for their pervasion."

c. "deserve death."

d. "Approve those who practice them"

6. On recommendation on how to improve the current bill you said that "bona fide Christian experts in the field of sexual orientation and theology both Ugandan and international to craft policy that honors freedom and your values." You seem to indicate that we should have "bona fide christian experts in sexual orientation and theology" You seem to contradict yourself by recommending Christian experts yet you want to keep faith values from the law. We have Moslems and traditionalists as well. Nevertheless..Are there some names you can suggest for us because most of our sex, family and theology experts are of the same persuasion that sodomy and lesbianism is unnatural, ungodly, illegal and a violation of our norms and cultures. Would you for example recommend **Bishop Gene Robinson** for us?

7. Thank you for the link to the editor of Christian post. I will get in touch with them.

Thank you again for your dialogue.

Martin Ssempe PhD

2. In On Nov 6, 2009, at 7:04 PM, Throckmorton, Warren wrote:

Dr. Ssempe: I am answering this email separately from the one received from Charles but will cc him on this one and you on his. I am also attaching a paper from a theology professor here at Grove City College that argues in favor of a sharp separation of church and state. I believe the church flourishes in an environment where people can freely choose Christ. That paper informs my thinking about regulating private behavior.

See below...

From: Martin Ssempe [mailto:ssempam@gmail.com]

Sent: Thursday, November 05, 2009 8:31 AM

To: Throckmorton, Warren

Subject: The anti-homosexuality bill Uganda-Seeking equal protection for boys adn girls-dialogue btn an african pastor and an american xtian proffessor

Dear Mr. Warren Throckmorton,

I thank you for your answers..un-fortunately I have not read your christian post article but I would appreciate a link to it. I thank you for taking time to engage with me on this issue and hope to get better understanding of your position and opinion. I know that we Africans hold vastly different views from yours but I think that peaceful dialogue especially of brothers in christ is the way forward.

1. For the record, Section 123 of the Penal Code provides for defilement of girls under 18 years of age. Section 123(1) states that: - " Any person who unlawfully has sexual

intercourse with a girl under the age of eighteen years is guilty of an offence and is liable to suffer death." The offender can be below or above 18. That mean that a 17 year old boy will have the same punishment on him. This law has been in place for more than 10 years..I am wondering if you had known about it before? Yes there are many 17 year olds who are in jail for having sex with fellow minors. Please do a google read on defilement laws and crime statistics so you learn more on the laws of Uganda.

=I was not aware of this. It is quite different than here. Is this based on the notion that a girl under 18 cannot consent to sex? Are the girls also incarcerated if a 17 year old girl and boy have sex? This view of responsibility is quite foreign to me. If two people consent to have sex, I have a hard time understand how that is of concern to the state. It may be quite immoral but don't understand the compelling state interest in penalizing it. Here the parents would be responsible for any consequences and if there were no parents, then the guardian or child would be responsible. How long are these 17 year olds in jail?

In this bill, it appears that such a person would be put to death. Is it that way with boys and girls who have sex? To be consistent, it seems that you would have to declare the death penalty for sex engaged in with anyone under 18. Is this ever enforced? When was the last time an 18 year old boy was put to death for having sex with a 17 year old girl? I am really confused by this. Is it right for a young man or young woman to be put to death for one mistake which was not forced on either – that is a consensual act?

2. The current law as above treats all sexual intercourse for a girl below 18 years as an offense as section 123 (1) states above. There is no exception for consensual sexual activity for children and minors. Any sexual activity is criminal.

=See my thoughts above. Is this ever enforced? Is there a website which contains this information? Perhaps, Mr. Tuhaise can help me there given his position as a researcher.

3. What is your opinion of minors below 18 having "consensual" homosexual or heterosexual sex?

=I believe if they are not married, it is a violation of Scriptural teaching. However, I do not see it as a matter for the state to punish in such a permanent way, unless an adult is involved. If there are no adults involved then the parents, if there are any, need to be the authority in that child's life. The state cannot dictate to the parents how to raise that child here. As you probably know, the age of consent in the states is much lower (in PA, it is 14 which even I think is too low).

4. For the crime of rape and infecting one with HIV/AIDS you mentioned significant consequences? I see you are opposed to the death penalty, can you be more specific on what consequences?

I do favor stronger penalties (longer jail times) but I need to defer on specifics. There are degrees of rape or sexual assault in US law and I am not qualified to discuss the nuances of them. I can put you in touch with several legal experts however, who could provide consultation to you. Please let me know.

5. I asked what should be done to protect the sexual abuse of children who are under authority of leaders-you did not answer. We have teachers and clergy who use their position to either abuse, or keep quiet when they know that abuse is taking place. Are you opposed to the mandatory reporting of sexual abuse? Why?

I did not answer because it seemed to me that you make this bill to be primarily about child abuse when it is not. However, of course I believe child abuse should have severe penalties. And I favor mandatory reporting of CHILD abuse.

6. About UN laws and declarations promoting homosexuality and others, you indicate that they are non binding. That we should simply preach and not care about the laws and protocols being made. We should not make laws to protect us from homosexual legislators at the UN or other international protocols. Isn't this being gullible? Doesn't this fail Christ's mandate to "disciple all nations" with teachings that are protecting the family? Are you aware of the UN declaration to decriminalize homosexuality?

I favor decriminalization of private consensual, non-coercive conduct. Two people who voluntarily without incentives engage in sexual conduct is a private matter, in my opinion.

Christ's injunction to make disciples was a gospel call to evangelize the world and make all aware of His mercy and forgiveness. However, the state is not given that call, rather the church has that call. Nowhere did Jesus call on the state (Caesar) to make disciples. This is the job of the church. Again, see the attached paper for the proper sphere of the state which is the most benefit to the church.

7. You seem to indicate that homosexuality is normal and okay when done with two people who have conspired to this unnatural abomination. Is this your true opinion? Is your opinion based on the bible or something else?

My personal view is that the Bible does not condone any sexual behavior outside of marriage. However, as noted above, the state is not the church. The state cannot coerce people to become Christians or live according to Christian teaching. The New Testament does not place homosexuality on any higher plane of sinning than other sins such as idolatry, greed, etc.

8. What would you like for me to tell the close to 100 per cent of Uganda Africans, who find sodomy and lesbianism (whether consensual or not) an unnatural, ungodly and culturally detestable abomination? A recent survey indicated that 95 per cent are opposed to homosexuality. (95 % of Ugandans opposed to homosexuality) Do they have a democratic right to make legislation which reflects their values? What would you as an American Christian professor of psychology wish to tell us?

I suspect that there are also values of fairness and respect for differences. One may disapprove of homosexuality and still treat others the way you want to be treated (Jesus teaching).

9. You indicated that in your article that I published a list of homosexuals who had to flee the country? This my brother is not true at all...simply homosexual propaganda to seek emotional sympathy. I wonder if you have any name of the people whose names I outed so "publicly." Surely it is not a secret at all.

Thanks for clearing that up. If I hear anything else, I will ask you.

10. Finally is there any good thing in the bill worth keeping, or any ideas worth adding? What do you recommend that we request parliament to drop and what do we keep in the proposed law.

=For now, my recommendation would be to withdraw the bill and convene a working group with bona fide Christian experts in the field of sexual orientation and theology both Ugandan and international to craft policy that honors freedom and your values. The guests in psychology and sexuality that came to your country in March have been widely discredited here. I cannot emphasize strong enough how misinformed

you have been about the research in sexual orientation, therapy and a Christian response. Briefly, I can point to the recent statements from Exodus International that have condemned the proposed law.

11. I also would like to write our opinion for the crosswalk and the other places you are publishing. Would you let me know who I can contact to get my article published in the spirit of the right to reply or fair doctrine.

=Lillian Kwon is managing editor there. They may or may not post it but you can try. Her email is Lillian@Christianpost.com

I thank you for your taking time to discuss with me. I hope to hear from you and please don't hesitate to ask the accuracy of any lie or statement as to my position.

Blessings,

Martin Ssempe PhD.

On Nov 5, 2009, at 3:54 AM, Throckmorton, Warren wrote:

Dr. Ssempe:

See below for my responses:

From: Martin Ssempe [<mailto:ssempam@gmail.com>]
Sent: Wed 11/4/2009 3:52 AM
To: Throckmorton, Warren
Subject: Re: Seeking EQUAL Protection for the boys as for the girls.

