

# Georgia insight

Sue Ella Deadwyler  
www.georgiainsight.org  
“She hath done what she could.”  
Mark 14:8a  
“...and having done all ... stand.”  
Ephesians 6:13c

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## ERA Dead and Buried in 1982, Exhumed in Georgia

### ERA History in Georgia

1975 Georgia Senate defeated ERA 33-22.  
1982 Georgia House of Representatives defeated it 116-57.  
2018 H.R. 969 died in the House Judiciary Committee.

**S.R. 55** by Democrat Senator Nan Orrock and **S.R. 66** by Republican Senator Rene Unterman were introduced in Georgia in January to ratify the national Equal Rights Amendment, which failed to pass during the seven-year time limit in the 1970s and a three-year extension that ended in 1982. Each bill contains only 125 words that include this 24-word key statement:

*“Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.”*

Although the national ERA failed to pass, ERA’s adverse effect on females have become evident in states that, subsequently, passed a state ERA.

**ACTION – Oppose.** Ask Senate Judiciary Committee members to vote NO on S.R. 55 and S.R. 66. Call area code 404 to reach Senators: Stone Ch., 463-1314; Cowser, V-Ch., 463-1366; Tillery, Sec., 656-0089; Heath, 656-3943; Jones II, 463-3942; Kennedy, 656-0045; Ligon, Jr., 463-1383; Parent, 656-5109; Rhett, 656-0054; Strickland 656-7454.

**H.R. 16** by Democrat Representative Billy Mitchell, also introduced in January, uses the language of the March 15, 2005 Start Over Resolutions\* to renew the ratification process.

**ACTION – Oppose H.R. 16.** Use area code 404 to call House Judiciary Committee Representatives Fleming, Ch., 656-5125; Jones, V-Ch., 656-0213; Kelley, Sec., 656-5024; Nix, Ex-Officio, 656-5146; Bruce, 656-7859; Dreyer, 656-0265; Efstration, 656-5105; Holcomb, 656-6372; Oliver, 656-0265; Powell, 656-5141; Reeves, 651-7737; Rich, 656-0254; Rutledge, 656-0254; Scoggins, 656-0325; Silcox, 656-3949; Stephenson, 656-0126; Welch, 656-5912; Wilensky, 656-0202; and Wilson, 656-6372.

## Q. How would ERA change current law?

- ERA would nullify all legal measures that protect, favor or provide services only to females.
- Same treatment of sex (which would be defined as gender) would be required by ERA.

### Background

Three-fourths (38) of the states must ratify a proposed constitutional amendment. During the time limit, 35 states ratified ERA, five states rescinded it; and ratification failed. All of the 15<sup>1</sup> non-ratifying states, including Georgia, continued rejecting ERA until 2018, when Nevada and Illinois passed it, but Georgia rejected it again. Thankfully, Georgia’s 1972 – 1982 legislators defeated ERA when pro-ERA Jimmy Carter was Georgia’s governor, then U.S. president.

- (a) The March 15, 2005 \*Start Over Resolutions (HJRes 37 and SJRes 7) proposed the same 1972 ERA language, but limited ratification to two years.
- (b) The Three-State Resolution (HRes 155) was introduced “requiring the House of Representatives to take any legislative action necessary to verify the ratification of the Equal Rights Amendment as part of the Constitution, when the legislatures of an *additional three States* ratify the Equal Rights Amendment.”

<sup>1</sup> Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Louisiana, Mississippi, Missouri, Nevada, North Carolina, South Carolina, Oklahoma, Utah and Virginia

## **Drastic Changes under ERA**

### **Women would be drafted and serve in combat if men were drafted and serve in combat.**

“A woman will register for the draft at the age of 18, as a man now does [if the draft is revived]. ... [A]ll standards applied through (intelligence tests and physical examinations) will have to be neutral as between the sexes. ... Distinctions between single and married women who become pregnant will be permissible only if the same distinction is drawn between single and married men who father children. Thus, if unmarried women are discharged for pregnancy, men shown to be fathers of children born out of wedlock would also be discharged.”

– *Yale Law Journal*, April 1971;

Chicago Law School Professor Kurland, 1970; Senator Sam Ervin, *Congressional Record*, 3-22-72

### **ERA eliminates all rights to privacy based on differences between the sexes.**

Since ERA abolishes all legal distinctions between men and women, there could be no publicly imposed privacy based on sexual differences. Separate facilities based on sex would be outlawed in the military, prisons, reform schools, psychiatric wards, hospitals, dormitories, restrooms or other similar public institutions. Police searches involving clothing removal would be done by either sex, regardless of the sex of the one searched.

