



For Immediate Release: October 20, 2014
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Religious Liberty of Houston Pastors in Jeopardy

Washington, DC—In a chilling display of religious intolerance, Houston attorneys have ordered a group of pastors to hand over any sermons in which they talk about homosexuality, gender identity, or Annise Parker, the city's first openly lesbian mayor. This is the latest step in the battle over religious freedom since the city passed the Houston Equal Rights Ordinance last June. The new non-discrimination law prohibits any discrimination based on sexual orientation or gender identity and would allow, among other things, men to use ladies' restrooms and vice versa.

Over 50,000 signatures were collected for a petition to place a referendum on the November ballot to overturn the ordinance—well over the required 17,000 number, but the mayor and city attorney denied the petition claiming irregularities in the signatures. Opponents of the new law then filed a lawsuit, and the city's attorneys responded with the subpoenas to the pastors. In addition to the collection of sermons, some pastors have even been told to turn in any communication that they have had with members of their congregations regarding the ordinance.

The pastors who have been subpoenaed were not part of the lawsuit, but they were part of the coalition of pastors and churches that worked to oppose the ordinance.

"This is a clear violation of free speech and religious liberty that is protected by our First Amendment," remarked Dr. Keith Wiebe, President of the American Association of Christian Schools (AACCS). Over 800 Christian schools nationwide are members of the AACCS, with the majority functioning as ministries of a church.

Dr. Wiebe continued, "The freedom to preach according to a specific faith and to connect that teaching to public policy discussions is foundational to the freedoms we hold dear in our country. For the government to issue subpoenas requiring churches to provide this information has a chilling effect on what is preached from pulpits and is extremely concerning to the future of all freedom in this country. The move is so bold, one has to wonder if this is exactly what was intended."

After doubling down on the legitimacy of the subpoenas last week, Houston's mayor now indicates that the scope of the requested information will be narrowed, and the City Attorney is claiming there was never an attempt to infringe on religious liberty. Texas Attorney General Greg Abbott has asked Houston's City Attorney to immediately withdraw the subpoenas, stating in a letter, "Whether you intend it to be so or not, your action is a direct assault on the religious liberty guaranteed by the First Amendment. The people of Houston and their religious leaders must be absolutely secure in the knowledge that their religious affairs are beyond the reach of the government."

AACS wholeheartedly agrees with the Texas Attorney General.

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