

Georgia insight

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"She hath done what she could." Mark_{14:8a}

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Unemancipated Minor Under Parental Control . . . Unless

If you've noticed, the law is age-related. Laws kicking in at certain ages include the legal drinking age of 21, the driving age at 15 or 17, depending on circumstances, and 18 for tattoos and body piercing. You're familiar with those, but a law passed 'way back in the late '60s might stun you and would've stunned parents back then if they had known when it passed.

The Georgia Family-Planning Services Act of 1966 authorized the DHR to provide, through county boards of health and DFACS, family-planning interviews and counseling. That 41-year-old law allowed DHR to distribute literature about birth control, refer sexually active patients to licensed physicians and other locations for examinations, tests, treatment and prescriptions for birth control or surgery, including abortions. After referrals they returned to the clinic for their prescribed drugs, medical items, contraceptive devices or birth control. But that law did *not* authorize family-planning services *before* children became sexually active.

However, a bill that passed in 1968 amended the 1966 law to authorize DHR to provide the *same confidential* family-planning services to anyone "requesting such services", *regardless of age or marital status*. That huge cultural change catapulted the government into family business that had always been under parental control. But since 1968, public health clinics have provided children in Georgia *confidential* family planning services, birth control, referrals, medical treatment, and prescriptions for drugs and contraceptive devices free-of-charge, without parental consent.

Currently, clinics will collude with minors to keep their visits, treatment and activities secret from parents. The 1968 amendment does *not* restrict anyone from whisking a child off school property to get an abortion or any other medical treatment connected with reproduction, *i.e.*, sexual activity. All attempts to amend that law have failed.

So, this is the set-up. Sexually active children in Georgia are considered emancipated minors, *i.e.*, no longer under parental authority, because in the area of sex, the state has assumed the role of parents. *Ballentine's Law Dictionary* clearly states that minors are *not* emancipated unless parents "release" their control or the child marries. Therefore, the state *cannot* legally or arbitrarily declare that a child is emancipated because of sexual activity.

But, Representative Barry Loudermilk introduced **H.B. 526** to *prohibit* unemancipated minors from receiving contraceptives or referrals for medical services or birth control devices *unless* a parent or guardian, with proper identification, is there *with* the child and has been notified of the services the child requested. The state has overstepped and H.B. 526 needs to pass.

ACTION – Support. Contact Health and Human Services Committee **Republican** Representatives Cooper, Ch., 404 656-5069; Rynders, 656-7855; Carter, 656-0213; Byrd, 656-0126; Collings, 656-0188; Dempsey, 656-0126; Graves, 656-7146; Hembree, 656-5146; Jerguson, 656-0287; Keown, 656-0177; Loudermilk, 656-0152; Lunsford, 656-7146; Maddox, 656-0152; Millar, 656-5064; Parsons, 463-2247; Peake, 656-0188; Rogers, 463-2247; Sellier, 656-0265; Sims, 656-0109; **Democrat** Representatives Cheokas, 656-0325; Drenner, 656-0202; Henson, 656-7859; Hudson, 656-7859; Jones, 656-0323; Kaiser, 656-0265; Lord, 656-7859; Mitchell, 656-0116; Mosby, 656-0287; Randall, 656-0109; Shipp, 656-6372; Stephenson, 656-0126; Thomas, 656-0314; Watson, 656-0220.

S.R. 345, Faith-Based Initiative Reduces Religious Influence

Some people probably applauded President Bush's 2002 Executive Order that created faith-based grants to allow religious entities to receive federal money for *social* programs, such as child-care, foster care, adoption and other services for children, adults and the disabled. But every federal grant comes with government strings attached. For example, all areas where social services are provided must be purged of religious art, pictures, Bibles, books, etc. Nothing religious can be taught, spoken or required for participation in the program or service.

The purging of religion from all government funded programs was proven four years ago in DHR's out-of-court settlement with Lambda Legal Defense, a homosexual group that sued United Methodist Children's Homes after a lesbian counselor was fired. When interviewed, she indicated she agreed with the Homes' doctrine and kept her sexual orientation secret for six months after she was hired. That settlement caused 17 categories of children's services funded by the state through DHR to be stripped of all vestiges of religion and religious values.

