

Take a stand for religious liberty

Indiana Gov. Mike Pence is under heavy fire for signing his state's new religious freedom law.

Misleading media coverage, homosexual activists, celebrities, boycotts, and companies willing to yank millions of dollars in business from Indiana are piling on to punish the governor for his courageous stand.

But Gov. Pence is not standing alone.

The FAMILy LEADER, Focus on the Family's CitizenLink, the Family Research Council, and the Manhattan Declaration – as well as a groundswell of people like you through the Twitter hashtag #StandStrongPence – are just a few of those standing with Gov. Pence in defending religious liberty and the freedom of conscience.

“People who created the law could use a little encouragement right now,” CitizenLink told its supporters. “We urge you call them. Let them know you support RFRA, the Religious Freedom Restoration Act.”

- Gov. Mike Pence's office: (317) 232-4567
- Indiana Speaker of the House Brian Bosma: (317) 232-9677
- Sen. President David Long: (317) 232-9416

“You don't have to go into any great detail; just let them know they did the right thing and they don't have to change anything in response to the outrageous criticism,” CitizenLink said. “The outcome of this high-profile fight will have impact in every state, not just Indiana.”

(Note: Since publishing this post, Gov. Pence has signed an amendment to the RFRA bill that weakens the protections afforded by the original draft).

Opponents of the law have had a wide-open platform in the mainstream media to falsely claim RFRA is “hateful,” that it will somehow give businesses license to discriminate against homosexual patrons.



Indiana Gov.
Mike Pence

In reality, the law merely reasserts that courts and legislatures shouldn't indiscriminately trample the First Amendment rights of business owners who can't in good conscience provide a good or service to an activity they object to on religious grounds.

“What does the law actually do? It's fairly simple, really,” CitizenLink explained. “It sets a standard that state government must follow when dealing with cases that involve religious freedom. The government must demonstrate that it has a ‘compelling interest’ to get involved, and then, if a remedy is called for, it must use the ‘least restrictive’ solution. ... It does not give anyone a “license” to do anything. It does not say what the outcome of challenges should be. It does offer similar protections to what's already in federal law.”

“Imagine the shoe on the other foot,” illustrates Bob Vander Plaats of The FAMiLY LEADER. “Should a kosher butcher be forced to either slaughter hogs or face a lawsuit that could put him out of business? Should a Jewish baker be compelled to make a cake with a swastika? Should a homosexual printer be forced to print flyers from a group like Westboro Baptist Church – no one should be forced to print that rhetoric – and if they refuse, should they be sued out of existence?”

“When we walk away from the pillar of religious liberty, it has many ugly side streets and avenues this country does not want to go down,” he says.

“I don’t see why this should be such a controversial issue,” Vander Plaats reasons. “Similar laws have been passed in 19 states. President Clinton signed an RFRA into federal law. Barack Obama voted for an RFRA when he was a state senator in Illinois. Religious liberty in America should be a good thing. It’s the one freedom that gives life and birth to all our other freedoms.”

Much of the pressure Gov. Pence has been under in the media and from celebrities and companies threatening boycott has been misguided or misleading, claiming the RFRA law will do things it won’t. Some of it, like the publicized pressure Pence has faced from Apple CEO Tim Cook, Vander Plaats asserts, is flatly disingenuous and hypocritical.

“Cook wants to criticize Indiana for upholding religious liberty, yet Apple just opened a store in Saudi Arabia, where they execute homosexuals,” Vander Plaats points out. “I suspect Tim Cook, who is openly homosexual, is attacking Indiana because of his fear RFRA might prevent a business from being forced to celebrate same-sex marriage.”

For more on what the RFRA actually does – and what it doesn’t – Travis Weber, the director of the Family Research Council’s Center for Religious Liberty, has written a succinct summary of the federal RFRA, the model for state RFRA’s, including the one just put in place in Indiana: [available here](#).

The FRC is also asking people to join their [“I Stand with Gov. Pence for Freedom” petition](#).

[To help The FAMiLY LEADER in its commitment to religious liberty and the freedom of conscience, donate today.](#)

What RFRA does – and doesn't – do

State Religious Freedom Restoration Acts (“RFRA”):

What are they and why are they needed?

By Travis Weber, Esq.
Director, Center for Religious Liberty
Family Research Council
March 2015

What is a “RFRA”?