Professor Paul Freund, Harvard Law School, 1970;

Professor Phil Kurland, Chicago Law School 1970, *Congressional Record*, March 22, 1972

Senator Sam J. Ervin, Jr., North Carolina, *Congressional Record*, March 22, 1972

### **ERA would require identical insurance rates for men and women.**

Since women statistically live longer than men, life insurance rates are lower for women. Young men pay more for automobile insurance because they have a higher percentage of automobile accidents than young women. But ERA requires both sexes to pay the same. Michigan insurance rates for young women and young couples increased up to 159 percent.

Michigan Essential Insurance Act, January 1, 1981 (Prompted by Michigan's State ERA)

### **Protective labor legislation for women and children would be voided.**

State of Washington action after passage of State ERA

### **Supreme Court Justice Ginsburg's Explanation of Mandatory Changes Under ERA**

- No-Fault divorce must be adopted nationally. (*Sex Bias in the U.S. Code*, p. 214-215)
- Prostitution must be legalized as part of “privacy.” (ibid. p. 97, 99, 215)
- Bigamy laws would become unconstitutional as part of “privacy.” (ibid.. 195-196)
- Prisons must be sex-integrated. (ibid. p. 100-101, 216)
- Schools, colleges, fraternities and sororities must be sex-integrated. (ibid. p. 169)
- Mother's Day and Father's Day must not be separate holidays. (ibid. p. 146)
- Terms “husband” and “wife” must be eliminated and replaced with “spouse.” (ibid. p. 15-16)
- Women must be drafted into the military when men are drafted. (ibid. p. 202, 218)
- Women must not be exempted from military combat. (p. 26, 218)

*Sex Bias in the U.S. Code*, by Supreme Court Justice Ruth Bader Ginsburg, 1977

**Editorial Conclusion:** “Equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex” does not mandate equal opportunities or equal support for women. ERA mandates *same* treatment, even when different treatment is logical and based on biological differences. ERA would wipe out laws, currently, allowing judges limited ability for different treatment based on individuals' male or female anatomical identity.

# Psychological Treatment across State Lines via Telecommunications

## Definitions

*Psychology:* (a) the science dealing with the mind and with mental and emotional processes; (b) the science of human and animal behavior; the sum of the actions, traits, attitudes, thoughts, mental states, etc. of a person or group; a particular system of psychology.

– Webster's New World College Dictionary, Fourth Edition

*Telecommunications:* Telecommunication technologies include but are not limited to telephone, mobile devices, interactive, videoconferencing, email, chat, text, and internet in writing, images, sounds or other data, with multiple parties in real time or via email, online bulletin boards, stored or forwarded information.

– American Psychological Association

*Telepsychology:* The provision of psychological services using telecommunication technologies.

– H.B. 26 by Representative Dave Belton, Georgia General Assembly, January 17, 2019

**H.B. 26**, the Psychology Interjurisdictional Compact (PIC), Republican Representative Dave Belton, authorizes the State Board of Examiners of Psychologists to administer a Georgia PIC. It would create a special PIC commission whose board would license psychologists to practice psychology across state lines by using telecommunication technology.

While PIC may have emerged as a noble intent, it could prompt dramatic state and local culture changes by transferring unacceptable values across state lines. PIC psychologists would be required to project politically correct attitudes, language and terminology to clients. The following exemplify values that could/would be exported/imported in/out of states.

*Example No. 1:* California allows the prosecution of nursing home residents who fail to use the preferred pronoun of nursing home residents who adopt an opposite sex identity through declaration, transvestitism, hormonal treatment or surgery. Since Georgia has no such law, psychologists licensed by California under California values could adversely affect the cultural status of Georgia by insinuating such values when counseling vulnerable clients.

*Example No. 2:* New York recently legalized abortion through the date of birth and other states are considering even more ominous measures. Georgia has no such law and Georgia recipients of counseling by telepsychologists from New York and like-minded states could receive/adopt disquieting psychological manipulation that contradicts personal and state values.

*Example No 3:* H.B. 26 allows psychologist licensure from foreign universities and colleges, thereby creating possible inculcation of *international values* into unwary U.S. clients.

