



Written by [Dave Bohon](#) on October 15, 2014

Houston Demands Sermons of Pastors Who Opposed Pro-Gay Discrimination Law

The City of Houston, led by openly homosexual mayor Annise Parker, has subpoenaed the sermons and other communications of area pastors who opposed a pro-homosexual “non-discrimination” city ordinance passed this summer, and who have led a campaign for its repeal.



The stated purpose of the Houston Equal Rights Ordinance, which was opposed by a significant percentage of area residents, is to protect residents and others from discrimination in public accommodations, employment, and housing on the basis of race, religion, ethnicity, gender, age, and disability (all elements present in existing state and federal law). However, as has been the case where other such “non-discrimination” measures have been passed, the effect of the law will be to provide special rights to homosexuals and “transgendered” individuals — those who dress, act, and “identify” as the opposite sex.

Following passage of the ordinance, a coalition of pastors mounted a petition drive to force a referendum that would allow Houston residents to vote on the law. While the drive secured more than 50,000 signatures, far more than the approximately 17,000 needed to put the referendum on the November ballot, the Houston City Council rejected the petition over what they charged were “irregularities.”

In response the group [No Unequal Rights Coalition](#), which has been at the head of the opposition to the ordinance, filed suit to stop its enforcement and to move ahead with the referendum. On August 7 the coalition won a temporary restraining order that put the ordinance on hold while a judge considered the merits of the lawsuit.

Several days later, on August 15, Judge Robert Schaffer of the state’s 152nd District Court called for a January 19 civil trial in the case that will determine whether or not the petition signatures in question will stand and the referendum can move forward.

In an effort to uncover damaging statements they could use in the trial, Houston’s city attorneys have subpoenaed a group of local pastors involved in the petition campaign, demanding “all speeches, presentations, or sermons related to [the ordinance], the Petition, Mayor Annise Parker, homosexuality, or gender identity prepared by, delivered by, revised by, or approved by you or in your possession,”



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according to the subpoena language as quoted by the [Houston Chronicle](#).

In a statement Janice Evans, the mayor's chief policy officer, confirmed that "the subpoenas were issued to pastors who have been involved in the political campaign to organize a repeal of Houston's new equal rights ordinance. It is part of the discovery process in a lawsuit brought by opponents of the ordinance, a group that is tied to the pastors who have received the subpoenas."

The pastors are being represented by the conservative Christian legal advocacy group [Alliance Defending Freedom](#) (ADF). In response to the subpoena ADF Litigation Counsel Christiana Holcomb charged that Houston's city council and its attorneys "are engaging in an inquisition designed to stifle any critique of its actions. Political and social commentary is not a crime; it is protected by the First Amendment."

Evans justified the move, however, which legal experts said was unusual and extreme, insisting that the pastors "made their sermons relevant to the case by using the pulpit to do political organizing. This included encouraging congregation members to sign petitions and help gather signatures for equal rights ordinance foes. The issue is whether they were speaking from the pulpit for the purpose of politics. If so, it is not protected speech."

City Attorney David Feldman insisted that his team was justified in going after the pastors' communications, telling local news station [KTRH](#) that the clergy and their churches were at the center of the petition campaign. "We're certainly entitled to inquire about the communications that took place in the churches regarding the ordinance and the petitions because that's where they chose to do it," Feldman said. "It's relevant to know what representations and instructions were given regarding these petitions."

But ADF Senior Legal Counsel Erick Stanley argued that "city council members are supposed to be public servants, not 'Big Brother' overlords who will tolerate no dissent or challenge. In this case, they have embarked upon a witch-hunt, and we are asking the court to put a stop to it."

The ADF attorneys have filed a motion in the District Court of Harris County, Texas to stop the subpoena "discovery requests," explaining in an accompanying brief that that the city's legal demands are "overbroad, unduly burdensome, harassing, and vexatious," and would likely have a negative effect on free speech and the electoral process should they be allowed to move forward.

"The message is clear," the ADF attorneys wrote in the brief: "oppose the decisions of city government, and drown in unwarranted, burdensome discovery requests."

They added that if allowed to stand, the requests "will have a chilling effect on future citizens who might consider circulating referendum petitions because they are dissatisfied with ordinances passed by the City Council. Not only will the Nonparty Pastors be harmed if these discovery requests are allowed, but the People will suffer as well. The referendum process will become toxic and the People will be deprived of an important check on city government provided them by the [city] Charter."

Among those slapped with the subpoena is Steve Riggle, senior pastor of Houston's Grace Community Church, who said he would not bow to the city's intimidation. "This is an attempt to chill pastors from speaking to the cultural issues of the day," Riggle told Fox News' Todd Starnes. "The mayor would like to silence our voice. She's a bully."

Another pastor to receive a subpoena was the Rev. Dave Welch, executive director of the [Texas Pastor Council](#), who said that he also would not be moved by the mayor's heavy-handed tactics. "We're not



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afraid of this bully,” he told Starnes. “We’re not intimidated at all.... We are not going to yield our First Amendment rights. This is absolutely a complete abuse of authority.”

Tony Perkins of the [Family Research Council](#) told Starnes that the Houston mayor’s assault represents “a shot across the bow of the church.” He suggested that in response churches and pastors “need to step forward and challenge this across the country. I’d like to see literally thousands of pastors after they read this story begin to challenge government authorities — to dare them to come into their churches and demand their sermons.”



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