

Christians Arrested While Preaching At Gay-Pride Event

A Pennsylvania evangelist faces three felony counts after being arrested while preaching against homosexuality during a Philadelphia gay-pride festival in October.

Repent America leader Michael Marcavage, 25, was arrested along with 10 others during the Oct. 10 OutFest event. The group allegedly failed to comply with police officers' orders to move to another location one block away.

Charged with five misdemeanors and three felonies, including inciting a riot, criminal conspiracy and ethnic intimidation, which is part of the state's hate crimes law, the 11 were jailed overnight and released without posting bail.

Charges against six were dropped after a judge viewed a videotape of the arrest. Three face misdemeanor charges, while Marcavage and a teenage girl, whose juvenile court hearing was scheduled for Feb. 18, still face the felony counts.

Marcavage's attorneys say because their client is accused of hate speech, the case has significant implications for Christians nationwide. "If they were to succeed, it would affect how everybody preaches, how everybody evangelizes," said the group's criminal defense attorney, C. Scott Shields. "You won't be able to utter any Scripture around someone who might be offended."

Though the maximum sentence for the felony charges is 47

years, Cathie Abookire, communications director for the district attorney's office, said the defendants would likely be put on probation if convicted. She said the Christians were being prosecuted for "their conduct, not their speech."

However, on Jan. 21 Judge Pamela Dembe dissolved a ban that kept the 11 from evangelizing within 100 feet of a homosexual gathering, saying she saw no criminal activity in the defendants' behavior after watching a videotape of the arrest. Dembe was scheduled to hear the Christians' motion to dismiss the charges on Feb. 17. Shields said he was very optimistic his clients would not be prosecuted.

American Family Association senior trial attorney Brian Fahling has filed a federal lawsuit on behalf of the 11 Christians, alleging abuse of power by the City of Philadelphia and several officials. He said he is seeking "significant" monetary damages.

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