

Testimony SB 371 Include sexual orientation and gender identity in certain laws

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Chairman Laslovich and members of the committee: My name is Moe Wosepka I currently serve as Director of the Montana Catholic Conference (MCC), which represents the Catholic Bishops of Montana on public policy issues. I come before you today very conflicted as I have for the past 10 or more years worked with groups who have experienced discrimination, those who are poor, and those who are in prisons, those who are forgotten and shunned.

The MCC is not in favor of discrimination against any person in matters of employment, use of public accommodations, housing, financing or credit transactions, education or any other section of law covered by this bill. The teaching of our Church makes it clear that the fundamental human rights of all persons must be defended and that all of us must strive to eliminate any form of injustice, oppression or violence against them. Moreover, it is not sufficient only to avoid discrimination. All persons should be accepted with respect, compassion, and sensitivity.

The difficulty is, that SB 371 attempts to amend present civil rights legislation to add an additional protected class, and therefore create the same status in law as “race, creed, religion, color, sex, physical or mental disability, age, or national origin. But if we do so, we should proceed with caution, because granting of protected civil rights status is a serious matter, and should not be taken lightly. Any such additions could have wide ranging affects, and we must be careful not to oversimplify what could be serious and complex questions.

We must also act with caution in adding a protected class to this list when we could at the same time be overlooking others who are being discriminated against. It could be said that groups like the homeless or former inmates from our prisons are discriminated against especially in employment opportunities, and housing. In my work the past 10 years with these groups I observed many instances where they, because of the group they were identified with, were discriminated against and denied these same civil rights. The question is, do these groups rise to the level of those we currently list as protected classes? Not all of us would agree. Certainly if you were to ask the homeless person, who lives the discrimination, his or her answer would be different than one who does not. This is one instance where we could be tempted to oversimplify a very complex question.

If these and other groups meet the level as suggested, then they too should be added to the list. It is in the very adding of each group as a protective class that the list becomes limiting in the offering of civil rights to all persons. The very nature of creating lists causes exclusivity by the deafening silence of those not included.

No person in this state should be targeted for discriminations in matters of employment, use of public accommodations, housing, financing or credit transactions, education or any other section of law covered by this bill. We are supportive of such protections, provided the common good of the entire society is also protected.

Chairman Laslovich, members of the committee, it is for these reason we respectfully stand in opposition to this bill. Thank you for your time and attention.