



AMERICAN ATHEISTS

April 10, 2018

The Honorable Rep. Chris Kannady
Chairperson, House Judiciary Committee
2300 N Lincoln Blvd.
Oklahoma City, OK, 73105

Re: OPPOSITION for SB 1140, Testimony from American Atheists in opposition to a bill that harms at-risk youth and allows discrimination in foster care and adoption placement

Dear Chairperson Kannady and Members of the House Judiciary Committee:

American Atheists, on behalf of its more than 700 constituents in Oklahoma, writes in opposition to SB 1140, a controversial bill which would, under the guise of religious freedom, harm at-risk young people and allow for discrimination on foster care and adoption placement. Every young person in Oklahoma deserves a loving home. However, this legislation would reduce the number of available foster and adoption families, leading to more young people without suitable placement. We urge you to vote against this unnecessary and harmful bill.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the “wall of separation” between government and religion created by the First Amendment. We strive to create an environment where atheism and atheists are accepted as members of our nation’s communities and where casual bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building and work to end the stigma associated with being an atheist in America. Religious liberty is guaranteed by the First Amendment to protect individual beliefs; it does not create special rights for religious individuals and organizations to violate neutral laws or discriminate against groups they disfavor.

This bill is unnecessary. Although this bill is couched in terms of religious freedom, there is no conflict between religious liberty as properly understood and laws prohibiting discrimination. Proponents of these types of bills in other states have claimed that religious exceptions in foster care and adoption are necessary because placement agencies in Massachusetts, Illinois, and the District of Columbia have been forced to close because of their sincerely held beliefs about marriage. However, this is blatantly false – these agencies were not forced to close, they were just not allowed to carry on their activities in a discriminatory manner with government funding. Religious liberty does not mean that you get to take taxpayer money and use it to discriminate against people you dislike.

Unfortunately, however, this bill would allow just that. Child placement agencies which receive state funding would be permitted to freely discriminate based on their religious beliefs. For example, these agencies could discriminate against would-be parents because they are (or the agency representative assumes them to be) atheists or religious minorities, unmarried, LGBTQ people, or basically anyone else

they dislike. Instead, placement must be based on the best interest of the child, regardless of the agency's religious beliefs.

In every state that has passed these types of bills, the number of adoptions is decreasing because discrimination reduces the number of potential adoptive parents. Please do not reduce the chances of these at-risk youth to find a loving home - please oppose this harmful legislation.

Finally, we note that this legislation is likely to conflict with federal law, which prohibits discrimination in child welfare activities on the basis of race, color, national origin, sex (gender), age, and disability. Passing this law would put Oklahoma at odds with federal rules and best practices, potentially putting the state at risk for liability and disqualification from relevant federal funding.

We urge you to vote against this unnecessary and harmful legislation. No one should be allowed to use their religion to justify invidious discrimination or to harm at-risk young people. If you should have any questions regarding American Atheists' opposition to SB 1140, please contact Alison Gill, American Atheists Legal and Policy Director at 908.276.7300 x9 or by email at agill@atheists.org.

Sincerely,

/s/ Meaghan Newman

Meaghan Newman
Treasurer, Oklahoma Atheists
Member, American Atheists

cc: All members of the Oklahoma House Judiciary Committee and staff