

July 21, 2020

David Saenz.

Are you, the current City Commissioner's of this City of Great Falls, willing to open up a Pandora's box of litigation as a result of this proposed ordinance?

Per the 1<sup>st</sup> Amendment, the government cannot favor one viewpoint over another. The Supreme Court's decision in 2015 of Obergefell vs. Hodges that legalized same-sex marriage, recognized the importance of religious freedom this way: "Finally, it must be emphasized that religions, and those who adhere to religious doctrines, may continue to advocate with utmost, sincere conviction that, by divine precepts, same-sex marriage should not be condoned. The 1<sup>st</sup> Amendment ensures the religious organization and persons are given proper protection as they seek to teach the principles that are so central to their lives and faiths, and to their own deep aspirations to continue the family structure they have long revered."

Both federal and state laws already prohibit acts of discrimination. I am aware of no civil violations that have led to a criminal citation, infraction, or violation within Great Falls. For this reason I would recommend the City Commission conduct its own research of the historical facts for both the local police, and Sherriff's office to verify if such complaints have taken place.

This ordinance is requesting a solution to a problem that is being exaggerated and not accurately faced as indicated within our city, which causes me to be suspicious of the real underlying motive behind this proposed ordinance.

I'm concerned as a citizen of this country; a resident of this state; a registered voter in this city; an owner of a small-business; and a pastor within this community; that I would be requested, forced, pressured, or coerced, to perform an activity that conflicts and violates my religious conscience. Just last year Pastor David Lynn of Canada, was arrested (<https://youtu.be/QvOjPLhElnU>) because he was advocating his religious convictions and informing the LGBTQ community of God's love for them, and because that was considered hate speech, and although he was assaulted, he was arrested (not those who assaulted him) and has spent 10's of thousands of dollars on legal fees for an upcoming. (<https://www.patheos.com/blogs/thefreethinker/2019/12/toronto-shuts-doors-to-anti-gay-hate-preacher-david-lynn/>).

This proposed ordinance should not be raised or considered by the City Commission because, 1) It is not in your charter to determine legislative issues of this magnitude, and 2) Is the time of a pandemic that this City has recognized and declared an emergency, the right time to take jurisdiction you don't have, to push through a controversial measure that is unnecessary?

[https://greatfallsmt.net/sites/default/files/fileattachments/city\\_commission/meeting/232671/modified\\_city\\_commission\\_memo\\_march\\_20\\_2020.pdf](https://greatfallsmt.net/sites/default/files/fileattachments/city_commission/meeting/232671/modified_city_commission_memo_march_20_2020.pdf)

If you choose to ignore the Federal and State laws that already exist, I am requesting that this City Commission consider suggesting to the local LGBTQ Center who submitted this ordinance, to work with the religious community to ensure that our rights are not violated, and that our religious convictions are considered.

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I implore this City Commission, to deny the submission of this proposed ordinance, or request an agreeable modification that protects the rights of the religious community including religious schools, women sports, and our privacy, so that it's revisions are just as equal, just as emphatic, and just as zealous as this current proposed ordinance.

The first freedom listed in the first amendment of the Bill of Rights:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...”

To hopefully clarify the meaning of this freedom, I'd like to define 2 terms.

One of Webster's dictionary definitions for religion reads:

“any system of beliefs, practices, ethical values, etc.; resembling, suggestive of, or likened to such a system...”

One definition of exercise:

“to put into action; use; employ – to carry out, perform, fulfill...”

In view of these definitions, I have 5 questions I'd like each member of this commission to consider.

1. Is it the role of the City of Great Falls to become the arbiter of what religious views are permissible or allowed?
2. Does this Ordinance give the City of Great Falls the right to trample the constitutional rights of others who don't agree?
3. Exactly how will this Ordinance be enforced without denying other citizens, such as myself, their First Amendment rights?
4. Will this Ordinance divide our community rather than help us work together as the community we all want to have?
5. How can we respectfully work together as a welcoming community without weaponizing this Ordinance to punish those who do not agree with us?

Thank you, Jo Shepherd