Dear Mr. Warren,

Thank you for your considered response and also the fact that you read the bill. Your link to MS Sylvia Tamale is appreciated as well. You will know that the whole nation of Uganda does not agree with Sylvia at all because of her opinions which include the legalisation of abortion, homosexuality, prostitution, and reducing the age of consent from the current 18 to 16 are completely out of touch with reality.. She has been shamedly voted as the worst woman of the year in Uganda two years consistently. Nevertheless her funders and homosexual benefactors in the US have funded her and given her awards. Her opinion is very questionable since it will mean she can no longer get funding for sodomy propoganda legally.

I did send you the copy of the current law on aggravated defilement which leads to a sentence of death as has currently been in place for more than a decade. Section 123 of the Penal Code provides for defilement of girls under 18 years of age. Section 123(1) states that: -

" Any person who unlawfully has sexual intercourse with a girl under the age of eighteen years is guilty of an offence and is liable to suffer death."

What is your opinion on this law being used to protect the boy child as well?

I will be most grateful to get your specific recommendation to the following issues so that I can communicate it to the committee which is drafting this law.

1. What should be done as punishment for men who rape a boy child who is below 18?

Rape is obviously non-consensual. Punishment for rape should be severe and commensurate with penalties for girls. It is not clear that you mean rape in your bill however. You simply refer to sex with someone under 18. Thus an 18 year old would be subject to death if consensual sex occurred with a 17 year old. Do you kill 18 year old boys for having consensual sex with 17 year old girls? I really doubt it, but I am interested in your answer.

2. What should be done by the state to punish a man who rapes and infects a boy below 18 with HIV/AIDS?

I am not in favor of the death penalty no matter what the sexual orientation of the perpetrator but I do believe a rapist should face significant consequences. However, what your bill does is to treat consensual sex like rape. This is wrong.

3. What should be done to protect same sex sexual harrassment? Can we have the same laws cover both men and women-including homosexuals?

The way the bill is written, it is not clear that you are referring to harassment. It appears you are referring to any touching. If you are referring to harassment, why you not use that word. I do think life in prison is extreme for sexual harassment of any sort. I will say again that the bill describes penalties for consensual touching, and other relationships. If you are not intending to cover consensual homosexual behaviors, then this should be made clear in the bill.

4. What should be done to protect the boy child by school heads, clergy, rabbis who know that rape and sexual violence is taking place in their school but they wont take any action because they dont want to jeopardise the reputation of their school?

=Again, you are describing child abuse and non-consensual relations.

5. How should we protect our nations from homosexual promoters at the UN and other conventions who want to unilaterally declare sodomy and lesbianism a human right without regard to the nations laws, faith and cultures?

=These are non-binding resolutions at the UN. They do not obligate you to anything. My advice is to teach in your churches the sexual ethic you believe in and trust the gospel to work in the hearts and lives of people. Government coercion cannot create a holy people. Righteous behavior which is coerced by the state brings no pleasure to God.

6. Do support or oppose the mandatory statewide reporting of child abuse or suspicion as currently in all 50 US states including pennsylvania?

==You again are referring to apples when the bill covers oranges. The bill refers to any offense in

the bill must be reported. Many of the offenses are not child abuse. Under these conditions, ministers could not minister, counselors could not counsel and parents would be reporting on children. Your former collaborator Ed Green has read the bill and agrees that this bill would instigate paranoia and witch hunts. I assume you saw my Christian Post article today where Dr. Green was quoted.

7. Finally on the issue I am also aware of Jesus words to the "repentant woman" caught in adultery. He told her to go and sin no more as well as stopped a mob execution. Yet I wonder what you say about Jesus words to the promoters of child abuse "it would be better if a millstone was tied around their necks and they were thrown into the midst of the sea". Matt 18:6 Is this the same kind of Jesus you are talking about, or another one?

==Why do you keep bringing up child abuse as if this bill was about child abuse? Please do not insult my intelligence, Dr. Green's intelligence and that of so many others who have read it and are horrified by it.

I am perplexed by your portrayal of this bill as if it is only about rape and child abuse. Please explain why you continue to do that.

Sincerely, Warren Throckmorton, PhD

7.
On Nov 3, 2009, at 4:33 PM, Throckmorton, Warren wrote:

Dr. Ssempea:

I am pretty sure that you know better than what you have written here. I have read the bill you sent to me and know that it does much more than "protect the boy child."

Here is an analysis from a law professor at Makerere Univ.

http://www.monitor.co.ug/artman/publish/opinions/Why_anti-gay_Bill_should_worry_us_93987.shtml

Given your education and intellect, I am sure that you know she is right. I am pretty sure you also know that Jesus did not cast the first stone at the adulterous woman, even though He was the only one without sin. He prevented the death penalty. Why don't you be like Jesus and ask your followers to drop their stones?

Warren Throckmorton

From: Martin Ssempea [<mailto:ssempam@gmail.com>]
Sent: Mon 11/2/2009 4:23 AM
To: Throckmorton, Warren
Subject: Seeking EQUAL Protection for the boys as for the girls.

Dear Mr. Warren,

Further to my last email and the subsequent campaign you have made concerning the proposed bill. I thought it wise to update you on the current laws in Uganda concerning the issues pertinent to the proposed bill. As I had shared earlier, the law seeks to provide EQUAL PROTECTION for the boy child which has been accorded to the protection of the girl child. You can see that these laws only protect the girl. These laws are currently in place and have been effective in protecting of the girl child. Why are you opposed in providing equal protection to the boy. Why were you quiet when these laws have been in place and only now come out when we are seeking to give equal protection to the boy child. Is the rape, sexual harassment and defilement of a boy lesser crime than that of a girl? I seek your considered opinion.

Martin Ssempe PhD

THE LAW RELATING TO DOMESTIC VIOLENCE, RAPE AND DEFILEMENT

(i) RAPE

The offence of rape is defined in Section 117 of the Penal Code Act (Cap.106 of the Laws of Uganda). "Any person who has unlawful carnal knowledge of a woman without her consent, or with her consent, if the consent is obtained by force or by means of threat or intimidation of any kind, or by fear of bodily harm, or means of false representation as to the nature of the act, or in the case of married women, by personating her husband, is guilty of the felony termed rape". Section 118 of the Penal Code act prescribes the punishment of rape and it provides thus: - " Any person convicted of rape shall be liable to suffer death

The Penal Code act also provides for attempted rape. Under section 119, it is provided that: - " Any person who attempts to commit rape is guilty of a felony and is liable to imprisonment for life, with or without corporal punishment.

(ii) DEFILEMENT

Section 123 of the Penal Code provides for defilement of girls under 18 years of age. Section 123(1) states that: - " Any person who unlawfully has sexual intercourse with a girl under the age of eighteen years is guilty of an offence and is liable to suffer death."

Sub-section 2 of Section 123 of the Penal Code provides for attempts to defile a girl under the age of eighteen years. It states that: "Any person who attempts to have unlawful sexual intercourse with a girl under the age of eighteen years is guilty of an offence and is liable to imprisonment for eighteen years with or without corporal punishment".

(iii) INDECENT ASSAULT

This is "touching or embracing parts on the body of someone without his or her consent, e.g., kissing a woman against her will, touching her buttocks, breasts, private parts like the vagina, thighs and waist". Indecent assault carries with it a maximum sentence of fourteen years imprisonment with or without corporal punishment.

(iv) INCEST

Sub section (1) of Section 144 of the penal code states that; "Any person who has sexual intercourse with another person with whom, to his knowledge there exists a blood relationship is guilty of an offence and is liable to imprisonment for seven years or if that person is under the age of eighteen years to imprisonment for life."

Sub section (3) states that; "Where a person is convicted of an offence under this section in relation to a person under the age of 21 years, the court may divest the offender of all authority over that person and if the offender is the guardian of such a person, the court may order the termination of such guardianship and appoint another person as guardian".

<ReligionSeparation.pdf>

Scott Lively <sdllaw@gmail.com>
To: Martin Ssempea <ssempam@gmail.com>

Sat, Nov 7, 2009 at 5:16 PM

Throckmorton is a snake. Do not trust him. I suspect him of being homosexual.

Good job in pointing out his contradictions re "church and state." You might ask him how he applies this strange doctrine regarding such things as rape, theft and kidnapping.