Religious Freedom Restoration Act (RFRA) refers to a state law that mirrors the federal statute by the same name and which prohibits the government from burdening religious exercise unless it meets a high level of legal scrutiny. Chuck Schumer, Ted Kennedy, and then-State Senator Barack Obama are just a few examples of politicians who have voted for a RFRA at the state or federal level.

Where did the federal RFRA come from?

Many correctly saw the Supreme Court's 1990 decision in *Employment Division v. Smith*⁽¹⁾ as an erosion of religious liberty rights and threat to our freedom to live out our personal beliefs. In response to *Smith*, a coalition of groups from across the religious, political, and legal spectrum—from the Southern Baptists to the ACLU—came together to urge Congress to pass a law restoring strong protections for free exercise claims. The 1993 federal RFRA was sponsored by Chuck

Schumer and Ted Kennedy, was passed unanimously by the House and 97-3 by the Senate, and signed President Clinton.

So why are state RFRA's needed today?

In 1997 the Supreme Court ruled in *City of Boerne v. Flores*^[2] that the federal RFRA did not apply to state and local government action. Since then, *state RFRA's* have been needed to protect against undue state and local government interference in religious exercise. Twenty states have responded as of this writing,^[3] and another 11 states have similar protections under state court precedent. The law is needed in the remaining states to protect people whose sincere beliefs are in danger of being unnecessarily burdened by the government.

What do RFRA's actually do?

They give courts a tried-and-true balancing test for weighing a person's sincerely held religious beliefs against legitimate state interests; RFRA's do not dictate outcomes.

The language can vary from state to state, depending on the laws already in place, but all RFRA's protect people with sincerely-held religious beliefs from over-intrusive government regulation burdening their religious practice, while winnowing out those using religion as a pretext to escape application of general laws.

How does the RFRA balancing test work?

RFRA's allow a person to ask a court to consider their religious beliefs as a basis for their claim or defense in a judicial proceeding. The standard RFRA contains a five-part test.

To claim RFRA protection, a person first has to prove they have:

- (1) A religious belief, *and*

(2) Which is also sincere, *and*

(3) Which has been substantially burdened by the government action in question.

Only then can their claim move forward. At this stage, the burden of proof shifts to the government to show that:

(1) It has a compelling interest in burdening the religious practice, *and*

(2) It has only burdened the practice in the least restrictive way possible.

If the government can make both of these showings, its law or regulation is allowed to infringe on the religious practice—even under RFRA. However, if the government fails to make both of these showings, the religious claim will prevail, and at that point the person is entitled to legal protection for their religious beliefs and practices. Just because a RFRA claim is brought does not mean that it will win in every case. A person must always look to a court's application of RFRA—the law provides a balancing test in court but does not dictate the outcome.

Who does RFRA protect? (Hint: Everyone.)

Everyone with a conscience—regardless of their religion, political views, the content of their beliefs, or how they apply those beliefs—is protected by a RFRA.

That's why, when the federal RFRA was passed in 1993, a coalition of groups from across the religious, political, and legal spectrum—from the Southern Baptists to the ACLU—came together to support it. A review of RFRA and free exercise case law going back decades clearly shows its benefit to people of all faiths as they seek to protect their beliefs and consciences in the face of ever more intrusive government. For example, this religious liberty framework has been appealed by

Native Americans seeking to grow long hair in school, Christians seeking to feed the homeless in the face of a hostile local government zoning laws, and even Muslim prisoners seeking to grow a short beard.

Moreover, these laws are not political—they cut across racial and social lines, and apply in a variety of factual scenarios, from property disputes to social welfare to abortion. RFRA's are not fact-specific. They are not race-specific. They are not religion-specific. And they are not political party-specific.

You'd expect RFRA's to find support from a spectrum of Americans of all political persuasions and religions who care about individual freedom from government coercion. RFRA's text and history, along with our judicial system's established practices for analyzing religious claims, demonstrate that these laws merely advance conscience rights for all in the face of ever larger and more intrusive government—nothing more, and nothing less. That's something all Americans can support.

But aren't RFRA's just an excuse to discriminate or hide behind my religious beliefs?

