



January 27, 2020

Governor Bill Lee
Office of the Governor
1st Floor, State Capitol
Nashville, TN 37243

Dear Governor Lee:

The undersigned nonpartisan, nonprofit organizations are dedicated to ensuring the safety, permanency and well-being for children and families that are connected to adoption and foster care. This includes providing leadership and education that improves laws, policies and practices through sound research, analysis and advocacy. Eliminating policy and practice barriers for children in foster care awaiting permanent homes is one of our priorities.

We are gravely disappointed in your decision to sign into law HB 836/SB 1304. This legislation puts discrimination ahead of the best interests of children in Tennessee waiting for a loving home. The bill significantly limits opportunities for the more than 1,000 Tennessee children waiting in foster care for permanent, adoptive homes. Under the guise of religious freedom, HB 836/SB 1304 would allow state contractors who provide taxpayer-funded adoption and foster care services to refuse to place children in need of homes with qualified, loving families, if the family doesn't share all of the agency's religious beliefs.

HB 836/SB 1304 stand in opposition to the robust base of professional knowledge that highlights the critical need for the largest possible pool of potentially qualified parents to adopt children languishing in the child welfare system, and the harm to children that results from excluding any class of potentially qualified parents (such as LGBTQ couples) from that pool. The best interest of children should be the state's primary goal and no one's interests are being served when discriminatory practices are endorsed by the state that allow taxpayer-funded organizations to insert their personal religious beliefs into their professional mandate to ensure the well-being of children.

The reality is, nearly four decades of social science research has found that children raised by lesbian and gay parents fare just as well as those reared by heterosexual parents. Major professional groups, including the American Medical Association and the American Psychological Association, as well as national and state child welfare organizations, overwhelmingly support adoptions by potentially qualified LGBTQ individuals and couples.

According to a study published in 2013 by the Williams Institute at UCLA School of Law, among same-sex couples with children under the age of 18 in the home, 13% have an adopted child, compared to only 3% of different-sex couples. Studies have also documented that lesbian and gay adults are willing to

adopt the very children most in need of homes and those who wait in temporary foster care the longest – those who are older and who may have special needs – and these families also do so at a higher rate than heterosexual adults.

There are all too many children in temporary living situations. In Tennessee, the most recent statistics from 2017 indicate there are 8,558 children in foster care with more than 1,000 children waiting in care for a permanent adoptive family. Nationally, the most recent statistics indicate that more than 21,000 children aged out of foster care without a permanent family structure. The outcomes facing youth who exit foster care on their own as opposed to being placed with a permanent family are staggering; these young people are more likely to flounder in society with higher rates of homelessness and unemployment compared to their peers who are adopted. These numbers illustrate the critical need for the largest possible pool of potentially qualified parents to adopt children from the child welfare system.

Stability and security are vital for children's healthy development. Allowing agencies that serve waiting children to discriminate against potentially qualified parents limits opportunities for children. It is also essential that children are supported in developing a healthy identity; subjecting children to discredited and abusive therapeutic techniques on the grounds of moral convictions does not serve their best interest. If we truly wished to act in good conscience towards children in care, then HB 836/SB 1304 would not have been enshrined into the law.

Sincerely,

Adoption Exchange Association
Child Welfare League of America
National Center on Adoption and Permanency
North American Council on Adoptable Children
Voice for Adoption