Be careful because he is working to compile quotations from you that he can use to discredit you. My advice is to reverse this process and press him to explain his views, especially what he would recommend to regulate homosexuality in Uganda. If he wouldn't support ANY law, this is your defense to his attack on the harsh particulars of the current proposed law, and a good reason to refuse to discuss the matter further. If he won't disclose his own views, don't answer any more of his questions.

Re the proposed law, in my opinion the punitive aspects should be dramatically reduced and the rehabilitative option stressed.

Blessings,

Scott
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Scott Lively <psalm37nasb@gmail.com>

Thu, Apr 10, 2014 at 12:51 PM

[Quoted text hidden]

EXHIBIT 42



Scott Lively <sdllaw@gmail.com>

Draft letter of Ugandan Pastors to Rick Warren. Final Draft-comments needed.

2 messages

Martin Ssempe <ssempam@gmail.com>

Tue, Dec 15, 2009 at 8:53 PM

To: Martin Ssempe <ssempam@gmail.com>

Cc: dbahati@parliament.go.ug, "Langa, Stephen" <stephenlanga@yahoo.com>, "Tuhaise, Charles" <ctuhaise@parliament.go.ug>, Rusoke Rusoke <rusokea@yahoo.com>, James Butuuro <njbuturo@parliament.go.ug>, Aaron Timothy <globaleaders@gmail.com>, Badriaki Michael <takejesus2000@yahoo.com>, Gerald Mwebe <mwebe@yahoo.com>, Joshua Kitakule <jkitakule@ircu.or.ug>, Julius Peter Oyet <apostle@lifelineministries.or.ug>, Joshua Lwere <joshualwere@yahoo.com>, omega kyazze <omegakyazze@yahoo.com>

Dear Pastor Rick Warren,

Christmas greetings from the Pastors here in Uganda. We acknowledge receipt of your letter in which you called on us to "speak out" against the proposed "Anti-homosexuality bill 2009" which is currently in the process of being developed in our parliament. This bill has been greatly misrepresented by some homosexuals causing hysteria and we take this opportunity to give you the background, educate you on the major aspects of the law as well as respond to the concerns you raised. Indeed the headlines that say **Ugandan law to kill gays, is deliberately misleading**. It should really say, **Uganda law proposes capital sentence for Men with HIV who rape boys and infect them with HIV/AIDS just as it is for heterosexuals who rape girls**. You see, we have many troubling concerns, such as a crisis of people living with HIV/AIDS (PLWA) who rape and infect young children with HIV/AIDS in a grotesque demonic belief of a "virgin sex cure" as prescribed by satanic witchdoctors. We are harrassed by a massive invasion of rich Europeans and Americans groups who are scorning our traditional African view of marriage and family, bullying and threatening to cut off "aid" if we dont legalise the sins of Sodom and Gommorrah! We are troubled by some members western media which is obsessed with homosexuality it Indeed, we are troubled that Christianity in the global North has fallen so much from Gods word that homosexuals and lesbians are being ordained into Bishops as evidenced by the election of Mary Glasspool in your state of California last week! We want to make sure that Africa purposefully avoids the mistakes of the Global North Church and we hope to learn more from our encyclical pastoral dialogue.

Africa101: Homosexuality is illegal, unnatural, ungodly and un-African: In Uganda as most of the global South, homosexuality is an "evil and repugnant sexual act" which simultaneously breaks **four established laws**. **First, the law of nature**, which states that males mate with females; **Second the law of our land** as already stated in our Penal Code and constitution; **thirdly, the law of our faiths** as in the Holy Bible for Christians and the Holy Quran for our Moslem friends ; **Fouthly, the law of our African tribal cultures** which have been handed down to us by our fathers from thousands of years of civilized traditions.

While we may have differences of opinions on many issues as in many democratic societies, this is one issue we all agree on. A recent steadman survey demonstrated this that 95% of Ugandans are opposed to homosexuality. Just so you know, **the current law on homosexuality (in Uganda Penal Code 145) punishes all forms of "unnatural" sexual activity as an offense liable with up to life in prison**. Similarly attempts to committ the same offenses is a felony liable to seven years inprisonment. This law was established by act on Sunday 15th June 1950!

Our Historical Struggle:

When you came to Uganda on Thursday, 27 March 2008, and expressed support to the Church of Uganda's boycott of the pro-homosexual church of England, you stated; "The Church of England is wrong, and I support the Church of Uganda". You are further remembered to say, "homosexuality is not a natural way of life and thus (its) not a human right. We shall not tolerate this apect at all". (Gay Row-US Pastor supports country on boycott) You were indeed affirming Uganda's Christian's long historical struggle against institutionalized homosexuality. This boycott was not the beginning of the struggle. Infact on June 3rd 1886, 26 Ugandas new converts to Christianity were martyrdr for their stand against a deviant king who had taken to the practice of sodomy. There faith in Christ emboldened them to stand against homosexuality, resisiting to the "point of shedding blood". Today we honor them, and June 3rd is a national holiday where millions of Ugandan believers converge to remember and renew their strenght. (When faith, state and state inspired homosexuality clash). As you yourself have said, "...the Bible says evil has to be opposed. Evil has to be stopped. The Bible does not say negotiate with evil. It says stop it. Stop evil. (12/2007) Since homosexuality is evil, you cannot possibly be against a law that seeks to stop it unless if you have misunderstood it.

What is the law about?

Last November 18th 2008, France and Netherlands initiated a law which seeks to use UN to push homosexuality on other nations all over the world. This moral imperialism which intends to use the coersive powers of European Union and the UN to impose sodomy legalization in our nations is a driving factor in Uganda's legislators effort to draft a law to protect our nations moral sovereignty. That explains clauses 18 and 19.

Secondly we are dealing with a well funded homosexual nations and foundations which are pouring millions of dollars into Africa with a singular effort of pushing homosexuality and abortion down our throats. These evil men are seducing young boys and girls into sexual

acts as to expand their evil empire. "Homosexual admits recruiting students". While we have a law that currently prohibits acts against nature, we don't have a law against the promoters of these acts. The draft law seeks to stop this criminal activity as section 13.

Thirdly the law seeks to **provide equal protection** for the boy child as currently granted the girl child from paedophiles, some who are deliberately raping young virgin boys and girls with a false belief that it will heal them of HIV/AIDS! Since 1997, Section 123 of the Penal Code only provides protection against defilement (sexual abuse) of girls under 18 years of age. Section 123(1) states that: - "Any person who unlawfully has sexual intercourse with a **girl under the age of eighteen years** is guilty of an offence and is **liable to suffer death.**" Sub-section 2 of Section 123 of the Penal Code provides for attempts to defile a girl under the age of eighteen years. It states that: "Any person **who attempts** to have **unlawful sexual intercourse with a girl under the age of eighteen years** is guilty of an offence and is liable to imprisonment for eighteen years with or without corporal punishment". This has and continues to be the current law which no one has complained that it is unchristian or a human right violation. Many boys have been violated without legal protection leaving their evil oppressors to get away with no law enforcement protection. The current draft law, simply aims at **providing equal protection** of the boy child, as currently existing for the girl child. This is found in section 3 and 4 of the bill. The question for you is this, does the sexual rape of a boy constitute a lesser crime than the rape of a girl? Indeed it is this issue of aggravated homosexuality which is equal to "**statutory rape**" of a minor, handicapped child and infecting her with HIV/AIDS which is punishable by death.

Many people, including you may have failed to understand section 3 of aggravated defilement. This is really paedophilia. The key is in understanding the difference between the **victim and the offender** which I am sure is a different language for many. This section deals with offenses to two kinds of vulnerable populations-**children below 18 or those who are handicapped! Those who are offenders or Paedophiles can be a person with HIV/AIDS, someone ie a teacher or priest who abuses their authority, etc.**

In addition it should be noted that there are people who are living with HIV/AIDS who seek to have sex with young children both boys and girls in the misguided hope that it will cure them of HIV/AIDS. This is a problem driving the sexual abuse of children under 18 and spiraling HIV/AIDS infections both in girls and boys! A recent report shows this. Uganda: Child Abuse rampant. This tragedy is happening all over Eastern and Southern Africa. There is evidence of rising rape and defilement of boys and girls which is driving HIV/AIDS rates up. This Bill is taking a lead in providing both the boy and girl child with equal protection of capital punishment.

