



Discrimination in Adoption, Foster Care and Child Welfare HB 3859 puts children at risk

Efforts to authorize state-sanctioned discrimination purportedly to protect religious freedom would put vulnerable children at serious risk. The primary consideration for a child welfare services provider should always be the best interests of the child – not advancing a sectarian belief or political agenda. Texas should not place the religious beliefs of the provider ahead of children’s needs.

HB 3859 Is Unnecessary

- Current laws and regulations in Texas already balance the convictions of religiously affiliated child welfare service providers with the needs and beliefs of children they serve. There is no history of problems this change would remedy.
- Further, Texas’ current Religious Freedom Restoration Act already provides these protections and allows any providers to bring a claim if they believe their religious freedom has been impinged.

HB 3859 Promotes Discrimination Against the LGBT Community – And Much More

- HB 3859 is clearly intended to discriminate against LGBT children and families. Child welfare service providers (including adoption and foster care agencies) that receive taxpayer dollars would be allowed to pick and choose which children and families they will and will not work with.
- More ominously, this kind of religious exemptions bill could encourage abusive and discredited “reparative therapy” for LGBT children.
- Private agencies could also use the language in this bill to discriminate against single or divorced people, interfaith couples, as well as people of different faiths. All of these individuals and families could be turned away from providing homes to children, even if they are relatives of the child.
- The bill could also block access to birth control or abortion services for teens, even when these services are in their best interests.

HB 3859 Opens the Door to Dangerous Consequences

- Texas has a tragic history of partnering with child welfare organizations that use religious doctrine to mask child abuse and proselytizing. The Roloff Homes, a faith-based home for troubled teens run by fundamentalist preacher Lester Roloff, had a string of abuse and physical neglect allegations that ultimately forced them to close their facilities in Texas.