



# AMERICAN ATHEISTS

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January 28, 2020

The Honorable Rep. Stephen D. Hambley  
Chair, House Civil Justice Committee  
77 S. High Street, 11<sup>th</sup> Floor  
Columbus, OH 43215

**Re: SUPPORT for HB369, Testimony from American Atheists in support of the Ohio Fairness Act**

Dear Chairperson Hambley and Members of the Ohio Civil Justice Committee:

American Atheists, on behalf of its nearly 1,800 constituents in Ohio, thanks you for holding a hearing on HB369, the Ohio Fairness Act. This bipartisan legislation would ensure that Ohioans are protected against discrimination on the basis of sexual orientation and gender identity. We urge the committee to swiftly pass this vital measure to end historical and contemporary patterns of well-documented discrimination against lesbian, gay, bisexual, and transgender (LGBTQ) Americans.

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. American Atheists believes that all Americans should be equally protected under the law, regardless of sexual orientation, gender identity, or religious beliefs or lack thereof. No individual should be subjected to discrimination and harassment that results from the religious beliefs of others.

Most Americans already believe that there are already explicit non-discrimination protections for LGBTQ people across our country.<sup>1</sup> Unfortunately, they are wrong, and Ohio is one of just 26 states that do not offer these critical protections in areas like employment and housing. And sadly discrimination against LGBTQ people is still rampant. A 2016 report showed that one in

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<sup>1</sup> Moore P. (2014). Poll Results: Discrimination. You Gov, June 18, 2014. Available at <https://today.yougov.com/topics/legal/articles-reports/2014/06/18/poll-results-discrimination>.

four LGBTQ people experienced discrimination in the past year.<sup>2</sup> But Ohio lawmakers now have an opportunity to remedy this injustice by passing the Ohio Fairness Act.

The non-discrimination protections for LGBTQ people provided by HB369 are already offered in over two dozen localities in Ohio, covering a quarter of Ohioans. This patchwork of protections can make it challenging for individuals to determine whether they are protected, and it creates unnecessary complexity for employers, businesses and educational institutions. The Ohio Fairness Act would build upon the foundation of basic non-discrimination protections across the state, ensuring that LGBTQ people are protected in areas such as employment, housing, education, and public accommodations while not changing the existing uniform religious exemptions which have proven suitable for religious organizations in Ohio. All residents of Ohio should be treated equally wherever they work, live, or engage in daily life.

The Ohio Fairness Act also makes it clear those who commit criminal activity will not be protected, particularly when it comes to safety around public restrooms. Trans Ohioans are part of workplaces and neighborhoods, and they need to use the restroom just like everyone else. People expect privacy in places of public accommodation such as public restrooms, and HB369 upholds and respects those values, while ensuring that those who assault someone in places of public accommodation, like restrooms and locker rooms, are subject to criminal penalty. This commonsense legislation would not change what Ohioans expect in their everyday lives, while allowing LGBTQ Ohioans and their families the opportunity to work and thrive in communities across Ohio.

The Ohio Fairness Act has bipartisan support and popular support. Research has shown that nearly 75% of Ohioans and the majority of businesses support non-discrimination measures for LGBTQ individuals.

We strongly support the Ohio Fairness Act, and we urge you to swiftly pass this important bill. If you should have any questions regarding American Atheists' support for HB369, please contact me at 908.276.7300 x309 or by email at [agill@atheists.org](mailto:agill@atheists.org).

Sincerely,



Alison Gill, Esq.

Vice President, Legal and Policy  
American Atheists

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<sup>2</sup> Singh A and Durso L. Widespread Discrimination Continues to Shape LGBT People's Lives in Both Subtle and Significant Ways. Center for American Progress, May 2, 2017. Available at <https://www.americanprogress.org/issues/lgbtq-rights/news/2017/05/02/429529/widespread-discrimination-continues-shape-lgbt-peoples-lives-subtle-significant-ways/>.