



February 7, 2012

Senate of Virginia
Virginia General Assembly
Commonwealth of Virginia
Richmond, Virginia

Dear Senator,

The Child Welfare League of America (CWLA), the nation's oldest and largest membership-based child welfare organization, has been known and respected as a champion for children since 1920. CWLA is the nationally recognized standard-setter for child welfare services with more than 500 public and private child-serving agencies from coast to coast.

There are few things more heart-wrenching than a child in need of a family. Unfortunately, thousands of children across the country lack a stable, loving family to care for and nurture them. Finding a suitable foster or adoptive home can be a challenge, particularly for older children and those with serious medical needs.

So it's particularly disturbing that the Virginia legislature is currently considering a law that would make it more difficult for children to find families. This law would authorize any adoption agency – including those placing children under state contracts – to deny a child a placement with a qualified family if that family does not meet the agency's religious or moral criteria.

The sweeping language of this bill could have devastating effects for the 1,300 children in Virginia waiting for a home. The law is an effort to allow organizations to refuse to place children with same-sex couples. This would be profoundly inappropriate on its own merit, but the fact is that the bill has much broader implications. We live in a diverse society with diverse religious and moral beliefs. Under this law, agencies – whether religiously affiliated or not – could turn away qualified families for countless reasons that have no relevance to the needs of children or the family's ability to provide a safe, loving, and permanent placement.

An agency could refuse to place a child with his aunt because she is not of the same faith as the agency, subjecting that child to the frightening experience of being sent to live with strangers even though a loving relative is willing and able to care for him. Or a nurse, who is willing to care for a child with multiple medical problems, could be turned away because she is single, even if she is the only prospective parent with the skills needed to adequately care for the child. An agency could refuse to place a child with a family because they don't observe a particular religion's dietary laws, because they don't go to church, or because they buy a weekly lottery ticket, regardless of the child's family background or circumstances.

If this law is enacted, many children will be deprived of the family that is best suited to meet their needs. In addition, more Virginia children will likely be left with no family at all. As of 2010, Virginia has the second-lowest rate of adoption in the nation. Because of this law, good families who are turned away may give up after repeatedly being rejected by agencies based on religious or moral grounds completely unrelated to their ability to care for a child. As a result, the law would increase the shortage we already have of available families.

The last thing these children need is a law that will make it harder for them to find the security of a loving home.

In the end, this is not about religious liberty. In instances where birth parents choose to place their children for adoption decides to work with an agency to have their child placed with a family of a particular faith, they have the right to do that. But when children are removed from their families by the State because of abuse or neglect, the State has a duty to place them in homes based on the children's needs, and the prospective family's capacity to meet those needs, not the religious or moral beliefs of the agency it hires to find them families. These children have the right to have their placement decisions made based on child welfare criteria not religious criteria.

These children have been through so much already. It is cruel to deny them a secure home with a qualified family that happens to differ from the religious or moral beliefs held by a particular agency. Virginia's children deserve better.

Sincerely



Christine James-Brown
President & CEO