



Biblical Citizenship Briefing

October 2022

This briefing is strictly for your information. It is a summary of some current public policy issues, including pending legislation, that involve moral and biblical principles. While suggested action may be included from time to time, no specific position by EFCC is implied. If you do not wish to receive further briefings of this nature, please unsubscribe as shown at the bottom of this document.

In California

Election Time Is Here! – Please do your part to help promote biblical values in our state by being an informed voter. We have resources to aid in your research on our page of the EFCC website, efcc.org/biblical-citizenship. In addition, we have posted a [handout](#) regarding Proposition 1. This document includes EFCC’s statement on the value of life and declares our opposition to this proposition that would allow abortion for any reason or no reason up to the moment of birth. Here is the entire text of Prop 1:

The state shall not deny or interfere with an individual’s reproductive freedom in their most intimate decisions, which includes their fundamental right to choose to have an abortion and their fundamental right to choose or refuse contraceptives. This section is intended to further the constitutional right to privacy guaranteed by Section 1, and the constitutional right to not be denied equal protection guaranteed by Section 7. Nothing herein narrows or limits the right to privacy or equal protection.

Note that there is no limiting language on abortion, nor is there any definition of “reproductive freedom” which could supersede current law and open the door to much more than unrestricted abortion. A [legal memorandum](#) by Alliance Defending Freedom (ADF) states, “[R]eproductive freedom could mean any conduct related to sexual activity because of the relationship between sexual activity and reproduction ... While it may sound grotesque to contemplate such activities, enshrining ‘reproductive freedom’ as a fundamental right would give criminals who violate statutory rape and incest laws a defense for their heinous acts. Further, Prop 1 could ‘interfere with parents’ right to raise and educate their children by cutting parents out of any of their children’s medical decisions that fall under ‘reproductive freedom.’” It “would create an unprecedented right for minors to procure abortions, sterilization, and other medical procedures related to their reproductive capacities, with no ability to the state to provide regulations or rules to protect minors pursuing these procedures.”

Go to [StopProp1.com](https://stopprop1.com) for additional information, handouts and ways you can help oppose this extreme measure.

“Worst Ever” 2022 Session Ends – Many faith-based organization leaders who have been watching California legislation for decades consider the 2022 legislative session to have been the worst ever in terms of bills that run contrary to biblical values. In all, the legislature sent 1166 bills (of the more than 2000 introduced) to Gov. Newsom. The governor signed 997 and vetoed 169. Many of the vetoed bills, according to Gov. Newsom, were too expensive and the already stretched state budget was not sufficient. One of these was part of the broad [Future of Abortion Council](#) bills that would have created a pilot program to fund primary care clinics that provide abortions in five counties ([AB 2320](#)). Another, [AB 1940](#), would have significantly expanded funds for school-based (or near school) health clinics that often also provide reproductive care. In a surprising move, the governor also vetoed a bill to make kindergarten attendance mandatory beginning in the 2024-25 school year ([SB 70](#)), due also to cost.

Aside from AB 2320, the rest of the abortion package was passed by the legislative majority and signed by Gov. Newsom. In addition to the array of abortion expansion measures, \$20 million was added to the “Abortion Practical Support Fund” that will not only pay for lodging, airfare, gas, meals, *childcare*, and other costs for women within California, but also provide all expenses for women coming from other states to end their children’s lives here. All these programs are funded by taxpayers, although donations are also accepted for the “fund.” Also courtesy of the California taxpayer, Gov. Newsom established an official state website to guide women to abortion resources: abortion.ca.gov. There is no help for pregnant moms who need prenatal care, support, or adoption services – only abortion. Minors are told, “In California, people of any age have the right to independently consent to their own abortion care.” On the side of life, the American College of Pro-Life Obstetricians and Gynecologists (AAPLOG), unlike the American College of Obstetricians and Gynecologists (ACOG), supports life-affirming policies and has provided a [fact sheet](#) to deal with misinformation about abortion that is dangerous to women and, of course preborn children.

In other topic areas, [SB 107](#), making California a sanctuary state for youth wanting to “transition” to another gender, will become law in January. Gov. Newsom also signed the “covid misinformation” bill, [AB 2098](#), which will charge physicians and surgeons of “unprofessional conduct” if they “disseminate misinformation or disinformation related to COVID-19, including false or misleading information regarding the nature and risks of the virus, its prevention and treatment; and the development, safety, and effectiveness of COVID-19 vaccines.” The bill is already facing a legal challenge on First Amendment grounds. For the final results of many bills we have covered during the 2021-22 session,

please visit judeochristiancaucus.com/bills-and-resolutions. (Referral for informational purposes only, does not imply an endorsement by EFCC of the opinions or contents of the site.)

