

FREEDOM FROM RELIGION *foundation*

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February 13, 2020

The Honorable Rep. Chris Kennedy
Chairperson
Colorado House Committee on State, Veterans, & Veterans Affairs
200 E Colfax Ave.
Denver, CO 80203

Re: Testimony in opposition to HB 20-1033 and other bills

Dear Chairperson Kennedy and Members of the Committee:

I am a constitutional attorney with the Freedom From Religion Foundation, a national nonprofit dedicated to upholding the separation between state and church. FFRF has 30,000 members around the country and about 1,000 in Colorado, with chapters in Denver and Colorado Springs.

The bills before you today, especially HB 1033, are motivated purely by religious ideology. They lack a secular purpose. Therefore, they violate that core principle of American government: the separation of state and church. Others will testify, correctly, that the bills are anti-LGBTQ and anti-science. But both of those flaws are rooted in the underlying defect—these bills seek to codify one particular set of religious beliefs into our secular law.

HB 1033, the so-called “Live And Let Live Act,” is nearly identical to model legislation known as the “First Amendment Defense Act,” which is part of a deeply troubling package of model legislation known as Project Blitz. The explicit goal of Project Blitz is to advance Christian Nationalism.¹ Put more simply, Project Blitz seeks to favor Christians and relegate everyone else to second-class status.

The Blitz aims to begin with seemingly innocuous measures promoting a false impression that the United States is a Christian nation, including bills to place the phrase, “In God We Trust” in public schools, requiring school districts to offer classes on the Christian bible, and resolutions celebrating the country’s so-called “Christian heritage.” At this phase, the Blitz seeks to equate being American with being a Christian.

As the name implies, Project Blitz moves quickly. It uses the seemingly innocuous bills to justify more extreme laws that restrict minority rights under the guise of protecting religious liberty. These bills elevate one particular brand of Christianity to a special,

¹ The entire package of Project Blitz model legislation, including its handbooks, is available at BlitzWatch.org.

avored status. They put the official stamp of state law on one particular set of Christian beliefs. HB 1033 is such a law. So are the others before you today.

Inserting discriminatory religious beliefs into the law destroys the constitutional principle that safeguards true religious liberty in America: the separation between religion and government. Our Founders realized that there cannot be true freedom of religion without a government that is free *from* religion. The only way to ensure religious liberty for all is to keep the government secular.

HB 1033 is not about religious freedom. HB 1033 is about Christian Nationalism. It's about religious favoritism. This bill is fundamentally un-American and this Committee should reject it. Many of the other bills being considered today are similarly tainted with a religiously-motivated discriminatory ideology. God is not a license to discriminate.

The U.S. Constitution protects the right of citizens to believe anything, including bigotry based on religion, but the Constitution simultaneously prohibits those religious beliefs from being the basis of American law. In front of you are bills that codify one particular subset of one particular religion's beliefs into law. If passed, those laws would allow that subset of believers to harm transgender youth and same-sex couples. These bills lack a legitimate secular purpose and I urge you to vote against them.

Today, more than one-quarter of Americans, 26%, are religiously unaffiliated and nearly 30% are non-Christians, either practicing a minority religion or no religion at all.² Colorado is less religious on average: 29% of adults identifying as nonreligious.³ Younger Americans are not just religiously unaffiliated, they are largely atheist or agnostic. A recent survey found that 21% of Americans born after 1999 are atheist or agnostic.⁴ I urge you to reject the invitation to impose Christian Nationalist ideals onto these nonbelievers, and to defend true religious liberty by ensuring that our laws remain entirely secular. Thank you for the opportunity to share this perspective with you.

Sincerely,



Ryan D. Jayne
Staff Attorney

² Robert P. Jones & Daniel Cox, *America's Changing Religious Identity*, Public Religion Research Institute (Sept. 6, 2017), available at www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

³ *Id.*

⁴ *Atheism Doubles Among Generation Z*, The Barna Group (Jan. 24, 2018), <https://www.barna.com/research/atheism-doubles-among-generation-z/>.