



# FLORIDA CONFERENCE OF CATHOLIC BISHOPS

*The nonpartisan public policy voice of the Catholic Church in Florida*

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## **Florida Conference of Catholic Bishops is in support of HB 7111 Conscience Protection for Actions of Private Child-Placing Agencies**

### **QUESTIONS & ANSWERS**

#### **Q: Does the bill legalize unjust discrimination?**

**A: HB 7111 is a shield, not a sword.** It codifies an existing right already guaranteed by the Florida Constitution and law. The bill is very narrowly focused and similar protections are already found in Florida law related to abortion, family planning, end-of-life decisions and participation in executions.

Conscience protections shield people of faith from being compelled by the state to engage in conduct that violates deeply-held beliefs and convictions.

This bill will not prohibit any individual or couple from adopting in the state of Florida. If an individual or couple desire to adopt, but do not meet a particular faith-based organization's written beliefs and criteria, there are referral services available so that everyone can continue their pursuit of a family.

Support for HB 7111 is not motivated by prejudice or animosity toward any group. We hold that all people, including persons with same-sex attraction, are to be respected and treated with compassion and sensitivity. We seek not to offend the dignity of homosexual persons, but to have the freedom to apply the values and convictions we hold true as we care for those in need. As diverse members of our society strive for tolerance, we too ask that the same be extended to people of faith.

#### **Q: Does the bill add new barriers to adoption?**

**A:** No. HB 7111 maintains the *status quo*. Private adoption agencies in Florida already place children in homes in a manner that conforms to their religious beliefs and moral convictions. The measure does not prevent adoption by otherwise qualified adults who can and do work with the majority of Florida's 82 private adoption agencies today.

#### **Q: What are some examples of faith-based agencies that limit child placement?**

**A:** Jewish Adoption and Family Care Options works to ensure that Jewish children are placed with Jewish families, recognizing that part of their identity comes from their connection with their Jewish heritage.

Florida Baptist Children's Homes seeks to place children with Christian families and encourages Christian families to answer God's call to adopt.

#### **Q: Does the bill allow the best interests of children to be circumvented?**

**A:** No. The role of private adoption agencies is to serve the best interests of children. Perhaps their most crucial function is to identify parents and families for children in need. Agencies work closely with the State of Florida and the community-based care organizations (CBCs) that have contracts with the state. Only after CBCs determine that the best interests of a child are served through placement by a private agency, that agency matches the child with a family.

**Q. If religious entities won't serve all populations, why don't they just "get out of the business"?**

**A:** HB 7111 ensures that people of faith who have organized to place children in loving homes may continue to do so. The religious beliefs and convictions that are being challenged today arise from the same faith that has led entities to serve their communities for decades.

Consider that hospitals care for everyone who is in need of emergency services, but do not have to provide every legally-permissible service just because they are licensed and receive state funds. No hospital – and indeed no physician or other health care provider – is required to participate in abortions on demand. Those who choose not to provide abortion for conscientious reasons should not have to "get out of the business" of providing medical care.

**Q: Don't we need more child-placing agencies – not fewer?**

**A:** Yes, especially if they serve as a link to populations that might not otherwise adopt or foster children. There are thousands of children in Florida waiting for loving homes. Without many of the existing agencies that recruit and encourage families to adopt, there will be fewer adoptive families for these children in need.

Without conscience protections religious adoption agencies will be forced to either violate their religious beliefs or stop serving children in need of loving parents. Catholic Charities offices in Massachusetts, Illinois and California that were faced with similar circumstances have had no choice but to severely restrict or discontinue their adoption services.

HB 7111 ensures that many agencies placing children today with families may continue to operate as they have without limiting their activities. It also leaves open the possibility of additional agencies engaging in this work.

**Q: Didn't religious agencies facilitate very few adoptions in 2014?**

**A:** Every adoption is important and life-changing to the children and families involved. Senate debate focused on two institutions: Catholic Charities and Baptist Children's Homes. Eleven other entities have expressed support for these bills. Their numbers were not mentioned.

In 2014, Florida Baptist Children's Homes alone served 1,174 children in Florida through adoption, foster care, residential care, emergency shelter services and a safe home for children victimized by sex trafficking (opened at the request of the Department of Children and Families because of a severe shortage of homes for this vulnerable population). In 2015, they anticipate providing foster care services for 10% of the state's children in need of foster care. These child-placing services are at risk of being directly affected without faith-based conscience protection.

These agencies are ministries of their respective religious entities and fill a niche within certain populations. Their licensure should be protected and HB 7111 does that.

**Q: Aren't there already protections for religious institutions in the Florida law?**

**A:** Florida has a Religious Freedom Restoration Act (RFRA) and also has statutory conscience protections in other aspects of law. Other states have adopted explicit conscience protection for child placement agencies (VA and ND).