Finally a lot of the sexual violence of children takes place in institutions such as boarding schools. Research by ACFODE, "**The situational review of rape, sexual harassment and defilement 2005**" in three districts found unusually high levels of coercive heterosexual/homosexual rape and harassment especially in single sex schools. Unfortunately the school officials and prison officers, maintain a conspiracy of silence, ignoring the pleas of the children and victims who report these crimes to them. Their reputation of their school business or prison above the welfare of the children and adults in their custody. **This is the spirit behind the section 14, of mandatory reporting of the offenses within 24 hours.**

This reporting is similar to the mandatory reporting of all "**unlawful sexual intercourse**" in the state of California Penal Code 11165 which includes, 1-rape(261), incest(285), sodomy (286), child molestation(647.6), statutory rape (261.5). Pastor Rick you must be aware that **California Penal Code 11166;11165.7** requires that Teachers, Social workers, District attorneys, Doctors, Psychologists, marriage and family counselors, clergy members and state or county public health employees **are required by law** to report "**unlawful sexual intercourse**" as defined by the state of California. You have never complained about this law hindering access to health, legal or spiritual services which you and Kay offer. Why don't you think that we too in Africa have the right to make laws pertinent to restrict what our nations deem as "**unlawful sexual intercourse**"?

What has been our recommendation to the law?

At a special sitting of the Uganda Joint Christian Council taskforce sat and reviewed the bill to make comments. We resolved to support the bill with some amendments which included the following.

- a. We suggested a less harsher sentence of 20 years instead of the death penalty for paedophilia or aggravated homosexuality.
- b. We suggested the inclusion of counselling and rehabilitation being offered to offenders and victims. The churches are willing to provide the necessary help for those who are willing to undergo counselling and rehabilitation.

Again on Friday 11th December, more than 200 of Uganda's top religious leaders met and supported the legislators and governments effort in strengthening the law against homosexuality. Church leaders back government on anti-gay bill. The issue is we all want a law, it is simply details of how much punishment will be meted out.

Warning of a widening shift.

We note with sadness the increasing levels of accepting of the evil of homosexuality. The ordination of Mary Glasspool a Lesbian as a bishop in Los Angeles without any condemnation from you, has increased the widening gap between the global south church in Africa and the global north church in Europe and America. In these increasingly dark days, we encourage you not to give into the temptation to water down what the bible says so as not to offend people. Jesus's gospel is a stumbling block, and a rock of offense. Rick you are our friend, we have bought many of your books and have been blessed by them. Do not let the pressure of bloggers and popular media intimidate you into becoming a negotiator for homosexual paedophilia rights in Africa. As you yourself say about evil, - "the Bible says evil has to be opposed. Evil has to be stopped. The Bible does not say negotiate with evil. It says stop it. Stop evil."(RW-12/2007) Since the bible says that the giant of homosexuality is an "abomination" or a great evil, you cannot achieve the peace plan without a purpose driven confrontation with evil.

Scott Lively <sdllaw@gmail.com>
To: Scott Lively <psalm37nasb@gmail.com>

Thu, Apr 10, 2014 at 1:03 PM

[Quoted text hidden]

EXHIBIT 43



Scott Lively <sdllaw@gmail.com>

Uganda Pastors response to Rick Warren video version

1 message

Martin Ssempe <ssempam@gmail.com>

Mon, Dec 28, 2009 at 2:31 PM

To: dbahati@parliament.go.ug

Dear friends,

Greetings. Please find the youtube video version of the response to Rick Warren. Kindly watch and comment. I have not yet made it very public. Please share after 12 hours.

Thanks a lot.

Martin Ssempe PhD

--

Uganda Pastors' response Letter to Rick Warren 1 (<http://www.youtube.com/watch?v=3YqEw6rq-V8>)

Uganda Pastors' response Letter to Rick Warren 2 (<http://www.youtube.com/watch?v=dRNYZsYI17Q>)

EXHIBIT 44

Defend the Family International
PO Box 2373, Springfield, MA 01101, www.defendthefamily.com

March 8, 2010

The Honorable David Bahati,

Dear Mr. Bahati,

In March of 2009, it was my great honor to address members of the Ugandan Parliament in your legislative assembly hall regarding the anti-homosexuality bill that was being contemplated at that time. My advice was to discourage all forms of sexual promiscuity, including homosexuality, by such things as promoting a marriage-centered culture through your public school system. Regarding homosexuality specifically, I urged an emphasis on rehabilitation as an alternative to incarceration. Although my ideas were well received at the time, the bill that was eventually drafted followed a more traditional approach emphasizing deterrence through strong criminal sanctions.

As the duly elected representatives of a sovereign democratic nation, it is certainly within your prerogative to regulate criminal conduct in your society through the threat of harsh punishment. Indeed, until recent decades similar laws were used successfully in the United States and other Western countries to suppress the spread of sexual deviance. It is also Uganda's right and responsibility as a member of the community of nations to advocate the social policies it deems necessary for the preservation and advancement of civilization, and I applaud the Ugandan government for taking a firm stand against the legitimization of homosexuality in the face of intense opposition from nations with different views.

However, as a long-time pro-family attorney, pastor and human rights activist with service in more than thirty countries, I believe there are aspects of the current draft of the anti-homosexuality bill that, if passed into law, will actually work against the interests you seek to serve.

First and foremost, the inclusion of capital punishment for what you have classed as "aggravated homosexuality" is, in my view, a disproportionately harsh penalty. You must realize that capital punishment has been banned in numerous countries, even for the most extreme cases of aggravated murder, and this is held as such an important policy that these nations will often refuse to extradite criminals to their home countries (including the United States) if there is any possibility that they will be subject to capital punishment there. Advocating the "death penalty" for "mere" sexual crimes evokes such a severe negative reaction in most Western nations that all other aspects of the law, and the rationale for drafting it is ignored, and very "gay" movement we seek to oppose is strengthened by public sympathy they would not otherwise enjoy.

Conversely, if the "death penalty" provision were removed, it would take the wind out of the sails of their current campaign against the bill. With so much of the "gays" international support now tied to the idea that this is a "Kill the Gays" law, the removal of this provision would represent enough of a concession on your part that a great many of the people who are now siding with them out of sympathy would consider the matter resolved. They will, of course, continue to attack the bill, but from a much weaker position.

Second, the provision in the bill subjecting individuals to criminal penalties for failure to report the homosexual activity of others is simply untenable as written because it is too vague and because it targets people who may live as homosexuals in their private lives, but who do not seek to recruit others or legitimize their lifestyle in the larger society. It is my understanding that your

primary goal is to prevent the spread of homosexuality through the recruitment of young people into the "gay" lifestyle. I believe you could better achieve this goal by revising this provision along the lines of child abuse reporting requirements in the U.S.. All 50 states require that professionals who work with children report reasonable suspicions of child abuse while some states require that anyone with suspicions report it. I am attaching a typical model policy for such a law which was adopted by a school district in Illinois which I found in a simple Internet search.

I believe you could easily adapt this model to your purposes by imposing this same reporting requirement on anyone with knowledge of adult homosexuals who involve themselves with anyone a certain age. If, for example, you encompassed all youths under the age of twenty-five within this shield of protection, you would stop virtually all "gay" recruitment in your country, since normal young men and women are usually firmly set in their heterosexual identity by their mid-twenties. On the other hand, you would preserve the right to privacy of adults who are not activists or pederasts but simply want to live their lives in peace. This is especially important in that Uganda currently has no provision for treatment or rehabilitation to help homosexuals overcome this powerfully enslaving disorder. Moreover, by sticking closely to the U.S. model, which is very effective and enjoys near universal public support here, you could much more easily deflect criticism of the revised provision in your bill.

This brings me to my final concern. I believe that as a Christian nation, Uganda could and should set an example for the world by providing the option for therapy and rehabilitation for homosexuals in your public policy. I have been informed that it is not possible to include this in the current bill because there is currently no funding in the budget to implement such a provision. Monetary concerns are further heightened in that some existing foreign aid funding may be withheld by some strongly pro-homosexual governments if the anti-homosexuality bill becomes law.

Allow me to propose a possible solution to both problems. I suggest that you offer to the foreign funding countries and agencies to incrementally liberalize the criminal law on homosexuality in exchange for funding to implement a rehabilitation program. You can prove by this proposal that your true goal is the protection of your society in the least punitive manner, and at the same time force the funding sources to reveal whether their true motive in threatening the withdrawal of aid is to protect homosexuals from the risk of incarceration or to legitimize homosexuality in your society. Meanwhile, I urge you to add some non-binding verbiage in the current bill, perhaps in the preamble, stating that the government views rehabilitation as a long-term goal of its public policy even if it is not possible to implement at this time. Such language would be enormously valuable to those of us who will work internationally and in our own countries to defend the bill once it is passed into law. It would also introduce this idea into the international debate on homosexuality and perhaps inspire other nations with greater financial resources to implement such a policy in their own laws.

