

FREEDOM FROM RELIGION *foundation*

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May 21, 2012

SENT VIA MAIL & EMAIL

President Ann Hunt and City Council Members
West Lafayette City Council
609 West Navajo Street
West Lafayette, IN 47906

Re: Unconstitutional Subsidy of Religious Ministry

Dear President Hunt and City Council Members:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to object to Ordinance No. 11-12, which would issue Economic Development Revenue Bonds to the Faith West Project of Faith Ministries. FFRF is a national nonprofit organization with over 18,000 members across the country, including over 250 members in Indiana. Our purpose is to protect the constitutional principle of separation between state and church and educate on nontheism.

Multiple local complainants have contacted FFRF to ask us to weigh in on Ordinance 11-12, which would assist in financing the Faith West Project by issuing \$7 million in Economic Development Revenue Bonds. Contrary to its assertions, Ordinance 11-12 will not “be of benefit to the health and welfare of the City of West Lafayette, Indiana and its citizens.” This proposal would subsidize a harmful and exclusionary religious ministry and violate the constitutional principle of separation of state and church.

Violation of Indiana Constitution

Ordinance 11-12 violates the Indiana Constitution, which rejects any religious preference. The Indiana Constitution provides:

No preference shall be given, by law, to any creed, religious society, or mode of worship; and no person shall be compelled to attend, erect, or support, any place of worship, or to maintain any ministry, against his consent.¹

Ordinance 11-12 compels the citizens of West Lafayette to erect and support a place of worship that will maintain a ministry. The Indiana Constitution is clear: “no person” can be

¹ Ind. Const. Art. 1, §4, §6.

compelled to support such an endeavor. This City cannot continue with the proposal, as it would violate the rights of conscience of some residents who oppose government resources from being used to support a fundamentalist ministry.

Furthermore, the Council's ability to pick and choose between projects is disconcerting. Since projects are judged on an individual basis, bias in favor of preferred religious groups is inevitable. Of course the Council would likely not give \$7 million in Economic Development Revenue Bonds to a mosque or to an atheist organization. The violation here is particularly egregious because of Faith Ministries' desire to convert others. The church "seeks to glorify God by winning people to Jesus Christ and equipping them to be more faithful disciples."

The government subsidy of the Faith West Project is offensive to the 15% of the adult Indiana population that identifies as nonreligious, the 18% that identifies as nonChristian (American Religious Identification Survey 2008), and many Christians who object to the discriminatory and fundamentalist views pushed by Faith Ministries.

The Faith West Project is Wholly Religious

The mission of Faith Ministries, including their Faith West Project, is wholly religious. Mayor John Dennis stated that he believes the religious mission of Faith Ministries can be "carved out" from the parts of the Faith West Project that the City would subsidize.² This is a myth. Money is fungible and the funding used for one portion of the project is simply used to offset the costs of other components. The City would be issuing bonds for the majority of the cost of the project.

It is a fiction that the benefits conferred by City involvement won't reach the overtly religious components, which include "faith-based biblical counseling" and "worship services." Courts have struck down aid to sectarian institutions in this regard. *See FFRF v. Bugher*, 249 F.3d 606 (7th Cir. 2001)(Ruling that grants to religiously-affiliated schools for telecommunications access violated the Establishment Clause when the lack of restrictions allowed the money to be used for religious purposes): *See also, Wirtz v. City of South Bend*, 813 F.Supp. 2d 1051, 1068 (N.D. Ind. 2011)("The objective, well-informed, reasonable observer would see no delineation between supporting the high school's building project and supporting the religious school itself.").

As their website states, Faith Ministries is "motivated by the belief that God's Word is sufficient, and that people who follow its life-changing message can bring glory to God through a personal relationship with Jesus Christ. This belief *pervades how we worship together and serve others, and is the foundation for our ministries.*"³ In other words, Faith Ministries' evangelical mission extends to every corner of the work they do; it is the reason they exist. Has the City determined if the Covenant Student Ministry Housing will require

² <http://www.wlfi.com/dpp/news/local/faith-west-project-funding-concerns>

³ <http://www.faithlafayette.org/about/>

residents to agree to a statement of faith or religious code of conduct? It does not seem possible to ferret out non-religious components to the Faith Ministries programming.

Faith Ministries “Biblical Counseling” is Harmful

On its website, Faith Ministries refers to the Faith West Project as “a new student and biblical counseling center.”⁴ Since the bonds the City would issue benefit the project as a whole, the City would in fact be supporting this biblical counseling. Biblical counseling is controversial, discriminatory, harmful, and most importantly, a program that West Lafayette citizens should not support.

We were contacted by a local resident and member of FFRF who reported that he participated in reparative homosexual therapy at Faith Ministries’ Faith Baptist Church in Lafayette as a teenager. The complainant said:

My sessions at Faith Baptist church were the most hurtful, damaging and humiliating experiences of my life. I was forced to divulge any and all sexual thoughts and keep them in a journal. I was also interrogated about my masturbation habits and the sexual fantasies that accompanied them. All of this was performed by an unlicensed therapist and observed by three therapists-in-training. It has taken years to overcome the shame and self-loathing these sessions caused, and I’m still not there yet.

