

March 27, 2015

## **Backlash Spreads Over Religious Objections Law**



Stickers such as this one have been appearing at many Indiana businesses.

The heat over Indiana's new religious objections law spread Friday across social media and to the White House as many local officials and business groups around the state tried to jump in and stem the fallout.

Use of the hashtag #boycottindiana spread across Twitter, spurred on by activists such as "Star Trek" actor George Takei, who argued that the measure opens the door to legalized discrimination against gay people. Apple CEO Tim Cook also tweeted his objections, saying

he was "deeply disappointed" in the law.

Supporters of the bill that Republican Gov. Mike Pence signed Thursday say discrimination claims are overblown. They maintain courts haven't allowed that to happen under similar laws covering the federal government and in 19 other states. The measure, which takes effect in July, prohibits state and local laws that "substantially burden" the ability of people — including businesses and associations — to follow their religious beliefs.

Some national gay-rights groups say lawmakers in Indiana and about a dozen other states proposed such bills this year as a way to essentially grant a state-sanctioned waiver for discrimination as the nation's highest court prepares to mull the gay marriage question.

White House press secretary Josh Earnest on Friday noted the negative reaction to the Indiana law from many businesses and organizations around the country.

"The signing of this bill doesn't seem like it's a step in the direction of equality and justice and liberty for all Americans," he said.

The Arkansas Senate approved a similar proposal on Friday despite opposition from home-state retail giant Wal-Mart. Another measure stalled Thursday in the Georgia Legislature after opponents cited the fallout over the Indiana law.

Indianapolis Mayor Greg Ballard, a Republican who opposed the law, said he and other city officials would be talking to many businesses and convention planners to counter the uproar the law has caused.

"I'm more concerned about making sure that everyone knows they can come in here and feel welcome," Ballard said. "That's what I'm mostly concerned about."

A rally against the law is planned for 1 p.m. Saturday at the Indiana Statehouse.

The City County Council will consider <u>a special resolution</u> Monday opposing the act and encouraging state legislators to amend the Civil Rights section of the Indiana code. It also calls on the legislature to protect local anti-discrimination ordinances by exempting them from the law.

Groups such as the Indiana Chamber of Commerce have taken to social media with messages that the state is full of welcoming businesses. Democratic South Bend Mayor Pete Buttigieg touted on Twitter his city's civil rights ordinance's protections for gays and lesbians, while Republican Evansville Mayor Lloyd Winnecke wrote that the law "sends the wrong message about Indiana."

John Boyd, principal of The Boyd Company, a corporate site selection firm based in New Jersey, predicted short-term fallout from passage of the law, saying that it might make it more difficult for Indiana to attract new businesses, particularly technology companies.

"Companies want to be in markets that are attractive to Millennials," Boyd said. "And this type of anti-business social policy is a real challenge for the state, and will present some obstacles."

Stickers touting "This business serves everyone" have been appearing on business windows in many Indiana cities.

Pence, after signing the bill Thursday, said opponents had been mischaracterizing the measure and that it was solely a limit on government restricting people's religious liberties.

Last year, Mississippi enacted a religious objection law just weeks after Arizona Gov. Jan Brewer, a Republican, vetoed a similar effort there amid criticism from major corporations. Mississippi hasn't had any high-profile instances of the law being used by businesses to deny goods or services to gays.

Indiana University law professor Daniel Conkle, who testified in favor of the bill in Indiana legislative committees, said he was a supporter of gay rights and that the predictions of negative implications from the law were unjustified.

Conkle, who has written extensively on religious legal issues, said he didn't know of any cases under the similar state laws or the federal statute, which dates to 1993, where a court had sided with a religious objector in a discrimination case.

"This 'license-to-discriminate' argument that seems to have this relentless repetition is just legally wrong," Conkle said Friday. "It is as if you just keep repeating something often enough it takes on a life of its own."

Other legal scholars disagree with Conkle about the necessity of such legislation. In <u>a letter</u> to Democratic Rep. Ed DeLaney, they suggested that the law was "a solution in search of a problem," and that its passage would lead to "confusion, conflict, and a wave of litigation."

Chris Gahl, a vice president of Visit Indy, said the tourism agency was pointing out to convention planners that cities such as Chicago, New Orleans and St. Louis are in states that already have such religious objections laws.

That's part of protecting city's tourism and convention business, which is estimated to have a \$4.4 billion annual economic impact with some 75,000 jobs.

"We know that their ability to work is largely dependent on our ability to score convention business and draw in events and visitors," Gahl said.