

# Georgia insight

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*"She hath done what she could."* Mark 14:8a

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## Legislators Know What Georgians Want, but Will They Do It?

Pardon my *cliches*, but a recent South Georgia newspaper article *let the cat out of the bag* by openly stating that many politicians won't act unless they see *which way the wind is blowing*.

This is the way it works. After hired pollsters survey voter attitudes about certain issues, focus groups are gathered to discuss them. Politicians watch through one-way glass to see first-hand whether their pet projects get *thumbs up* or *thumbs down*. Issues that don't get a *green light* won't see the light of day. But, as they say, *you can't please everyone!* So, it'll be quite a fete if this session ends without legislators' having to pull someone's *ox out of the ditch*.

### ***Zogby Polls Georgians about Illegal Aliens***

Legislators should study the December 2005 Zogby survey conducted for *The Atlanta Journal-Constitution*. A cross-section of 501 Georgians were polled on one of the hottest and most important issues in decades – illegal aliens. The following results reflect growing concerns about the non-enforcement of current laws and the need to pass others. Consider this:

- Over 60 percent say it's very important to pass laws to restrict state services to illegal aliens.
- 57 percent support bills to deny all state-funded social services to anyone here illegally.
- 80 percent want employers to be fined or, otherwise, punished for hiring illegal aliens.

**Jobs.** The over-worked mantra is that illegal aliens are doing jobs Americans don't want, such as menial work on farms and in chicken houses and carpet factories. Granted, some might be laboring in those places but that's *not* the whole story.

For decades, U.S. employers have been trolling for and hiring foreign *professionals* they can pay less than the going rate for Americans that do the same jobs. Since 1985, over 17 million visas have been issued for workers in the fields of high-tech, education, medical, accounting and blue-collar manufacturing.

**Crime.** Michelle Malkin's book *Invasion* documents the dangers surrounding illegal aliens. Example: On March 29, 2002 in Los Angeles County 33-year-old Sheriff's Deputy David March was killed by an illegal alien using a semiautomatic pistol to shoot him at close range several times. The shooter had been convicted of two felonies in the U.S. and deported three times, but was free to kill Deputy March during a routine traffic stop. Also in Los Angeles County, the cost for keeping illegal alien criminals in jail is over \$150 million per year.

An attorney from Pennsylvania reported in a congressional hearing that, in some parts of the U.S., illegal aliens commit 12 percent of felonies, 25 percent of burglaries and 34 percent of thefts and comprise over 25 percent of federal prisoners.

**U.S. Population and Terrorism.** From 2000 to 2002, immigration and births to immigrants comprised 86 percent of U.S. population growth. A million illegal aliens enter the U.S. each year and by 2001, over 10 million were here. Abandoned screening processes allowed the State Department to issue visas to nineteen of the terrorists that killed 3,000 people on 9/11.

## **S.R. 49 Authorizing Taxes for Religious Ministries**

*Faith-Based Grants, Bad for Religion, Bad for Georgia*

### **Reconsideration Vote Could Come at Any Time**

Last session, S.R. 49 came within a hair's breadth of passing the Senate but fell three votes short of the two-thirds' majority needed for passage of a constitutional amendment. However, Senator Balfour quickly moved for reconsideration and the bill was set aside until this session, when it could be brought up at any time. This isn't the first effort to pass faith-based legislation. In 2004 the Senate passed a similar bill that, thankfully, died in the House.

### ***If S.R. 49 Passes, Bible Believers Lose & Cults Hit the Jackpot***

**Christian influence would shrink.** Ministries that take the money will be forced to abandon policies requiring people they serve to attend church or Bible studies. Any ministry funded with tax money could not evangelize, use the Bible for counseling, explain and encourage Biblical morality or screen job applicants as they do now. Faith and lifestyle could not be considered in hiring.

**Religious cults**, however bizarre, would be funded by taxes. Example: the United Nuwaubian Nation of Moors cult in Putnam County. The leader was arrested for child molestation.

**Witches** have had tax-exempt status since 1981 and on April 1, 2003 applied for a grant of \$85,000 for their Ravenwood Church and Seminary to fund a street outreach and program for mentally ill adults in two houses and an apartment complex for 62 people. On July 10, 2003, the Department of Community Affairs cited a lack of funds for refusing the requested grant.