In closing, while I have been critical of a few points in this bill, and remain personally opposed to the incarceration of homosexuals because of my knowledge of the effectiveness of rehabilitation, I nevertheless commend your courage as the author of this bill and am ready to vigorously support a revised version that addresses these issues.

Respectfully,

Dr. Scott Lively
President

1

MODEL POLICY
REPORTING CHILD ABUSE AND NEGLECT
FOR SCHOOL OFFICIALS
IN DUPAGE COUNTY
SEPTEMBER 2005

The DuPage County State's Attorney's Office, the DuPage Regional Superintendent of Schools, the School District, the Department of Children and Family Services, and the Police Department have created this Policy to address the reporting of child abuse and neglect. The goal of this policy is to ensure that all parties partner together to ensure the safety and well-being of children. This Policy also addresses the duties under the mandatory reporting laws and the timely and professional investigation of allegations of abuse and neglect.

This Policy provides a guideline in coordinating the obligations and roles of each of the parties. This guideline will be supplemented with continued training in order that all partners develop the best procedures to ensure the protection of our children.

I. Abused and Neglected Child Reporting Act

The responsibility of all school personnel to report child abuse and neglect is mandated by law. The Abused and Neglected Child Reporting Act, 325 ILCS 5/1 et seq., is appended to this Policy. All of the definitions, terms, obligations and appellate court decisions interpreting this Act are incorporated into this Policy by reference.

The DuPage County State's Attorney, the Dupage Regional Superintendent of Schools, the School District, the Department of Children and Family Services, and the Police Department agree to cooperate with each other and jointly develop all necessary education, training, policy planning and case management and services in order to prevent, identify and treat child abuse and neglect. (325 ILCS 5/7.1)

II. Identification of Mandatory Reporters

A. Definitions:

The law defines mandatory reporters as those professionals who may work with children in the course of their professional duties. Every teacher and teacher's aide clearly falls within this definition. In the school environment, the following individuals are also included as mandatory reporters:

2

- Medical personnel, social workers, nurse practitioners, Registered nurses, LPN's, and assistants to school nurses;
- Paid, full-time, part-time, volunteer or substitute school personnel, principals, school counselors, assistant principals, deans, truant officers, school psychologists, staff of before and after school programs, custodians, lunch room monitors, school bus drivers, school librarians and assistants to the librarians, school resource officers and law enforcement officers assigned to the school, school athletic coaches or intramural coaches or assistant to the coaches and trainers.

B. Acknowledgement of Mandated Reporter Status:

All mandatory reporters in the School District shall complete the Illinois Department of Children and Family Services Acknowledgement of Mandate Reporter Status form (Cants 22 Rev. 8/00) The School District is required to retain this form and otherwise comply with the law's requirements relating to this

form.

III. Reporting Obligations

ALL SCHOOL PERSONNEL MUST IMMEDIATELY CONTACT THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES WHEN THEY HAVE REASONABLE CAUSE TO SUSPECT THAT A CHILD WHO IS UNDER THE AGE OF EIGHTEEN AND KNOWN TO THEM IN THEIR PROFESSIONAL CAPACITY HAS BEEN ABUSED OR NEGLECTED OR IS IN DANGER OF BEING ABUSED OR NEGLECTED – PHYSICALLY, SEXUALLY OR THROUGH NEGLECT – AND THAT A CAREGIVER, OR PERSON IN A POSITION OF TRUST AND AUTHORITY OVER THEM, COMMITTED THE HARM OR SHOULD HAVE TAKEN STEPS TO PROTECT THE CHILD FROM HARM.

CHILD ABUSE AND NEGLECT REPORTS ARE MADE BY CALLING THE DCFS HOTLINE AT 1-800-25ABUSE. IN MAKING THE HOTLINE REPORT, ALL SCHOOL PERSONNEL SHALL PROVIDE ANY AND ALL INFORMATION REQUESTED BY DCFS.

- All mandated reporters have the obligation to make the Hotline call. The mandated reporter with the most direct knowledge of the suspected abuse should be the one to make the hotline call.
- The mandated reporter must follow any applicable District guidelines regarding the making and documenting of any report. However, under no circumstances shall any person in charge of a school facility or school district or his/her designated agent to whom such notification has been made, exercise any control, restraint, modification or other change in the report or the forwarding of such report to DCFS.

3

- The School District should also make a report of suspected child abuse or neglect to the DuPage County Children's Advocacy Center of the DuPage County State's Attorney and the local Police Department.
- The mandated reporter or the School District should not notify the alleged perpetrator of the child abuse or neglect that a report of has been made, or that there is a pending investigation unless compelling reasons exist to do so.
- The law does not require a mandated reporter or the School District to notify the child's parent or guardian of a report of abuse or neglect. In considering whether notice to a parent should be made, the School district shall consider the child's safety and any directives by DCFS and law enforcement investigating the report.

IV. When a Report Must be Made

When there is *reasonable cause to suspect* that a child is *abused* - physically or sexually – or is *neglected*:

Abused child is a child whose parent or immediate family member, or any individual residing in the same home as the child, or a paramour of the child's parent, or *any* person responsible for the child's welfare, who:

- (a) inflicts, causes to be inflicted, or allows to be inflicted upon such child physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;
- (b) creates a substantial risk of physical injury to a child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;
- (c) commits, or allows to be committed, any sex offense against such child,

including acts of vaginal, oral, or anal sex; fondling a child or having the child touch the person sexually;

(d) commits, or allows to be committed, an act or acts of torture upon a child;

(e) inflicts excessive corporal punishment;

(f) commits or allows to be committed the offense of female genital mutilation against the child; or

(g) causes an illegal controlled substance to be sold, transferred, distributed, or given to a child.

Neglected child is a child who is deprived of adequate food, shelter, clothing, or necessary medical care by a parent or caregiver. Neglect can also occur when an adult fails to provide adequate supervision of a child as when a child is left either unsupervised or in the care of someone unable to supervise the child. A child will not be considered neglected or abused solely because the child is not attending school. Nor shall a child be considered neglected or abused for the sole reason that the child's parent or caregiver depends upon spiritual means through prayer alone for the treatment or cure of disease.

4

Reasonable Cause

A credible report of suspected child abuse or neglect must be reported to DCFS. In the context of the Act, "reasonable cause" is synonymous with a credible suspicion. Once the School District suspects or should suspect that a child may be abused or neglected, it shall call the DCFS Hotline and no further investigation should be conducted by the School District. DCFS is assigned the authority and discretion to substantiate the accuracy of all reports of suspected child abuse or neglect.

The Reporter may consider the following in determining whether reasonable cause of child abuse or neglect exists:

(NOTE These are suggested factors to consider and this list is not intended to be exclusive.)

Use an objective/reasonable person test. A reporter should not consider personal opinions of either the alleged abuser or the alleged child victim in determining whether reasonable cause or credible suspicion of child abuse or neglect exists.

Has the child been harmed or been at risk of harm?

Have you observed evidence of damage to the child? e.g. bruises, cuts, hunger, poor hygiene.

Always report statements made by a child regarding sexual misconduct.

Report credible evidence even if the child denies any abuse or neglect.

Are the communications given by the child consistent with what you observe; is the statement plausible?

Consider past suspicious incidents or the frequency of signs of abuse or neglect.

Sexual abuse to be reported under the Act includes intentional touching and fondling of any part of a child under 18.

Err on the side of caution. The concept of the Act is to encourage people to report bad acts committed on children.

Make a report even if the child is now over 18 and the statute of limitations may have run, especially if the alleged abuser continues to have contact with children in a professional setting or other children remain at risk.

The State's Attorney will provide any necessary training and assistance to the School District in its development and implementation of standards for

reporting child abuse and neglect.

V. Investigations

The investigation of any report of child abuse or neglect shall be undertaken by those who possess specialized experience, training, authority and discretion to determine whether suspected abuse or neglect of a child actually occurred.

The School District may initially undertake to determine the *credibility of any "rumor"* of abuse or neglect. The School District shall not conduct or cause to be

5

conducted on their behalf an independent investigation to determine whether reasonable cause exists or whether such abuse or neglect actually occurred before reporting the matter to the Illinois Department of Children and Family Services and the Children's Advocacy Center.