## APA Telepsychological Guidelines

**Guideline 8** of the American Psychological Association, updated July 31, 2013, encourages, but does not require, psychologists to be familiar with and comply with relevant laws and regulations when counseling clients/patients **across jurisdictional and international borders**.

**Other APA guidelines** suggest, *but do not require*, telepsychologists to take reasonable steps to ensure personal competence in technology; to make every effort to meet expected ethical standards and practices; strive to obtain and document informed consent; protect and maintain information confidentiality; take reasonable steps to ensure security is in place to protect and/or dispose of data and information; while protecting data and devices from unauthorized access.

**ACTION – Oppose.** Call area code 404 to reach Interstate Cooperation Committee Representatives Clark, Ch., 656-0298; Cooke, V-Ch., 656-0188; Belton, Sec., 656-3947; Bonner, 656-0254; Caldwell, 656-0152; Clark, 656-0287; Davis, 656-0109; Dollar, 463-7833; Dubnik, 656-0213; Dunahoo, 656-0152; Guilliard, 656-7839; Gurtier, 656-0188; Hill, 656-0325; Jones, 656-0178; Kendrick, 656-0109; McClain, 656-0220; McLeod, 656-0220; Metze, 656-6372; Morris, 656-5115; Schofield, 656-0020; Smith, 656-0265; Stovall, 656-0314.

## **H.B. 19 Sexual Orientation and Gender Identity in Accommodations Amends Georgia Law in 35 Places**

**H.B. 19, Housing, public accommodations and employment; comprehensive state civil rights law protecting individuals from discrimination**, by Representative Sandra Scott extends governmental power over (a) public and private housing, (b) commerce and trade, (c) public facilities, (d) labor and industrial relations, (e) public officers and employees, (f) private and public employment, (g) “related matters,” and (h) repeals conflicting laws.

H.B. 19 amends Georgia law 35 times by adding the terms “sexual orientation and gender identity” to eliminate resistance to practices that, previously and universally, have been illegal, prosecutable and unhealthy. Also, it is meant to eliminate objections to recently adopted identities that deny truth, propagate unmitigated falsehoods, while demanding blind acceptance and affirmation of false identity. Non-compliance of its requirements would not be tolerated.

- Section 2-1 expands Civil Rights Act fair housing safeguards by demanding protection for sexual orientation and gender identity in the sale, rental or financing of dwellings.
- Section 2-2 repeats that provision for private dwellings, and allows no “wiggle-room” for private citizens who prefer to screen renters of a room or part of their private residence.
- Section 2-5, which concerns religious organizations, associations, nonprofits, and affiliates, prohibits all screening based on sexual orientation and gender identity.
- Section 3-1 explains that Title 10 of the Official Code of Georgia “shall be broadly construed to further the general purpose” of this bill and lists various establishments that must comply.
- Section 4-1 creates a new Code section for labor and industrial relations that inserts “sexual orientation and gender identity” into the Fair Employment Practices Act in Georgia. This section, defines “employer” as a person who has 15 or more employees that work 20 or more calendar weeks per year.

### **No Religious Exemption in H.B. 19**

Without a religious exemption, passage of H.B. 19 could prompt legal challenges to churches, based on the following amendment to Code Section 10-16-3:

“All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation” and adds “sexual orientation and gender identity” to the customary categories to be accommodated.

### **Perception (without action) may Prompt Governmental Intervention**

Code Section 10-16-4 would be amended with sexual orientation, gender identity, plus this:

“Whenever any person has engaged or there are *reasonable grounds to believe* that any person is about to engage in any act or practice prohibited by Code Section 10-16-3, a civil action ... may be instituted ... and the court may grant such relief as it deems appropriate....”

**ACTION – Oppose.** Use area code 404 to call House Judiciary Committee Representatives Fleming, Ch., 656-5125; Jones, V-Ch., 656-0213; Kelley, Sec., 656-5024; Nix, Ex-Officio, 656-5146; Bruce, 656-7859; Dreyer, 656-0265; Efstoration, 656-5105; Holcomb, 656-6372; Oliver, 656-0265; Powell, 656-5141; Reeves, 651-7737; Rich, 656-0254; Rutledge, 656-0254; Scoggins, 656-0325; Silcox, 656-3949; Stephenson, 656-0126; Welch, 656-5912; Wilensky, 656-0202; and Wilson, 656-6372.

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