No. RFRA's do not allow businesses to turn away customers or engage in discrimination as they see fit. Opponents of state RFRA's raise all kinds of hyperbolic hypotheticals, but when asked for examples of where a RFRA has been abused in this way they cannot cite a single example. Indeed, many religious objectors themselves debunk the "license to discriminate" narrative and demonstrate they are not discriminating through their own history of serving all people.

Only a judge can apply a RFRA's balancing test. In no cases do RFRA's allow people to automatically appeal to religion to "opt out" of obeying a law. RFRA's do protect people of all faiths whose sincere beliefs are in danger of being unnecessarily

burdened by the government, while winnowing out those using religion as a pretext to escape application of general laws.

Americans of all political persuasions and all religions who care about individual freedom of belief in the face of increasing government coercion should support RFRA. The law's text and our long history of analyzing religious claims show that RFRA is the best protection for everyone, allowing people of all beliefs to continue living free of intrusive government.

Travis S. Weber is the Director of the Center for Religious Liberty at the Family Research Council, where he focuses on all manner of legal and policy issues pertaining to religious freedom. Before joining FRC, Travis worked in private practice, primarily litigating federal civil rights cases. He also handled military-related legal issues and criminal defense matters. Travis is a graduate of the U.S. Naval Academy and holds a J.D. from Regent University School of Law, where he served as the Notes & Comments Editor on Law Review. Travis also graduated with an LL.M. in International Law (with distinction) and a Certificate in International Human Rights Law from Georgetown University Law Center.

[\[1\]](#) 494 U.S. 872 (1990). In *Smith* the Supreme Court held that government regulation infringing on religious exercise did not violate the First Amendment's Free Exercise Clause as long as it was neutral and generally applicable.

[\[2\]](#) 521 U.S. 507 (1997).

[\[3\]](#) Twenty states have RFRA: Alabama, Arizona, Connecticut, Florida, Idaho, Indiana, Illinois, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas,

and Virginia.

Pastors converge on State Capitol ... in love

Legislators seem to always have people yelling at them from one side or the other, no matter what they do.

How encouraging would it be if lawmakers had someone ministering to them instead?

On Tuesday, March 31, The FAMIly LEADER brought over a dozen area pastors to the State Capitol to learn about the legislative process and to get directly involved ... by bringing the love of Christ to an often divisive place.

“Pastors bring a unique perspective to the lawmaking process,” explains Danny Carroll, family advocate for The FAMIly LEADER. “They understand interpersonal relationships and what it means to endure under public pressure. These godly men were able to visit with and pray for several legislators during the morning session.”



The FAMIly LEADER's Chuck Hurley with pastors at Iowa Capitol

The gathering of pastors included education on several issues of legislative importance – including abortion, anti-bullying, payday lending and human trafficking – as well as opportunities to meet congressional leaders, including Rep. Chris Hagenow, R-Windsor Heights, Sen. Jack Whitver, R-Ankeny, and Pastor Terry Baxter, R-Garner, now a member of the Iowa House.

“We give our thanks to God for the blessing of these gentlemen as well as their willingness to learn more about state government and to get involved,” Carroll said.

A pastor shares his experience

Michael Demastus, pastor of Fort Des Moines Church of Christ, told The FAMiLY LEADER why it’s so important – and meaningful – for Christians to reach out and minister to legislators.

“I had the wonderful opportunity to come together with my colleagues in ministry (from various denominations) to attend The FAMiLY LEADER’s Pastor’s Day at the Capitol,” Demastus said. “We gathered together early in the morning to be briefed on the pertinent bills facing the legislature that day. We prayed together and then were let loose to call on our state representatives and senators to dialogue with and hopefully pray with them.

“It is so vital that Christians understand their role in civic government,” he continued. “We are commanded to pray for our leaders and those in authority (1 Timothy 2:1-4). It is also important that Christian ministers help to shepherd and give counsel to those who lead. Many of them, literally, do not know to whom to turn. Why not guide them toward the unchanging and solid wisdom of the Word of God?

“All of the state representatives and senators give of their time and are not paid very well to do the work they do. They have so many voices demanding, criticizing, and asking of them at all times. It is important that we, as Christians, can lend

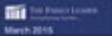
them a supportive and prayerful voice of concern and help,” Demastus said. “I am sincerely looking forward to doing this again in the future!”

