

March 11, 2021

To: Montana House Judiciary Committee
From: Matthew Brower, Executive Director of the Montana Catholic Conference
Re: Testimony in support of SB 215

Mr. Chairman and members of the committee, my name is Matt Brower and I currently serve as the Executive Director of the Montana Catholic Conference. I speak on behalf of the two Roman Catholic bishops of Montana.

I am here today to voice our support for Senate Bill 215.

It is undeniable that freedom of religion is one of our most cherished freedoms both as Americans and Montanans. It is enshrined in the Constitution of the United States and the Constitution of the State of Montana.

The Catholic Church, too, affirms religious freedom and rights of conscience as foundational principles of a just society and teaches that religious freedom is a fundamental human right flowing from the inherent dignity of the human person.

Senate Bill 215 seeks to explicitly articulate that religious freedom, guaranteed under our state constitution, must be afforded the highest level of legal protection by requiring that the "strict scrutiny" standard be applied when state action substantially burdens a person's exercise of religion. Requiring the application of the "strict scrutiny" standard helps ensure that we Montanans in the exercise of the great variety of our religions and faith traditions continue to enjoy the legal protections that ought to be afforded such a fundamental right.

Unjust discrimination in all its forms and on whatever basis—religion, race, sexual orientation, gender identity—whatever basis—is evil, morally repugnant and destructive of society. And we condemn the efforts of any who would seek to use legislation as a vehicle to unjustly discriminate against anyone. However, while we know people of goodwill disagree, we do not believe the test articulated in SB 215 provides a license for unjust discrimination.

The standard articulated in SB 215 makes good sense because, simply put, we should not punish persons for practicing their chosen religions unless we have a very good reason for doing so. This is reflected by the very fact our constitution explicitly guarantees this right.

This past October, in his most recent encyclical *Fratelli Tutti*, Pope Francis stated, "One fundamental human right must not be forgotten in the journey towards fraternity and peace. It is religious freedom for believers of all religions."

In accord with Pope Francis' statement, we believe that, to the greatest extent possible, the state ought to protect the right of all persons to freely practice their chosen religion as they see fit. Senate Bill 215 makes clear that, as a fundamental right, religious freedom ought to be afforded the greatest protection possible under the law.

Mr. Chairman and members of the committee, on behalf of the Montana Catholic Conference, I urge a "do concur" and thank you for your time.