### ***Lambda Case, Preview of Things to Come, if S.R. 49 Passes***

*Result: DHR agreed that all children's services using any tax money will affirm homosexuality.*

In August 2002 Lambda Legal Defense demanded a jury trial in civil court against the United Methodist Children's Home (UMCH) of the North Georgia Conference, the Department of Human Resources (DHR) and its Commissioner Jim Martin. Lambda attorneys had "cherry-picked" UMCH as a means through which to eliminate religion and anti-homosexual teaching from all tax-funded children's services. At that time, state funds were paying about 50 percent of the total cost of caring for some 70 children in the UMCH located in Decatur, Georgia.

*Because UMCH accepted state funds*, Lambda asked the court to force UMCH to (a) reinstate and compensate employees terminated because they are homosexual, (b) hire non-Christians and (c) stop requiring resident children to attend religious services. Obviously, Lambda's *real* gripe was based on UMCH's policy against homosexuality, "anti-homosexual indoctrination" and the lack of supportive professional services for homosexual and transsexual residents.

*It was a premeditated set-up.* Lambda's clients *knew* UMCH's policies before they applied for jobs and those who were hired had agreed to uphold UMCH standards. During UMCH job interviews, applicants had to read and complete "The UMCH Position on Family, Marriage, and Human Sexuality". Then, they were required to sign statements that they "do not condone the practice of homosexuality," and "I understand the above positions of the UMCH and will support them by precept and example while affiliated with the Children's Home."

The counselor who was fired concealed her homosexuality and signed the statements. Months later, she was fired when UMCH learned she did not meet their hiring standards. Lambda and DHR settled out of court October 3, 2003 giving UMCH and the state a year to comply.

## **U.S. Constitution says Congress can't restrict religion. Why are others allowed to do so?**

*UMCH Settlement Mirrors Cultural Changes S.R. 49 Would Force*

### **Religion Now Purged from Tax-Funded Children's Services in Georgia**

On July 31, 2002, Lambda activated a plan in civil court to destroy the United Methodist Children's Homes' policy against homosexuality. In October 2003, the case was settled out of court. The settlement gave Lambda everything they wanted, including \$54,046.73 in attorney fees. Defendants DHR and UMCH were given a year to comply with the following:

1. "The defendants [DHR and UMCH] agree that the 'Terms' will be incorporated into all new contracts and agreements with private providers as of the date of the settlement agreement, which shall be deemed October 3, 2003, and into all contracts and agreements with existing providers within a reasonable time, not to exceed twelve months, from the date of the settlement agreement."
2. "The defendants [DHR and UMCH] agree that DHR and its divisions will ensure on an ongoing basis that all their policies and procedures embody the substantive non-discrimination principles reflected in the attached 'Terms' and as required by law."

#### ***Anti-Religious, Pro-Homosexual Terms Lambda Forced on Tax-Funded Children's Services***

- Terms apply<sup>1</sup> to child welfare agencies, child caring institutions and child-placing institutions as defined in Georgia Code Section 49-5-3.
  - No child welfare agencies, child caring institutions and child-placing institutions shall engage in religious activities. *Under no circumstances shall participation in religious activities be required* in any way or be a condition of involvement in religious services or programs. (emphasis added)
  - All services provided by contract with DHR, including individual foster parents, child welfare agencies, child caring institutions and child-placing institutions shall be performed without discrimination or harassment<sup>2</sup> based upon a child's religion, religious beliefs, race, color, national origin, age, disability, creed, political affiliation, gender, *sexual orientation*, or HIV/AIDS status. (emphasis added)
  - No child welfare agencies, child caring institutions and child-placing institutions contracting with DHR shall discriminate in *employment*, with respect to paid, unpaid, volunteer or intern staff, on the basis of religion, religious beliefs, race, color, national origin, age, disability, or gender. Such entities may consider religion in the hiring or appointment of any positions serving a primarily<sup>3</sup> spiritual, ministerial, or religious purpose. (Important: read Note 3 below.)
  - *All* child welfare agencies, child caring institutions and child-placing institutions contracting with DHR must notify staff (paid, unpaid, volunteer or intern, or consultants) and foster parents caring for children in state custody that they *must agree to read and abide by all relevant DHR policies and procedures*. (Terms govern ALL children's services funded through DHR.)
  - *All* child welfare agencies, child caring institutions and child-placing institutions *contracting with DHR* must maintain on file with DHR current financial statements, employment application forms; a list of all staff positions serving a primarily spiritual, ministerial or religious purpose for which exemption is claimed under paragraph four; and any other records DHR requires to *prove compliance with this agreement*. (Tracking to assure conformity)
- **ACTION-Ask senators to vote NO on S.R. 49. It would drastically shrink religious influence.**

<sup>1</sup> Code Section 49-5-3 lists 17 different services this affects, including a private provider paid to supervise and care for three to six children, and possibly other private day-care providers not contracted with DHR but being paid by anyone on government assistance.