The investigation into the accuracy of any report of child abuse or neglect shall be conducted by DCFS and, where necessary, the DuPage County State's Attorney and the local police. The School District may conduct a disciplinary investigation of its personnel based on a report of child abuse or neglect. The School District shall notify the State's Attorneys Office prior to beginning such an investigation. The School district shall cooperate with DCFS and law enforcement in their investigation of all reports of abuse or neglect. The District shall not impede any investigation being conducted by the Department and law enforcement. DCFS and local law enforcement shall conduct their investigations in a manner that minimizes disruption of the school day.

The School District shall provide the Illinois Department of Children and Family Service investigators reasonable access to the suspected victim of child abuse or neglect for the purpose of conducting an interview.

The School District and the Police Department shall enter into all necessary reciprocal reporting agreements.

The State's Attorney's Office shall provide any reasonable and necessary information to the School District regarding its' criminal investigation of child abuse involving an employee of the School District. A press release or public discussion of any charges of child abuse by an employee of a School District will be made by the State's Attorney only after notice to the affected School District's Superintendent or designee.

All partners to this Policy are committed to ensuring the integrity of the investigative process and to maintaining an open communication with each other during the investigation of any report of child abuse or neglect.

VI. RIGHTS OF MANDATED REPORTERS

All rights of the mandated reporters of the School District as allowed in any collective bargaining agreements, including their right to legal or union representation, shall apply, except to the extent inconsistent with the Abused and Neglected Child Reporting Act and this Policy.

The individual policy of the School District may require notices to the administrator or principal of any report made by their Employee under the Act. However, no policy may be implemented which is inconsistent with the Act or with this Policy.

6

Mandated reporters are entitled to immunity for any report of child abuse or neglect under the Act as long as the report is made in good faith. However, any failure of a mandated reporter to make a report may be subject to criminal prosecution, license suspension or revocation and civil liability.

VII. Training

The DuPage County State's Attorney, the School District, the Regional Superintendent of Schools, the Department of Children and Family Services and the Police Department agree to cooperate with each other in the implementation of this Policy and continued review of this Policy as may be needed.

The partners also agree that system wide education of all school personnel regarding their duties and responsibilities under the Abused and Neglected Child Reporting Act is an essential component of our commitment to protect our children. All partners agree to provide and participate in multi-disciplinary training with the other partners on a regular and consistent basis beginning with the 2005-2006 school year, and agree to notify and where appropriate, include the local exclusive bargaining representative in the training.

EXHIBIT 45



Scott Lively <sdllaw@gmail.com>

Letter re Anti-Homosexuality Bill

2 messages

Scott Lively <sdllaw@gmail.com>

Thu, Mar 11, 2010 at 7:37 PM

To: speaker@parliament.go.ug

Cc: bahatidav@yahoo.co.uk, Martin Ssempa <ssempam@gmail.com>, Stephen Langa <stephenlanga@yahoo.com>

Defend the Family International
PO Box 2373, Springfield, MA 01101, www.defendthefamily.com

March 8, 2010

The Speaker of Parliament
Hon Edward Ssekandi
The Parliament of Uganda
Kampala Uganda

Dear Mr. Ssekandi,

In March of 2009, it was my great honor to address members of the Ugandan Parliament in your legislative assembly hall regarding the anti-homosexuality bill that was being contemplated at that time. My advice was to discourage all forms of sexual promiscuity, including homosexuality, by such things as promoting a marriage-centered culture through your public school system. Regarding homosexuality specifically, I urged an emphasis on rehabilitation as an alternative to incarceration. Although my ideas were well received at the time, the bill that was eventually drafted followed a more traditional approach emphasizing deterrence through strong criminal sanctions.

As the duly elected representatives of a sovereign democratic nation, it is certainly within your prerogative to regulate criminal conduct in your society through the threat of harsh punishment. Indeed, until recent decades similar laws were used successfully in the United States and other Western countries to suppress the spread of sexual deviance. It is also Uganda's right and responsibility as a member of the community of nations to advocate the social policies it deems necessary for the preservation and advancement of civilization, and I applaud the Ugandan government for taking a firm stand against the legitimization of homosexuality in the face of intense opposition from nations with different views.

However, as a long-time pro-family attorney, pastor and human rights activist with service in more than thirty countries, I believe there are aspects of the current draft of the anti-homosexuality bill that, if passed into law, will actually work against the interests you seek to serve.

First and foremost, the inclusion of capital punishment for what you have classed as "aggravated homosexuality" is, in my view, a disproportionately harsh penalty. You may not be aware that capital punishment has been banned in numerous countries, even for the most extreme cases of aggravated murder. This is held as such an important policy that these nations will often refuse to extradite criminals to their home countries (including the United States) if there is any possibility that they will be subject to capital punishment there. Advocating the "death penalty" for "mere" sexual crimes evokes such a severe negative reaction in most Western nations that all other aspects of the law, and the rationale for drafting it is ignored, and

very "gay" movement we seek to oppose is strengthened by public sympathy they would not otherwise enjoy.

Conversely, if the "death penalty" provision were removed, it would take the wind out of the sails of their current campaign against the bill. With so much of the international opposition rooted in the idea that this is a "Kill the Gays" law, the removal of this provision would represent enough of a concession on your part that a great many of the people who are now siding with the homosexual movement out of sympathy would consider the matter resolved. The "gay" activists and their political allies will, of course, continue to attack the bill, but from a much weaker position.

Second, the provision in the bill subjecting individuals to criminal penalties for failure to report the homosexual activity of others is very problematic as written because it is too vague and because it targets people who may live as homosexuals in their private lives, but who do not seek to recruit others or legitimize their lifestyle in the larger society. It is my understanding that your primary goal is to prevent the spread of homosexuality through the recruitment of young people into the "gay" lifestyle. I believe you could better achieve this goal by revising this provision along the lines of child abuse reporting requirements in the U.S.. All 50 states require that professionals who work with children report reasonable suspicions of child abuse while some states require that anyone with suspicions report it. I am attaching a typical model policy for such a law which was adopted by a school district in Illinois which I found in a simple Internet search. Your legislative research department could find other examples on the Web for comparison.

I believe you could easily adapt this model to your purposes by imposing this same reporting requirement on anyone with knowledge of homosexuals who involve themselves with anyone under a certain age. If, for example, you encompassed all youths under the age of twenty-five within this shield of protection, you would stop virtually all "gay" recruitment in your country, since normal young men and women are usually firmly set in their heterosexual identity by their mid-twenties. On the other hand, you would preserve the right to privacy of adults who are not activists or pederasts but simply want to live their lives in relative peace. This would function much like the "Don't Ask, Don't Tell" policy in the United States military. Adult homosexuals would remain subject to the law, but not actively pursued if they are discrete about their lifestyle.

This approach is especially important in that Uganda currently has no provision for treatment or rehabilitation to help homosexuals overcome this powerfully enslaving disorder. Moreover, by sticking closely to the U.S. model on child abuse reporting, which is very effective and enjoys near universal public support here, you could much more easily deflect criticism of the revised provision in your bill.

This brings me to my final concern. I believe that as a Christian nation, Uganda could and should set an example for the world by providing the option for therapy and rehabilitation for homosexuals in your public policy. I have been informed that it is not possible to include this in the current bill because there is currently no funding in the budget to implement such a provision. Monetary concerns are further heightened in that some existing foreign aid funding may be withheld by some strongly pro-homosexual governments if the anti-homosexuality bill becomes law.

Allow me to propose a possible solution to both problems. I suggest that you offer to the foreign funding countries and agencies to incrementally liberalize the criminal law on homosexuality in exchange for funding to implement a rehabilitation program. You can prove by this proposal that your true goal is the protection of your society in the least punitive manner, and at the same time force the funding sources to reveal whether their true motive in threatening the withdrawal of aid is to protect homosexuals from the risk of

incarceration or to legitimize homosexuality in your society. Meanwhile, I urge you to add some non-binding verbiage in the current bill, perhaps in the preamble, stating that the government views rehabilitation as a long-term goal of its public policy even if it is not possible to implement at this time. Such language would be enormously valuable to those of us who will work internationally and in our own countries to defend the bill once it is passed into law. It would also introduce this idea into the international debate on homosexuality and perhaps inspire other nations with greater financial resources to implement such a policy in their own laws.

