

Opponent Testimony- HB 36

To the Ohio House Community and Family Advancement Committee

Chair Ginter, Vice Chair Conditt, and Ranking Member Boyd, thank you for the opportunity to address the committee in opposition to HB 36. My name is Rebecca Phillips; I am a graduate student at The Ohio State University working towards my Master's in Social Work. As a social worker I am very concerned about this legislation in terms of its reactionary and aggressive tone and possible discriminatory effects on the LGBTQ community. As a citizen I am concerned about its redundant and therefore wasteful nature.

In accordance with social work ethics and values, I am completely in support of protecting the public, especially oppressed minority groups such as the LGBTQ population. Discrimination against the LGBTQ population has long been a problem in our country, from being banned from federal jobs under President Eisenhower to placing LGBTQ military members at risk for dishonorable discharge under *Don't Ask Don't Tell*. Sexual orientation stigma and discrimination has contributed to many of the issues the LGBTQ community disproportionately faces, from health disparities to poverty to homicide and suicide. Marriage inequality, in particular, has contributed to the marginalization of the LGBTQ community, as marriage provides access to over one thousand federal protections and responsibilities including healthcare coverage, retirement, and spousal benefits.

In 1994, the United Nations ruled that discrimination based on sexual orientation violates the International Covenant on Civil and Political Rights. Therefore, when the Supreme Court ruled that marriage, with its protections and responsibilities, are something to which everyone has a right, regardless of sexual orientation, this was a promotion of equality and justice that should be protected, not attacked.

Of course no one should be forced to violate their religious ceremonies by performing them in ways they consider blasphemous. But that is not happening. This was never a problem before legalization of gay marriage: Rabbis were never forced to marry Catholics, Baptists to marry Atheists, and so on as the right to refuse such ceremonies is clearly protected under the First Amendment.

This is a clear reactionary attack on the LGBTQ community and the Supreme Court ruling regarding marriage rights. Our legislature must not allow religion to be used as a tool to oppress and discriminate against others, any more than the other way around. This bill would leave open the possibility of just such discrimination and oppression against the LGBTQ population.

Members of the clergy who also hold secular positions could easily use this law as a defense for denying public services such as providing or affirming marriage licenses under the language of "solemnizing the marriage". Denying anyone access to public services to which they have a legal right is both discriminatory and unconstitutional. The position of the National Association of Social Workers is that "discrimination and prejudice directed against any group are damaging to the social, emotional, and economic well-being of society as a whole."

In addition to being potentially discriminatory, this bill is harmful in that it wastes time, energy, and taxpayer dollars and is distracting from other important issues. As previously stated, members of the clergy are already clearly protected under the First Amendment. Furthermore, fear of this problem is illogical- no couple would want someone to officiate their wedding who does not support their union. This is evident in the fact that no members of the clergy have been put in any such legal predicament. It should also be noted that “pre-emptive strikes,” in this case putting redundant protections in place even though no lawsuits have come nor would be possible to win, has been proven to be a harmful and ineffective method that can actually make situations worse not better. The LGBTQ community is a vibrant part of our state, our country and the world. The cultural and economic contributions to Columbus alone should make it evident that we should be developing laws to strengthen community connections to all groups of people, not oppressing them.

I urge you to vote no on HB 36. I am happy to answer any questions.

Submitted by:

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