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**A judge asked that LGBTQ+ issues not stand alone in deciding eligibility to foster, but this was disregarded.**



## Washington Forces Foster Parents to Affirm Gender ID Despite Court Order

The State of Washington has disregarded historical court orders and denied a couple the right to be foster parents based solely on their stance about sexual orientation and gender identity.

Jennifer and Shane DeGross started the renewal process for their foster parent status in 2022, but their licensing agency told them current policy revisions left them “no room for compromise” on the issue of gender identity. Because the DeGrosses said they were not willing to use preferred pronouns or say children can identify as the opposite sex, they were denied recertification.

The Alliance Defending Freedom (ADF) is representing the DeGrosses in ongoing legal proceedings. They are fighting against the revised policy, but also for punitive damages for the violation of the DeGrosses' rights to free speech, free association, religious exercise, and equal protection of the law.

This is not the first such case in Washington, and a notable case

from 2021 involving a Seventh-day Adventist couple represented by Church counsel produced the court orders which were ignored by the state in both cases. In fact, *Blais v. Hunter* was decided in favor of the great-grandparents, James and Gail Blais, after the state found them ineligible due to their stance on several LGBTQ questions.

The infant great-grandchild had been removed from her biological parents, and Washington's Department of Child and Family Services (DCFS) was asked to evaluate the Blaises as potential foster parents. The DCFS interview included a hypothetical possibility that the infant could one day be attracted to girls, or that the baby girl could one day wish to transition to being a boy, and included questions such as “Would we allow [infant] to have a girl spend the night at our home as her romantic partner?” “If at 15 years old [infant] wanted

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# Utah, West Virginia Increase Religious Protections

The governors of Utah and West Virginia have approved Utah's own RFRAs (Religious Freedom Restoration Act), and fine-tuned the current one in West Virginia — Senate Bills 150 in Utah and 503 in West Virginia — to increase protections for religious liberty and free speech.

In Utah, legislation includes "Exercise of Religion Amendments" and recognizes "freedom of religion as a fundamental right." It states that government entities may not substantially burdening a person's religious freedoms unless it meets rules on "compelling government interest" and

"the least restrictive means." The bill specifically makes the protections of the federal RFRA into state law.

In West Virginia, the bill was specifically aimed at protecting "freedom of association and nondiscrimination against students and student organizations" on the campuses of public colleges and universities. It amends the wording of current law, which already says that "a state institution of higher education may not deny a religious ... student organization which is open to all students any benefit or privilege made available to any other student organization by the state insti-

**Bills promote religious liberty and freedom of speech.**

tution of higher education ..." The new law eliminates the "open to all students" requirement, and changes wording to prohibit discrimination based on "sincerely held beliefs."

## Foster Care Case, continued from cover

to undergo hormone therapy to change her sexual appearance, would we support that decision and transport her for those treatments?" and "Would we find it acceptable if [infant] dressed like a boy?"

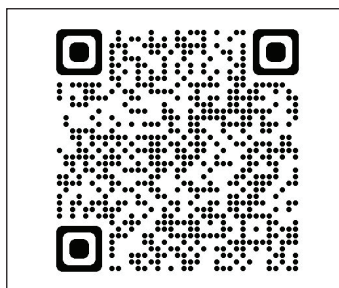
While the Blaises promised that they would support and provide appropriate care for their grandchild, they qualified this by saying they would remain within their understanding of their religious beliefs. At this point the case worker assigned to them decided that "their responses conflicted with the Department's policy to support LGBTQ+ children," and

denied them approval.

The Blaises decided to sue under the Free Exercise Clause rather than a parental rights claim, even though the Free Exercise Clause doesn't usually mandate religious exemptions. Presiding Judge Salvador Mendoza, Jr. held that the regulations likely violated the Free Exercise Clause, even though, again, the Free Exercise Clause generally doesn't mandate religious exemptions. While he did not insist the state drop their regulations, he did request that LGBTQ+ issues not stand alone in deciding eligibility. Washington promised not to

enforce their policy against prospective foster parents who have "sincerely held religious beliefs regarding LGBTQ+ issues." Nonetheless, the Blaises were refused the right to foster their great-grandchild.

A short video that explains the case and interviews the Blaises is available by using the QR code below.