In closing, while I have been critical of a few points in this bill, and remain personally opposed to the incarceration of homosexuals because of my knowledge of the effectiveness of rehabilitation, I nevertheless commend the courage of the Ugandan Parliament for addressing this issue and am ready to vigorously support a revised version that addresses these issues.

Respectfully,

Dr. Scott Lively
President

Cc. The Honorable David Bahati,

MODEL POLICY REPORTING CHILD ABUSE AND NEGLECT FOR SCHOOL OFFICIALS
IN DUPAGE COUNTY, SEPTEMBER 2005

The DuPage County State's Attorney's Office, the DuPage Regional Superintendent of Schools, the School District, the Department of Children and Family Services, and the Police Department have created this Policy to address the reporting of child abuse and neglect. The goal of this policy is to ensure that all parties partner together to ensure the

safety and well-being of children. This Policy also addresses the duties under the mandatory reporting laws and the timely and professional investigation of allegations of abuse and neglect.

This Policy provides a guideline in coordinating the obligations and roles of each of the parties. This guideline will be supplemented with continued training in order that all partners develop the best procedures to ensure the protection of our children.

I. Abused and Neglected Child Reporting Act

The responsibility of all school personnel to report child abuse and neglect is mandated by law. The Abused and Neglected Child Reporting Act, 325 ILCS 5/1 et seq., is appended to this Policy. All of the definitions, terms, obligations and appellate court decisions interpreting this Act are incorporated into this Policy by reference.

The DuPage County State's Attorney, the Dupage Regional Superintendent of Schools, the School District, the Department of Children and Family Services, and the Police Department agree to cooperate with each other and jointly develop all necessary education, training, policy planning and case management and services in order to prevent, identify and treat child abuse and neglect. (325 ILCS 5/7.1)

II. Identification of Mandatory Reporters

A. Definitions:

The law defines mandatory reporters as those professionals who may work with children in the course of their professional duties. Every teacher and teacher's aide clearly falls within this definition. In the school environment, the following individuals are also included as mandatory reporters:

- 2
- Medical personnel, social workers, nurse practitioners, Registered nurses, LPN's, and assistants to school nurses;
- Paid, full-time, part-time, volunteer or substitute school personnel, principals, school counselors, assistant principals, deans, truant officers, school psychologists, staff of before and after school programs, custodians, lunch room monitors, school bus drivers, school librarians and assistants to the librarians, school resource officers and law enforcement officers assigned to the school, school athletic coaches or intramural coaches or assistant to the coaches and trainers.

B. Acknowledgement of Mandated Reporter Status:

All mandatory reporters in the School District shall complete the Illinois Department of Children and Family Services Acknowledgement of Mandate Reporter Status form (Cants 22 Rev. 8/00) The School District is required to retain this form and otherwise comply with the law's requirements relating to this form.

III. Reporting Obligations

ALL SCHOOL PERSONNEL MUST IMMEDIATELY CONTACT THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES WHEN THEY HAVE REASONABLE CAUSE TO SUSPECT THAT A CHILD WHO IS UNDER THE AGE OF EIGHTEEN AND KNOWN TO THEM IN THEIR PROFESSIONAL CAPACITY HAS BEEN ABUSED OR NEGLECTED OR IS IN DANGER OF BEING ABUSED OR NEGLECTED – PHYSICALLY, SEXUALLY OR THROUGH NEGLECT – AND THAT A CAREGIVER, OR PERSON IN A POSITION OF TRUST AND AUTHORITY OVER THEM,

COMMITTED THE HARM OR SHOULD HAVE TAKEN STEPS TO PROTECT THE CHILD FROM HARM.

CHILD ABUSE AND NEGLECT REPORTS ARE MADE BY CALLING THE DCFS HOTLINE AT 1-800-25ABUSE. IN MAKING THE HOTLINE REPORT, ALL SCHOOL PERSONNEL SHALL PROVIDE ANY AND ALL INFORMATION REQUESTED BY DCFS.

· All mandated reporters have the obligation to make the Hotline call. The mandated reporter with the most direct knowledge of the suspected abuse should be the one to make the hotline call.

· The mandated reported must follow any applicable District guidelines regarding the making and documenting of any report. However, under no circumstances shall any person in charge of a school facility or school district or his/her designated agent to whom such notification has been made, exercise any control, restraint, modification or other change in the report or the forwarding of such report to DCFS.

3

· The School District should also make a report of suspected child abuse or neglect to the DuPage County Children's Advocacy Center of the DuPage County State's Attorney and the local Police Department.

· The mandated reporter or the School District should not notify the alleged perpetrator of the child abuse or neglect that a report of has been made, or that

there is a pending investigation unless compelling reasons exist to do so.

· The law does not require a mandated reporter or the School District to notify the

child's parent or guardian of a report of abuse or neglect. In considering whether

notice to a parent should be made, the School district shall consider the child's

safety and any directives by DCFS and law enforcement investigating the report.

IV. When a Report Must be Made

When there is reasonable cause to suspect that a child is abused - physically or sexually - or is neglected:

Abused child is a child whose parent or immediate family member, or any individual residing in the same home as the child, or a paramour of the child's parent, or any person responsible for the child's welfare, who:

(a) inflicts, causes to be inflicted, or allows to be inflicted upon such child physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(b) creates a substantial risk of physical injury to a child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

(c) commits, or allows to be committed, any sex offense against such child, including acts of vaginal, oral, or anal sex; fondling a child or having the child touch the person sexually;

(d) commits, or allows to be committed, an act or acts of torture upon a child;

(e) inflicts excessive corporal punishment;

(f) commits or allows to be committed the offense of female genital mutilation against the child; or

(g) causes an illegal controlled substance to be sold, transferred, distributed, or given to a child.

Neglected child is a child who is deprived of adequate food, shelter, clothing, or necessary medical care by a parent or caregiver. Neglect can also occur when an adult fails to provide adequate supervision of a child as when a child is left either unsupervised or in the care of someone unable to supervise the child. A child will not be considered neglected or abused solely because the child is not attending school. Nor shall a child be considered neglected or abused for the sole reason that the child's parent or caregiver depends upon spiritual means through prayer alone for the treatment or cure of disease.

4

Reasonable Cause

A credible report of suspected child abuse or neglect must be reported to DCFS. In the context of the Act, "reasonable cause" is synonymous with a credible suspicion. Once the School District suspects or should suspect that a child may be abused or neglected, it shall call the DCFS Hotline and no further investigation should be conducted by the School District. DCFS is assigned the authority and discretion to substantiate the accuracy of all reports

of suspected child abuse or neglect.

The Reporter may consider the following in determining whether reasonable cause of child abuse or neglect exists:

(NOTE These are suggested factors to consider and this list is not intended to be exclusive.)

Use an objective/reasonable person test. A reporter should not consider personal opinions of either the alleged abuser or the alleged child victim in determining whether reasonable cause or credible suspicion of child abuse or neglect exists.

Has the child been harmed or been at risk of harm?

Have you observed evidence of damage to the child? e.g. bruises, cuts, hunger, poor hygiene.

Always report statements made by a child regarding sexual misconduct.

Report credible evidence even if the child denies any abuse or neglect.

Are the communications given by the child consistent with what you observe; is the statement plausible?

Consider past suspicious incidents or the frequency of signs of abuse or neglect.

Sexual abuse to be reported under the Act includes intentional touching and fondling of any part of a child under 18.

Err on the side of caution. The concept of the Act is to encourage people to report bad acts committed on children.

Make a report even if the child is now over 18 and the statute of limitations may have run, especially if the alleged abuser continues to have contact with children in a professional setting or other children remain at risk.

The State's Attorney will provide any necessary training and assistance to the School District in its development and implementation of standards for reporting child abuse and neglect.

V. Investigations

The investigation of any report of child abuse or neglect shall be undertaken by those who possess specialized experience, training, authority and discretion to determine whether suspected abuse or neglect of a child actually occurred.

The School District may initially undertake to determine the credibility of any "rumor" of abuse or neglect. The School District shall not conduct or cause to be

5

conducted on their behalf an independent investigation to determine whether reasonable cause exists or whether such abuse or neglect actually occurred before

reporting the matter to the Illinois Department of Children and Family Services and the Children's Advocacy Center.