[Join The FAMILY LEADER in equipping and encouraging pastors – and all Christians – to become leaders in their homes, churches AND government!](#)

March Newsletter

Download TFL’s March Newsletter : [Click Here](#)



Report from The Hill  March 2015

While we're on the topic of the Legislature, let me give you updates on a few issues we're working on up there.

Life
House File 58 is still in the Iowa House that will require Planned Parenthood and other abortion providers to perform an ultrasound and advise the woman a chance to see her unborn child before an abortion can be performed. The vast majority of women planning to have an abortion change their minds after they see their unborn child. These provisions prove that the child is more than just mere tissue. This bill is currently in the Iowa House.

Marriage
State Senator Dennis Coats and Representative Greg Borsari are providing leadership to defend natural marriage in Iowa. Even though we legislators consider the fact that a natural marriage provides the best environment for children to be raised, Senator Coats filed a Resolution (R200) which is identical to House Joint Resolution 4 (HJR4). Both bills propose that Iowa be allowed to vote on the constitutional definition of marriage in Iowa.

Senator Coats, along with his fellow legislators (Schultz, Chapman, Brandenstein, Jolin, Anderson, Swanson, Johnson, Knappefink and Borsari) are sponsors of the Resolution. The House members sponsoring the bill include Representatives Heath Kessler, Keith Wirth, Bob Wills, Family Solutions Committee, Filipek, Moore, Wradcheck and Borsari. The FAMILY LEADER commends Senator Coats and his ten fellow Senate Republicans, along with Representative Borsari and eleven House Republicans for sponsoring these Resolutions to bring people safe.

Since 2009 in Iowa, only one branch of government has been allowed to weigh in with its opinion regarding the definition of marriage—the courts (made up of unelected judges).

In our representative Republic, the people retain all political power. The FAMILY LEADER believes the Legislature should have that authority and pass HJR 4 and HJR 1 on the people of Iowa (not one or marriage).

Human Trafficking
Simply put, we are working with law enforcement, city and state officials, and other concerned groups to make Iowa the most hostile state in the nation when it comes to our treatment of human traffickers and their customers. Given that one of America's largest industries is HR and HR is spread throughout Iowa, human trafficking is taking place right under our noses. The only way to stop this is to create laws that deal severely with gangs and judges, and then equip law enforcers to do the job. This will be a long process, and the problem is one that we need to do everything in our power to fix.

First in the Nation
As you know, Iowa is not just at the crossroads of two busy interstates. It's the first in the nation across state. And if you haven't noticed, presidential campaigns are heating up!

The office has been getting calls from every media outlet imaginable: Fox News, Bloomberg, The New York Times, USA Today, CNN, and the list goes on. They're done their homework and know that an organization like ours, and people like you, will have a tremendous impact on the outcome of the Iowa Caucuses. They want to know what we think about the current field. They want to hear what you also supporters are saying. They always ask if we're going to endorse anyone. It's a non-pressured hour once they say, and the answer has to come to Iowa!

Right now, we are in education mode big time. We're educating ourselves in politics affecting Iowa's families. And we're committed to giving you opportunities to be educated about them, too. Forward that link, please make

TheFamilyLeader.com   #TheFamily

Coming to a town near you

It is a great joy to get to see all our Family Leadership Regional Summits in a community near you to hear from speakers addressing these issues. Here's the schedule:

MI, Plymouth - April 9
Orlando Falls - May 16
Council Bluffs - June 15
Sioux Center - September

Now, please get our fourth annual Family Leadership Summit on your calendar. It will be held in Ames on **Friday, July 18, 2015**. And the Presidential Family Forum will be on **Saturday, November 21, 2015**.

Our voices – the voices of conservative, Christian, constitutionally-minded – must be heard in the process of selecting the next President of the United States of America. There in Iowa we have a tremendous privilege and a tremendous responsibility to go first. This is going to cost money and it's going to take time – hundreds of thousands of dollars and hours. Please allow me to share with you one more scripture passage. It's from Luke 12:

"Everyone to whom much was given, of him much will be required."

We live in the greatest country in the world and we are blessed beyond what we could ever ask or imagine. We have been given much. We must invest it well.

Please join us with your time, your prayers, and your very best financial gift today.

I hope to see you out and about around the state soon!

For the FAMILY,

Bob Vander Plaats
President of FLEAD

P.S. Please send your very best contribution to The FAMILY LEADER today: a gift of \$30, \$100, \$250, \$500, \$1000, or \$25000, using the response form and the enclosed envelope, or go to TheFamilyLeader.com right now and make a secure online donation. Thank you!

