



Written by [Raven Clabough](#) on June 1, 2012

Wisc. Pastor Gets Two-Year Sentence for Preaching Spanking

Black Earth, Wisconsin, pastor Philip Caminiti, 55, has been [sentenced](#) to two years in prison for preaching a message that was not well-received by some members of the community. The message that landed Caminiti in prison is that parents should be spanking their children when they misbehave, even those as young as two months old, with wooden spoons and rods.

To be clear, Caminiti, pastor of Aleitheia Bible Church, was not accused of physically hurting anyone, or of spanking children himself; he simply preached a message that some found disagreeable.



Prosecutors went after the pastor, asking for five years in prison and 15 years of extended supervision, claiming he was “the spoke in the wheel of this conspiracy.”

[Dane County Circuit](#) Judge Maryann Sumi was astounded and offended by the message that parents should be spanking their children. She so much as admitted that she was making an example of Caminiti, emphasizing that “child abuse” will not be tolerated.

“What is important to me,” Sumi commented, “is there was and continues to this day no expression of remorse or repentance for the consequences of those actions, or what the whole chain of events has led the family and the community through.”

While on the stand in his own defense, Caminiti pointed out, “Proverbs 13:24 says, and here’s the strong language, ‘He who spares his rod hates his son.’”

Defense attorney Yolanda Lehner asked, “Did you ever tell any of the congregation that they had to spank their children?” Caminiti replied, “No.”

Lehner pressed, “Did you tell any of them that they had to use a rod?” “No, I didn’t,” said Caminiti. Caminiti did, however, reportedly demonstrate to parents how to use the rod.

“The rod can be somewhat new and unfamiliar,” said Caminiti, “And so, it’s just a way of showing, teaching, explaining how practicing on oneself can just be helpful.”

During cross-examination, prosecutors questioned Caminiti on his biblical beliefs.

“And the purpose of the use of the rod is to cause pain, is that correct?” asked Dane County District Assistant Attorney Shelly Rusch.

“Yes,” replied Caminiti.

The jury found Caminiti guilty of eight counts of conspiracy to commit child abuse for teaching church members what he said was a literal interpretation of biblical discipline.



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The *Wisconsin State Journal* reports:

Caminiti will be on extended supervision for six years after his release from prison. Despite objections on constitutional grounds by Caminiti's lawyers, Sumi ordered that he not have any contact with the Aleitheia Bible Church and have no leadership role in any church.

That order prevents Caminiti from having contact with some of his extended family who are members of the church he pastored; however, Sumi ruled that he may be with his wife, children, and grandchildren. She also refused a request to delay his prison sentence until after he appealed his case.

Caminiti's lawyer, Yolanda Lehner, remains shocked that her client was even charged with a crime. She said, "The whole thing has become much more flammable than I anticipated. I really do feel like I've stepped into the Spanish Inquisition."

Caminiti's case raises serious constitutional questions, particularly as related to the First Amendment. As recently as last year, the U.S. Supreme Court [ruled](#) that virtually all speech should be protected, regardless of its content.

In the now infamous case of the Westboro Baptist Church, which conducted angry, anti-gay protests at the funerals of U.S. military members, the Supreme Court ruled 8 to 1 in favor of free speech. The case forced the Supreme Court to closely examine the First Amendment to determine if the right to free speech is truly fundamental, or if exceptions should be made. Ultimately, the judges determined that there are extremely rare causes for the limiting of free speech, and that the effect of speech on one's emotions or level of comfort is not one of them.

Chief Justice John Roberts wrote of the Westboro Baptist Church case, "Speech is powerful. It can stir people to action, move them to tears of both joy and sorrow, and — as it did here — inflict great pain. On the facts before us, we cannot react to that pain by punishing the speaker."

Whether one agrees with what is being said by a speaker, constitutionalists recognize the slippery slope of setting standards and limitations on free speech.

Twenty-one news organizations joined the brief defending Westboro Baptist Church, though in that case the groups admitted that the church's behavior was "inexplicable and hateful." However, the organizations noted that a ruling against the church could stifle anyone who wishes to speak out on controversial issues, and could potentially "threaten to expand dramatically the risk of liability for news media coverage and commentary."

Americans are beginning to see the stifling effects that such policies have on their personal rights. In New York, for example, bills were recently introduced in both the Senate and the Assembly to ban all "mean-spirited and baseless political attacks." Both proposals would impact "any other discussion site where people can hold conversations in the form of posted languages," and mandate that websites post email addresses for "removal requests, clearly visible in any sections where comments are posted."

As free speech is increasingly under attack, it is well to remember Voltaire's famous quote — "I do not approve of what you say, but I will defend to the death your right to say it." Constitutionalists today understand, as did America's Founders, that recognizing free speech as an inalienable right is one of the keys to a free society.

Photos above: (Left) Judge Maryann Sumi: Clerk of Courts, Dane County, Wisconsin; (right) Pastor Philip Caminiti: Dane County Sheriff's Office



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