



**Senate Judiciary Committee Hearing
SB4 - Religious Freedom Restoration Act
April 28, 2015**

Mr. Chairman and Committee Members:

My name is Sommer Foster, I am the director of political advocacy for Equality Michigan - we are the only statewide anti-violence and advocacy organization serving Michigan's lesbian, gay, bisexual, and transgender communities. On behalf of our members and supporters across the state, Equality Michigan urges you to oppose SB4.

Speaking personally for a minute, I consider myself of faith, I recognize the importance of freedom of religion, which is why I am proud to live in a state and country where freedom of religion is enshrined in our constitution and reflected in laws in our state and all across our country

But the rule of law matters, and Americans want our government to treat everyone equally under the law and not discriminate. If passed, this bill could excuse any person from any state or local law they claim burdens their exercise of religion. These laws could obligate the state to treat religion differently, and with a higher standard of preference than non-religious concerns. This is not a modest proposal; it could have radical consequences and will undoubtedly unleash a wave of litigation.

When talking about RFRA laws, we are used to hearing the cases of LGBT folks being denied a wedding cake at their same-sex wedding, and while we believe those cases are important and that no ones should suffer the indignity of being denied service or public accommodation because of who they are and who they love we are

also very concerned about the instances where RFRA was used that constitute a threat to public safety

In New Mexico a local religious leader cited RFRA when he appealed a conviction for sexually abusing two teenagers.

In Oklahoma a police officer cited a RFRA law in defense of his refusal to attend a community event hosted by a local Islamic society.

The City of Dallas Texas has been embroiled in a ongoing 7 year legal battle with a religious group that has used the Texas RFRA to claim that the city's health code and food safety standards burden their exercise of religion when serving the homeless. To date, this case has cost taxpayers nearly one million dollars.

Would RFRA require exemptions in cases like these? If not, how would the court determine which cases are worthy of accommodation, and which are not.

Since the Federal RFRA was signed into law in 1993, we have seen a dramatic shift in the intent of how these laws should be applied and enforced. It is no longer about the Native American government worker who was denied unemployment benefits because he chose to partake in a customary religious practice. Context is everything and the legal context changed dramatically after the Hobby Lobby decision. RFRA now has the potential to apply not only to individuals and religious organizations, but to any non-profit business whose owners have a religious belief that may come into conflict with other laws.

RFRA laws are harmful to LGBT people, women, child welfare, public safety, unmarried couples, and single mothers among others. There is too much uncertainty in how these laws will be applied and the costs associated with them. There are many examples of how

they cause real problems for real people, governments and businesses, I urge you to vote no.

