

# FLORIDA CONFERENCE OF CATHOLIC BISHOPS

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EXECUTIVE DIRECTOR



March 18, 2015

The Honorable Don Gaetz  
The Florida Senate  
Room 420, Senate Office Building  
404 S. Monroe Street  
Tallahassee, FL 32399

## ***Re: Support for Retaining Homosexual Adoption Ban & Agency Conscience Protection***

Dear Senator Gaetz:

Thank you for your sponsorship of SB 320 which provides incentives for the very laudable practice of adoption. We do thank the many generous persons who serve as foster and adoptive parents, and encourage the practice.

You are no doubt aware that the companion measure, HB 7013, was amended on the House floor to remove the prohibition on adoption by homosexuals in Florida. This controversial proposal merits serious consideration.

### ***Every child deserves a mother and a father***

There will be disputes over sociological data, but when considering concerns for statistical bias, a reasonable review of available studies recognizes that children are best served when raised by a mother and a father. Concerns to this end prompted Pope Francis in February 2015 to praise supporters of a measure in Slovakia that would preserve adoption as exclusively available to a mother and father. The Holy Father has previously expressed that "we must reaffirm the right of children to grow up in a family with a father and a mother capable of creating a suitable environment for the child's development and emotional maturity." (Vatican Radio Address, April 11, 2014)

### ***Importance of Retaining Statutory Law***

From a legal perspective, while we recognize that the 3<sup>rd</sup> District Court of Appeal ruling has opened the door to gay adoption, the current statutory prohibition affords leeway for other district courts to uphold the statutory ban. It is our position that upholding the ban is preferable to striking it.

### ***Necessity of Conscience Protection for Agencies***

As the House considered HB 7013, one of the issues noted is the growing recognition that conscience protection for child placing agencies is needed for those whose convictions require certain considerations. This is not exclusively related to concerns for placing children with homosexuals, but could apply to preferences to place children with married heterosexual couples, or for religious bodies that utilize their license to place children exclusively among members of their own faith.

Conscience protection is not a new concept in law. It has long helped to preserve key freedoms for both individuals and institutions. In Florida law, such protections exist relative not only to abortion, but to issues of family planning and sterilization, end-of-life matters and to participation in executions as well. Our pluralistic society, which continues to value the contributions of a vibrant voluntary sector must continue to negotiate "room" for agencies to continue to serve our communities in ways consistent with their First Amendment freedoms. To this end, we wholly support HHSC 15-03, which will soon be considered by the House Health and Human Services Committee.

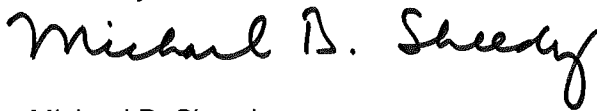
***Conclusion: Support for Current Law and Conscience Protection***

In closing, we reiterate our two-fold request that you

- 1) preserve the existing statutory ban and oppose any amendments that would align with HB 7013; and
- 2) to add the provisions of HHSC 15-03 to SB 320 as an amendment.

We are confident that if your bill contains these provisions, it will find support in both the Senate and the House of Representatives. I welcome the opportunity to speak with you further about this.

Sincerely,



Michael B. Sheedy

cc: The Honorable Andy Gardiner, President of the Florida Senate  
Most Rev. Thomas G. Wenski, Archbishop of Miami, President  
Most Rev. Gregory Parkes, Bishop of Pensacola-Tallahassee