In the Courts

Court Blocks Enforcement of Assisted Suicide Law, Affirms Right of Conscience – California’s “[End of Life Option Act](#)” became effective in 2016. The original version made physician participation in assisted suicide voluntary and healthcare providers could refuse to take part “for reasons of conscience, morality, or ethics” with no disciplinary action. Last year, [SB 380](#) removed some important safeguards for individuals seeking lethal drugs and added a requirement that healthcare providers who choose not to participate in the program not only document the request for aid-in-dying drugs, but also transfer patient records to a physician who will prescribe. The chief objection of the plaintiffs, Christian Medical and Dental Association and Dr. Leslee Cochrane, is that the documentation itself counts as one of the two required requests before a patient can be prescribed the drugs, essentially making physicians participants against their conscience.

On September 2, a U.S. District Court [issued](#) a preliminary injunction blocking enforcement of part of SB 380 because it violates the First Amendment rights of physicians. ADF Senior Counsel Kevin Theriot stated, “Our clients seek to live out their faith in their medical practice, and that includes valuing every human life entrusted to their care. Participating in physician assisted suicide very clearly would violate their consciences. We’re pleased the court followed the US supreme court’s decision in [NIFLA v. Becerra](#) that clarified First Amendment protections extend to religious medical professionals.” Read more [here](#) and [here](#).

Bakersfield Baker Tastes Victory – In August 2017, two women asked Cathy Miller, the owner of Tastries Bakery in Bakersfield, to design a special artistic wedding cake for their same-sex ceremony. Miller, a devout Christian, politely explained her faith position and design standards, politely referring the couple to another bakery. In what appears in hindsight to have been a deliberate setup, less than an hour later harassing phone calls and pornographic emails began. She lost seven employees because they could not endure the continual abuse.

The lesbian couple subsequently filed a complaint with California’s Department of Fair Employment and Housing (DFEH), claiming discrimination. The DFEH filed a petition in Superior Court requesting a court order to force Miller to make same-sex wedding cakes or cease making wedding cakes entirely. In February 2018, a state court judge ruled in Miller’s favor, citing her protections under the First Amendment, but DFEH filed a lawsuit against Miller and her business later that year. After a discovery period stretching until July of this year, the case finally went to trial. During her deposition, opposing attorneys harassed Miller for her religious beliefs. Thankfully, on October 21, Judge Eric Bradshaw of Kern County Superior Court [ruled](#) that her “pure and expressive speech” was protected under the First Amendment. He found that there was no intentional discrimination on Miller’s part, but that her “only intent, her only motivation, was fidelity to her sincere Christian beliefs.” Read more [here](#). **Pray** for faithful followers of Jesus seeking to simply use their gifts to bring joy to others. Father, we ask Your protection for those who stand firm for Your principles in this culture.

Christian College Fights HUD Directive on Gender – In April 2021, the College of the Ozarks (College) filed a [complaint](#) against President Biden, the U.S. Department of Housing and Urban Development (HUD) and other officials, challenging the agency’s directive to amend the Fair Housing Act to prohibit all regulated agencies (including the College) from discriminating on the basis of sexual orientation and gender identity. The change was made hastily and without opportunity for public comment. The College as well as many other faith-based institutions, establishes access to dormitories, restrooms and showers based on biological sex, so they sought injunctive relief based on the First Amendment, the Religious Freedom Restoration Act and other protections. In May 2021, a U.S. District Court denied the motion and ADF [filed](#) with the U.S. Court of Appeals for the 8th Circuit, which granted the request for an expedited case. Unfortunately, the 8th Circuit’s three-judge panel [dismissed](#) the religious freedom challenge, with one judge dissenting. The dissenting judge stated that the College had a right to notice and comment and, “Put simply, if the government acts as the Memorandum facially requires, it is only a matter of time before the government concludes the College’s housing policy violates the FHA. The law should not require the College to wait for this to come to fruition.”

Last month, ADF attorneys filed a [petition](#) for an en banc (full court) hearing of the College’s case. ADF Senior Counsel Julie Marie Blake noted, “College of the Ozarks should be free to follow the religious tradition on which it was founded. ...By redefining ‘sex’ in federal law to include gender identity, President Biden has grossly overreached his authority and is mandating that Christian colleges must allow boys into girls’ dorm rooms and showers, and vice versa. We hope the full court will agree to hear this case and halt the government’s inappropriate and baseless order.” Read more [here](#) and [here](#).

This briefing was prepared by the EFCC Biblical Citizenship Committee. Referrals to websites are for informational purposes, and do not necessarily imply an endorsement by EFCC of the contents of those sites. To subscribe or unsubscribe, or if you have any questions, please e-mail Penny Harrington (penny.harrington@cox.net ; 760.224.4744 www.efcc.org/biblical-citizenship