• *West Virginia Governor Jim Justice vetoed House Bill 5105, which would have allowed private and parochial schools to opt out of the state's mandatory vaccination requirements for students. The bill would also have exempted full-time virtual public-school students from the immunization requirements unless they participate in activities that also involve other schools. The governor said there was "constant, strong opposition to this legislation from our State's medical community." He said many private and parochial institutions were in opposition, and that community members saw the bill as "purely divisive and, if signed into law, requiring consideration of adopting policies that will result in parents pulling their children from their schools."*

• *In another vaccine related issue, healthcare workers in Maine continue their legal battle against the state's COVID-19 vaccine mandate. The mandate was enacted in 2021, and eventually repealed by the governor. Nonetheless, the recently dismissed case of Alicia Lowe et al v. Janet Mills has been appealed because counsel says the state already caused "illegal harm" to its clients.*

# U.S. Senators Push to Reinstate Commission on International Religious Freedom

U.S. senators from both parties came together to introduce a bill to reauthorize the United States Commission on International Religious Freedom (USCIRF). The Commission, created in 1998 by the International Religious Freedom Act, monitors and reports on international religious freedom. Though USCIRF's authority expires in September 2024, the legislation will extend its life.

Senator Ben Cardin (D), chair of the Senate Foreign Relations Committee and special representative on antisemitism, racism, and intolerance for the Organization Security and Cooperation in Europe, bill initiator, was joined by Senators Marco Rubio (R), Chris Coons (D), and Ted Cruz (R) to fur-

ther USCIRF. Similar legislation is active in the House of Representatives as well.

"Since its establishment 25 years ago, the Commission on International Religious Freedom has championed the ability to exercise the right to religious freedom and belief," said Cardin. He went on to urge an objective monitoring of both freedom of religion and the rights of vulnerable groups such as the LGBTQ+ community, adding, "Ensuring that the religion-based beliefs of some are not used to rationalize or justify discrimination, or to violate the freedom of religion or belief by others, including LGBTQIA+ individuals, must be a critical part of USCIRF's mission."

**"... religion-based beliefs [must not be] used to rationalize or justify discrimination, or to violate the freedom of religion or belief by others..."**

## "Charting the Future of Church and State" Held at Pepperdine

A February event at Pepperdine University, "Charting the Future of Church and State," touched on several important religious liberty areas in their third annual workshop and conference.

Topics included judicial deference to religious claims, religion and race, the history of school prayer, liberty and gender, religious

liberty and abortion, religious exemptions, litigation, government funding of religion, and the separation of church and state.

Additionally, two former U.S. solicitors general, Noel Francisco and Donald Verrilli, who served under Presidents Obama and Trump, answered questions during a student-focused event.

Verrilli recommended students find jobs in local, state, and federal government at a young age in order to take on significant responsibility. Francisco advised students to spend the earliest part of their careers in jobs that teach them the tools of how to be a lawyer.

Such events may shape the future of religious liberty.

- *The U.S. Justice Department has asked California to stop enforcing a rule requiring prison guards to be clean-shaven, because it discriminates against Sikhs, Muslims, and others who wear beards as part of their faith. They "should not be forced to choose between the practice of their faith and their jobs," said Assistant Attorney General Kristen Clarke. The corrections department says the requirement is because guards must sometimes wear tight-fitting respirators for safety.*
- *An unofficial Catholic media website has agreed to pay \$500,000 to a New Hampshire priest who sued for defamation over a 2019 article. The radical right group is not recognized by the Catholic Church, and will be shutting down following its leader's resignation for "breaching the Church Militant morality clause."*
- *A wedding website designer case over the owner's website statement against same-sex weddings has concluded. Following remand to lower courts by the Supreme Court last year, a district court has ordered that previous orders compelling her to design, and prohibiting her statement, not be enforced.*

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## NEWS OF THE WORLD

# Belarus Religious Communities Must Register With State

Earlier this year the president of Belarus, Alyaksandr Lukashenka, signed approval on a new law, "On Amendments to Laws on the Activities of Religious Organizations." This law imposes restrictions on religious communities, and is a setback to religious freedom in the country.

In 2002 a very restrictive religion law was passed which does not meet international human rights standards. This year, rather than getting rid of that law, offi-

cialists made it even more repressive. It "grants the government unbridled control over religious communities and their affairs," said Abraham Cooper, chair of the United States Commission on International Religious Freedom. He continued, "Religious communities will face the daunting choice of practicing their religion or belief 'illegally' or submitting to a brutal regime that uses indiscriminate force and intimidation against its own people."

USCIRF reports that religious freedom has declined since 2020, when the government cracked down on anti-government protests. Many churches are perceived to have political activities. If a religious community fails to register, all religious activity will be deemed illegal, and carry consequences of fines and up to three years' imprisonment.

Human rights organizations focusing on religious freedom issues have also been blacklisted.

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