<sup>2</sup> Harassment could include warnings about the dangers of alternate lifestyles, since terms prohibit "anti-homosexuality indoctrination".

<sup>3</sup> Jobs not religion-specific must be filled without regarding belief. Non-religion-specific jobs include day-care, office, security, drivers, dieticians and cafeteria workers, counselors and teachers.

## Should Sex Crime Law Protect Children? If So, What Ages Should It Protect?

*The Lambda/DHR settlement opened the door for homosexual indoctrination of all children supported by any amount of state funding. No doubt, same-sex involvement will increase, but steps must be taken to protect children as much as possible. Georgia laws that leave most children wide open to consensual sex must be changed and there's no time like the present.*

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### ***Georgia's 10-Yr.-Olds are Fair Game for Sexual Predators of All Varieties***

Right now, Georgia law says children from birth through age nine are off limits for sexual contact, but children age ten and older have no such protection in Georgia. Every time a bill proposes to raise the age, it's killed in committee. Hopefully, that will change this session.

#### ▪ **S.B. 377 Comprehensive Changes to Sex Crime Laws**

Senator Judson Hill introduced this 37-page legislation to amend Titles 16, 17 and 42. *The age of consent for sodomy and other sex crimes is raised from 10 to 14 years.* Penalties are increased from the current ten-to-30 years in prison to 25-to-50 years. Penalties increase for assault with intent to rape, kidnapping, false imprisonment, sodomy, aggravated sodomy, rape, incest, enticing minors for indecent purposes, sexual battery and aggravated sexual battery.

A *felony* could be charged for failure to inform law enforcement that a sexual offender is not complying or has not complied with the law, to harbor or conceal a sexual offender or give false information about the offender to law enforcement.

*Churches* of victims become off limits to anyone on probation for a crime against a minor or other dangerous sexual offense. Currently, probationers may not enter or remain at a victim's school, job, home or any other place the victim is present or minors congregate.

A person determined to be a "*sexually dangerous predator*" would have to purchase and wear an *electronic monitor* with, at a minimum, the capacity to locate and record the predator's whereabouts. Sexual offenders will be classified as Level I, Level II or sexually dangerous predator. The Sexual Offender Registration Review Board will determine the likelihood that a sexual offender will commit another crime against a minor or a dangerous sexual offense.

Sexual offenders who knowingly violate this Code section will be guilty of a *felony*, punishable by imprisonment for at least ten but no more than 30 years.

#### **S.B. 378 Residence Locations of Registered Sex Offenders**

Senator John Wiles introduced **S.B. 378** to widen the gap between living quarters of registered sex offenders and places minors congregate. Current registered sex offenders may live 1,000 feet from a child care facility, school or other areas frequented by minors – public and private parks, playgrounds, skating rinks, neighborhood centers, gyms and recreation and similar sites serving minors under 18. Registered sex offenders would have to live 2,500 feet from the outer boundary of their living quarters to the outer boundary of locations used by minors.

**ACTION – Support. S.B. 377 and 378 are in the Senate Judiciary Committee. Ask them to vote YES on both.**

Senate Judiciary Committee Senators P. Smith, Ch., 404 656-0034, psmith@legis.state.ga.us; Harp, V-Ch., 463-3931, sethharp@aol.com; Hill, Sec., 656-0150, judson@judsonhill.com; Adelman, 463-2376, dadelman@legis.state.ga.us; Brown, 656-5035; Carter, 463-1363, joseph@josephcarter2004.com; Hamrick, 656-0036, bhamrick@legis.state.ga.us; Meyer von Bremen, 656-0037, mmeyer@legis.state.ga.us; Reed, 463-1379, kreed@legis.state.ga.us; Weber, 463-2260, djweber@bellsouth.net; and Wiles, 657-0406, Johnwiles@johnwiles.com

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