If 7:14 - Lead Ministry Sponsor at Rise-Fest
The Family Leader's annual initiative, IF 7:14, is proud to announce it's Lead Ministry Sponsor for the 15th Annual RiseFest, to be held in Sheldon on Father's Day weekend, **June 19 - 20, 2015**. RiseFest is a family-friendly Christian festival featuring several events including The Newsboys live performance, youth softball, vendors and activities. Go to www.risefest.com for the complete list of activities and April 30 use of May 1, ticket prices will go up!

If 7:14 is a Digital Call for Revival. It's Your Turn!

www.if714.com

RISEFEST 15
NEWSBOYS 

If 7:14 is a response to a calling that Bob Vander Plaats and The FAMILY LEADER believe strongly calls the church, family, leadership, business, politics, and culture. At the bottom, speakers who appear on the program will be given the opportunity to share their insights and experiences. Financial, marital, nationally, internationally, and personally, is, always.

The FAMILY LEADER Announces July 18 Date for The 4th Annual Family Leadership Summit

FOR IMMEDIATE RELEASE: Tuesday, March 17, 2015

The FAMILY LEADER Announces New Date for The 4th Annual Family Leadership Summit

Pollster Frank Luntz to Host Interactive Discussions with Iowans

Urbandale, IOWA – The FAMILY LEADER's 4th Annual Family Leadership Summit will be held on Saturday, July 18th at

Stephens Auditorium in Ames, IA. The original date was August 15th, but due to several other conservative events scheduled for August, The FAMiLY LEADER has moved their Summit to July 18th.

Bob Vander Plaats, President & CEO of The FAMiLY LEADER said, "For the fourth year in a row, The FAMiLY LEADER is excited to offer its annual Family Leadership Summit for Iowans who are eager to learn more about and hear from conservative leaders. Between the Family Leadership Summit, the Iowa Straw Poll, and the first RNC debate, these important events will inspire, motivate, and educate conservatives on the leading issues facing America. A midsummer event on July 18th will be a great opportunity for Iowans to hear directly from – and directly engage with – an extraordinary group of conservative leaders."

The FAMiLY LEADER is pleased to announce a partnership with Frank Luntz and his team at Luntz Global Partners, www.lutzglobal.com. Frank will host individual town-hall forums, along with potential focus groups, to add a unique opportunity for Iowans.

Frank Luntz is one of the most honored communication professionals in America today. "The Nostradamus of pollsters," said Sir David Frost, and one of the "hottest pollsters" in America according to the Boston Globe. Frank was named one of the four "Top Research Minds" by Business Week and was a winner of the coveted Washington Post "Crystal Ball" award for his accuracy as a pundit. His focus groups have become so influential that as a presidential candidate, Barack Obama commented, "When Frank Luntz invites you to talk to his focus group, you talk to his focus group."

The FAMiLY LEADER is also pleased to announce that the National Organization for Marriage is their first national partner for the Summit, www.nationformarriage.org. Brian Brown, president of the National Organization for Marriage said, "It's an honor to continue our partnership with The

FAMiLY LEADER at the 2015 Family Leadership Summit to advance pro-family, pro-conservative, and pro-freedom conservative values. Iowans play a critical role in presidential politics and it's a privilege to work with them at this most important Summit."

The purpose of The FAMiLY LEADERSHIP SUMMIT is to inspire, motivate, and educate conservatives regarding worldview application and the most pressing issues facing America's families. The Summit will provide Iowans the opportunity to engage with national conservative leaders and hear their leadership vision on the issues that matter most to the future of America.

Last year's Summit held in Ames, Iowa, was an extraordinary success, with more than 1,200 attendees and 100 members of the media. Many of the conservative movement's most prominent leaders joined the Summit last year, such as Dr. Alveda King, Governor Rick Perry, Senator Tim Scott, Senator Ted Cruz, Governor Bobby Jindal, Governor Mike Huckabee, Tony Perkins, Joel Rosenberg, Ken Cuccinelli, and many others. Press releases will be sent as speakers are confirmed.

For more information about The FAMiLY LEADER to go www.TheFamilyLeader.com, or learn about last year's amazing Summit, visit www.TheFamilyLeadershipSummit.org.

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