Therefore, no child in any Georgia government-funded program may be required to attend church or religious training. Under that settlement no negative statement may be made about alternate lifestyles and no resident or non-resident child may be required to participate in religious training, even if the care or program is provided by religious entities. Also, Methodist Homes must hire pro-homosexual counselors who will affirm alternate lifestyles to children in their care. Bible doctrine can not be used to screen job applicants or volunteers. So, all programs receiving state funds must decide between the money and the Bible.

Now there's another case winding its way through the courts. In 1999 the State of Iowa invited **Chuck Colson's** Prison Fellowship to minister to inmates in the Newton Facility of the Iowa Department of Corrections. Seven years later, on June 2, 2006 Americans United for Separation of Church and State filed a lawsuit against the use of state money for that ministry, claiming the state endorsed religion by supporting the program. Factual information that the state invited the ministry and enjoyed positive results in the prison was not considered relevant to the case. The U.S. District Court stopped the state funding and the Court of Appeals is now considering whether Colson's ministry must repay the state for supporting the program. If judgment in the Court of Appeals agrees with the lower court's order, Prison Fellowship must repay the \$1,529,182.70, as ordered by the District Court.

Repayment was suspended, pending the appeal, but Prison Fellowship had to post bond in that amount. A big question for the Court of Appeals is whether or not the judiciary can demand repayment when the state didn't ask for it. This case presents a perfect example of what happens when government money is used for religious ministries. They always lose control of their services and must purge their programs of all religion. So, the question is whether providing social services is more important than spreading the Gospel.

S.R. 345 is this year's faith-based initiative. I've opposed it since 2002 because it reduces religious influence in every service it funds. This issue is about more than feeding the hungry or diapering poor babies. Religious freedom never wins when government money is involved.

ACTION – Oppose. Call Health & Human Services Senators, Thomas, 404 656-6436; Unterman, 463-1368; Goggans, 463-5263; Adelman, 463-1376; Balfour, 656-0095; Butler, 656-0075; Grant, 656-0082; Hawkins, 656-6578; Henson, 656-0085; Judson Hill, 656-0150; Preston Smith, 656-0034; Tate, 463-8053; Wiles, 657-0406.

H.R. 1 & H.B. 14, Election of Local School Superintendents

'Way back in the early '90s Georgia voters changed the way some school administrators get their jobs. They decided it was a great idea to amend the constitution by requiring local school superintendents to be hired instead of leaving local voters with the option to elect them, as they had done for years. Although that might've sounded like a good thing, it actually eliminated almost all local control of public schools. But voters swallowed the bait, changed the constitution and education continued its spiral down hill.

That was some 18 years ago and there's a possibility some folks have discovered what a disaster that was. At least I hope they have, because *their* votes to *hire* all superintendents did something most people never intended. It, effectively, shut the door on local control of schools because someone decided all applicants for the job of superintendent had to take 40 to 50 hours of attitudinal training before they could be hired. Applicants that did not conform weren't hired. The result was lock-step thinking of superintendents that agreed to cookie-cutter curriculum and global values sent down from the education elite to local schools.

Now, let me ask you this. Has education improved under that system or was it better when elected school boards and elected superintendents, actually, directed education based on community needs? The never-ending decline of education has been an on-going nightmare from which we may never wake up.

The situation was so serious in 1983 that U.S. Education Secretary Terrence Bell initiated an 18-month study of America's schools to be conducted by the National Commission on Excellence in Education. That study was prompted by "the widespread public perception that something is seriously remiss in our educational system." The result was the April 1983 report called *A Nation At Risk* that included this startling observation, "If an unfriendly foreign power had attempted to impose on America the mediocre educational performance that exists today, we might well have viewed it as an act of war."

The National Commission on Excellence in Education found that some teachers had become "change agents," just as the National Education Association president, gleefully, predicted in 1979. As change agents, they were and are teaching values and morals and attitudes, while reducing academic instruction to one-fourth of the school day. The Commission observed the deliberate dumbing down of educational standards and the switch from absolutes of right and wrong to situation ethics and values clarification that trains children to abandon family values for values they choose. That's only part of the education mess now, and it's getting worse.