The American Psychological Association reports that “there is currently no evidence that teaching or reinforcing stereotyped gender-normative behavior in childhood or adolescence can alter sexual orientation. We have concerns that such interventions may increase self-stigma and minority stress and ultimately increase the distress of children and adolescents.”⁵

Nonetheless, against the professional opinion of psychological authorities, “biblical counselors” provide therapy to treat gay and lesbian individuals, including teenagers. This is simply wrong:

The American Academy of Pediatrics, the American Counseling Association, the American Psychiatric Association, the American Psychological Association, the American School Counselor Association, the National Association of School Psychologists, and the National Association of Social Workers, together representing more than 480,000 mental health professionals, have all taken the position that homosexuality is not a mental disorder and thus is not something that needs to or can be ‘cured.’⁶

Religious fundamentalists continue to harm children.

⁴ http://www.faithlafayette.org/giving/faith_west_capital_campaign/

⁵ <http://www.apa.org/pi/lgbt/resources/therapeutic-response.pdf> page 4

⁶ <http://www.apa.org/pi/lgbt/resources/just-the-facts.pdf> at page 6

Despite the general consensus of major medical, health, and mental health professions that both heterosexuality and homosexuality are normal expressions of human sexuality, efforts to change sexual orientation through therapy have been adopted by some political and religious organizations and aggressively promoted to the public. **However, such efforts have serious potential to harm young people** because they present the view that the sexual orientation of lesbian, gay, and bisexual youth is a mental illness or disorder, and they often frame the inability to change one's sexual orientation as a personal and moral failure."⁷

Steve Viars, a pastor and counselor at Faith Ministries, recently wrote that Marcus Bachmann's position on conversion therapy was "theologically bankrupt."⁸ Bachmann, husband of Michelle Bachmann, claimed that his counseling was "at the client's discretion" and that they "don't have an agenda or a philosophy of trying to change someone." Pastor Viars condemned this statement, saying it was not "even remotely biblical."⁹ He also wrote, "The worst advice we could possibly give is, 'be true to yourself' or 'just do what comes naturally.' Such counsel is a recipe for spiritual and moral disaster."¹⁰

Has the City even inquired into what the Faith West facilities will be used for? If the Faith West facilities are used to promote the bible and provide "biblical counseling" to gay adolescents, the City will be complicit in causing mental harm to an already vulnerable population.

Financial Considerations

We understand that a determination on the tax status of Faith West has not yet been made. We also understand that Faith West is seeking a property tax exemption and it appears that it will not contribute to the City's property tax base. This lack of contribution in tax revenue is an important consideration, and one that is included in City policies.¹¹

Minor Job Creation

Ordinance 11-12 states that it is "expected to create opportunities for gainful employment in the City of West Lafayette, Indiana." However, Faith Ministries plans to create only 16 permanent jobs and 2 internships. All but just a few of those jobs are lower level jobs, such as custodians and customer service workers. The large amount of the bond by the City is grossly disproportional to the quality and quantity of jobs that would be produced.

Will those jobs be open to all in the community? Faith Ministries is not an Equal Opportunity Employer. As Faith Ministries' website demonstrates, employees in many

⁷ (emphasis added <http://www.apa.org/pi/lgbt/resources/just-the-facts.pdf> at page 5).

⁸ <http://blogs.faithlafayette.org/counseling/2011/07/conversion-therapy-and-counselor-agendas/>

⁹ *Id.*

¹⁰ *Id.*

¹¹ (Resolution No. 05-10 at page 5).

positions are expected to, at the very least, join the church. Some positions require that employees abide by "leadership standards." These standards include: "maintain a disciplined prayer life," "control my appetite so as not to be guilty of gluttony," "recognizing that [their marital] relationship is to be a picture of Christ's relationship to the church," "Dress in a way that is modest and neat and lead my family to do likewise," and "tithe faithfully of my income (consideration will be given to wives of unsaved husbands)".¹² This is *in addition* to the on-the-job requirements of some positions within Faith Ministries.¹³

The City of West Lafayette should not equate the small number of permanent jobs created to a small subsection of the community as "benefi[cial] to the health or general welfare of the unit proposing to issue the bonds."¹⁴

Conclusion

The West Lafayette City Council must reject the Ordinance No. 11-12, which violates constitutional dictates and will subsidize the development of an exclusionary and discriminatory religious ministry.

Very truly,

A handwritten signature in black ink that reads "Dan Barker". The signature is written in a cursive, slightly slanted style.

Dan Barker
Co-President

Cc: Mayor John Dennis via email: mayor@westlafayette.in.gov

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¹² http://www.faithlafayette.org/about/jobs/leadership_standards/

¹³ See, e.g., http://www.faithlafayette.org/about/jobs/2nd_shift_supervisor1

¹⁴ IC 36-7-12-3