The investigation into the accuracy of any report of child abuse or neglect shall be

conducted by DCFS and, where necessary, the DuPage County State's Attorney and the local police. The School District may conduct a disciplinary investigation

of its personnel based on a report of child abuse or neglect. The School District

shall notify the State's Attorneys Office prior to beginning such an investigation.

The School district shall cooperate with DCFS and law enforcement in their investigation of all reports of abuse or neglect. The District shall not impede any

investigation being conducted by the Department and law enforcement. DCFS and local law enforcement shall conduct their investigations in a manner that

minimizes disruption of the school day.
 The School District shall provide the Illinois Department of Children and Family Service investigators reasonable access to the suspected victim of child abuse or neglect for the purpose of conducting an interview.
 The School District and the Police Department shall enter into all necessary reciprocal reporting agreements.
 The State's Attorney's Office shall provide any reasonable and necessary information to the School District regarding its' criminal investigation of child abuse involving an employee of the School District. A press release or public discussion of any charges of child abuse by an employee of a School District will be made by the State's Attorney only after notice to the affected School District's Superintendent or designee.
 All partners to this Policy are committed to ensuring the integrity of the investigative process and to maintaining an open communication with each other during the investigation of any report of child abuse or neglect.

VI. RIGHTS OF MANDATED REPORTERS

All rights of the mandated reporters of the School District as allowed in any collective bargaining agreements, including their right to legal or union representation, shall apply, except to the extent inconsistent with the Abused and Neglected Child Reporting Act and this Policy.

The individual policy of the School District may require notices to the administrator or principal of any report made by their Employee under the Act. However, no policy may be implemented which is inconsistent with the Act or with this Policy.

6
 Mandated reporters are entitled to immunity for any report of child abuse or neglect under the Act as long as the report is made in good faith. However, any failure of a mandated reporter to make a report may be subject to criminal prosecution, license suspension or revocation and civil liability.

VII. Training

The DuPage County State's Attorney, the School District, the Regional Superintendent of Schools, the Department of Children and Family Services and the Police Department agree to cooperate with each other in the implementation of this Policy and continued review of this Policy as may be needed.
 The partners also agree that system wide education of all school personnel regarding their duties and responsibilities under the Abused and Neglected Child Reporting Act is an essential component of our commitment to protect our children. All partners agree to provide and participate in multi-disciplinary training with the other partners on a regular and consistent basis beginning with the 2005-2006 school year, and agree to notify and where appropriate, include the local exclusive bargaining representative in the training.

 Letter to Uganda Parliament.rtf
41K

Scott Lively <sdllaw@gmail.com>
 To: Scott Lively <psalm37nasb@gmail.com>

Thu, Apr 10, 2014 at 1:25 PM

[Quoted text hidden]

 Letter to Uganda Parliament.rtf
41K

EXHIBIT 46



Scott Lively <sdllaw@gmail.com>

Oakseed on the move-Family Policy Center in action-Prayer needed.

2 messages

Martin Ssempe <ssempam@gmail.com>

Tue, Apr 28, 2009 at 4:51 AM

To: Vincent Anigbogu <intuganda@gmail.com>

Cc: Ketty Lamaro <kttylamaro@yahoo.com>, Lorna Magara <vineacademy@googlemail.com>, Dennis Emojong <denisirm@yahoo.com>, Daniel Rutiba <dnrutiba@yahoo.com>, "Dr. Pasquine Ogunsanya" <pasquino2@yahoo.com>, Dorothy Kisaka <dorothykisaka@yahoo.com>, Dr Anne Musika <annamusika@yahoo.com>, "Dr. A. Ogunsanya" <adejuwono@yahoo.com>, "Dr. Godwin Awio" <gawio@infocom.co.ug>, danielbaguma@yahoo.com, "Elijah M. Opolot" <eliamoses_ephatha@yahoo.com>, Moses Segawa <mosessegawa@sebalulule.co.ug>, Speciosa Mutyaba <emutyaba2002@yahoo.com>, Phoebe Sevume <psevume@yahoo.com>, Sarah Asea <aseabirungi@yahoo.co.uk>, Stella Kyobe <kyobestella@gmail.com>, John Justin Enyetu <belovedjohn2006@yahoo.com>, Gimara Francis <gimaraf@yahoo.com>, Faith Katana <faithkatana@yahoo.com>, muthoniw66@yahoo.com, Allen Kagina <akagina@ura.go.ug>, Allen Okiror <okirora@tasouganda.org>, Anne Nekesa Obara <nekesaobara@yahoo.co.uk>, Apostle Julius Peter Oyet <apostle@lifelineministries.or.ug>, Hudson Mukunza <admin@khouseofprayer.org>, jmagara@utlonline.co.ug, Jolly Rubongoya <jrubongoya@yahoo.com>, Joyce Owor <joyceowor@yahoo.com>, Irene Kakuhikire <mkirene@yahoo.com>, Robert Kibuuka <robertkibuuka@yahoo.com>, Koreny Juliet <kojuliette2002@yahoo.com>, Taremwa Joram <taremwajo@yahoo.co.uk>, Teddy Iyobu <tiyobu@gmail.com>, Tony <tonyr@flyeagleuganda.com>, Tukei James <jamestukei@yahoo.co.uk>, "Pst. Cecilia Atim Oyet" <atimoyet@yahoo.co.uk>, James Kisaale <kisaalejames@yahoo.com>, James Charles Ameda <ameda20034@yahoo.com>, Gideon Rutazindwa <rutazindwa@yahoo.com>, Irene Kauma <kawuma_irene@yahoo.co.uk>, Kabareebe Irene <musiirene@yahoo.com>, Musime Richard <victoriouseducationsservices@yahoo.com>, Betty Muvuma <bmuuvuma@ura.go.ug>, Ronnie Bbosa <bbossaronnie@yahoo.co.uk>, Beat Bisangwa <bbeat001@yahoo.com>, Barbara Ofwono Buyondo <Barbaraofwono@gmail.com>, "Hon. Benson Obua Ogwal" <obua-ogwal@rocketmail.com>, Oumo Peter <poumo7@yahoo.com>, Peter Benhur Nyeko <peternyeko@yahoo.com>

Dear Oakseed fellows and friends,

Knowledge is power-Africa will never be the same again. Equipped with my new passion and inspiration from my national transformation course by Professor Vicent,we stormed the parliament to demand that stronger legislation needed to be made to combat the spreading cancer of homosexuality. With our allies from Churches and Schools and Mosques we were able to put up "an impressive" demo in the city. See photos below.

The speaker challenged us to come up with legislation which we have now done in a record three days. As the Exec director of the newly formed Family Policy Center, I was in action to fulfil the plans of my INT objectives. Research cordination, advocacy and policy formulation. Eh, guys this is what I was made to do. Not the bill is to be read in parliament on Wednesday..We expect fireworks with much homo lobbying from Europe, US, Canada and South Africa. Some MP are very afraid of offending Obama and the Queen.

I ask that you pray for us, and if you can we need some people to come over and be present for the reading also I need some special help. I NEED MANY OF YOU IF YOU HAVE ANY MP YOU KNOW TO CALL HIM OR HER AND ASK THEM TO BE PRESENT IN

PARLIAMENT ON WEDNESDAY 29th of April 09 FOR A SPECIAL PLENARY AND SUPPORT THE BILL AGAINST HOMOSEXUALITY. The telephone numbers of the members is on the parliament website. www.parliament.go.ug Look up the name of the MP and their numbers is there.

The bill will be moved by Hon Bahati and will be seconded by Hon Benson Obua also AN OAKSEED Fellow.

This law will become a modell for the rest of Africa. I am enclosing a draft copy and photos below from the demo from Makerere to the parliament. I ask that you keep this bill out of the hands of the agents of the vice we are fighting. Comments are welcome.

Blessings,

Martin Ssempe,
Family Policy Center Uganda.
0772 641028

11 attachments



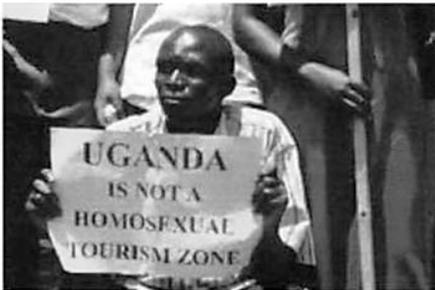
IMG_7891.jpg
157K



IMG_8077.jpg
134K



IMG_8076.jpg
129K



IMG_8295.jpg
123K

IMG_8254.jpg
116K