But Representative Clay Cox has a first-step remedy. He introduced two bills – H.B. 14 to change the law and H.R. 1 to change the constitution. Both are needed to allow local school superintendents to be elected *or* hired at local discretion. Both are in Representative Austin's Governmental Affairs Committee.

ACTION – Support. Call House Governmental Affairs Committee Representatives: **Republicans**, Scott, Ch., 404 656-5132; Geisinger, 656-0254; Burns, 656-0213; Butler, 463-2247; Chamb4rs, 656-3949; Hamilton, 656-0188; Hatfield, 656-0109; Meadows, 656-0298; O'Neal, 656-5103; **Democrats**, Brooks, 656-6372; Floyd, 656-0314; Morgan, 656-0109; Mosby, 656-0287; Oliver, 656-0265; Powell, 656-0202

Crunch Time for Bills, Including H.B. 276

At this point, time is precious, especially for legislators with bills stuck in committee. In order to pass this session, bills must be out of their first committee by the 28th day of the 40-day session. That's Monday, March 19th. If they pass the first committee by that time, they must, then, pass the Rules committee before they ever get to the House or Senate floor for a vote.

I'm particularly concerned about **H.B. 276** that affects every person in Georgia, whether it passes or dies. If it dies, there'll continue to be no restriction on the use of very sophisticated electronic devices, some of which are, actually, designed to invade our personal privacy and track our every move. Even the harmless older versions of barcodes have been upgraded to read *hidden* radio frequency identification chips (RFID) and store personal signatures so well they can be printed on paper or plastic. That's very scary in this age of identity thefts.

RFID chips are practically indestructible, can survive unlimited laundering and cleanings and keep on tracking. They may be hidden so well you'll never find them and, if you do locate them, you might not know what they are. Since radio waves readily penetrate all solids, the chips are readable through any barrier, including lead walls that x-rays can't penetrate.

RFID chips are extremely versatile, come in various sizes and are attractively priced to sell to anyone, including nosey businesses and governments. They may be as small as a speck of dust and tiny enough to embed in nails, beads, wires or fibers, print on pages or paint on pictures. A manufacturer in the U.S. is busily developing RFID devices and antennas made of conductive ink that would appear to be normal printing in any book, magazine or paper.

For a year Representative Ed Setzler chaired a specially appointed committee that studied how biological information is being collected and already used or is intended for use. Then, on February 2nd he introduced H.B. 276 to *prohibit* the collection, storage or use of genetic, biometric or unique identification data *without* personal written consent from each individual. His bill prohibits government or business use of genetic information to decide who can or cannot buy life insurance or who pays high or low insurance rates or for screening job applicants or enrolling or refusing to enroll students in colleges and universities.

H.B. 276 requires the card holder's consent before biometric data, personal or unique ID information and medical records can be imbedded in government issued ID or access cards and devices, whether they can or cannot be remotely read. It, also, condemns giving preferential treatment to those allowing collection of their biometric data as opposed to those refusing to release their personal data. This might seem incidental to you, but certain grocery stores discriminate against *me* every time I check out, because I don't have a special card to get reduced prices. My privacy is worth more to me than the price of beans.

H.B. 276 is still alive but it's on life support. Consumers in Georgia have a right to decide whether their personal biometric data can be collected or used. If this fails to pass, the unlimited invasion of privacy without our knowledge or consent will continue unhindered.

ACTION – Support. Select several legislators on the House Non-Civil Judiciary Committee. Representatives Ralston, 404 656-5943; Mumford, 656-0254; Bearden, 656-0287; Byrd & Mangham, 656-0126; Cole, 651-7737; Collins & Everson, 656-0188; Cooper, 463-8142; Franklin, 656-5087; Knox, 656-7855; Lunsford, 656-7146; Setzler, 656-0177; Abdul-Salaam, 656-0325; Abrams, 656-0220; Benfield, 656-7859; Levitas, 656-0116; Randall, 656-0109.

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