



## Visit Indy Statement on Indiana SB 101

**Visit Indy, Mayor Greg Ballard and Indianapolis civic leaders, numerous Indianapolis businesses, and our state and local chambers of commerce all oppose the state's Religious Freedom Restoration Act (RFRA), SB 101.**

In reviewing the bill, we saw the issue as divisive and likely to create misperceptions about our diverse, inclusive and welcoming community, which has obviously been the case.

While researching SB 101 and seeking legal opinions, we learned that 19 other states have similar RFRA laws that are all based on the Federal RFRA signed by President Clinton in 1993 (but which only applies to Federal cases) and that another 11 states have "strict scrutiny" language in their state constitutions consistent with what the Federal RFRA requires of the court in "religious freedom" cases.

Major cities such as Chicago, Orlando, Miami, New Orleans, Dallas, San Antonio, Houston, St. Louis, Philadelphia, Nashville, Charleston (SC) and many others are all subject to state RFRA laws. So while it is commonly believed that RFRA legislation is unique to Indiana, it is not.

[http://en.wikipedia.org/wiki/State\\_Religious\\_Freedom\\_Restoration\\_Acts](http://en.wikipedia.org/wiki/State_Religious_Freedom_Restoration_Acts)

In addition, to our knowledge, in the 22 years of the Federal and state RFRA laws, there has never been a case of LGBT discrimination or discrimination of any kind been that was decided in favor of the religious objector claiming RFRA protections. To its credit, there are many examples where the RFRA has protected non-discriminatory religious liberties and created a "level playing field" for all faiths as viewed by the courts.

However, despite the number of other states with RFRA's and the history of how the RFRA's have been applied by the courts, we believe there are potential protection issues with the Federal RFRA model and we fully support our friends in the LGBT community in seeking greater legislative assurances to eliminate any chance the RFRA could be used as a defense for discrimination.

Visit Indy cannot support any legislation that undermines Indianapolis' decades-long reputation for delivering world-class hospitality and service to ALL visitors and/or that could lead to the discrimination of any visitor.

We are actively working with other community leaders to share with Gov. Pence and state lawmakers that nuanced legal arguments and the RFRA's historical track record are not sufficient in addressing this issue in a way that meets the needs of the region's hospitality industry and, more important, our visitors.

In the meantime, Indy is open for business to ALL. The passage of the state's RFRA did not change who we are overnight, or the fact that our community values and appreciates ALL of our guests. We ask for your patience and support as we work with urgency to remedy the RFRA issues that concern many Indiana residents and our visitors, especially our friends in the LGBT community.

**LEONARD HOOPS**

President & CEO

Visit Indy

## **Note from VisitIndy sales person.**

- Visit Indy, the Mayor's office, our City Council and our community as a whole have opposed the state's Religious Freedom Restoration Act (RFRA) throughout the legislative process. We felt the RFRA issue was too divisive and would create misperceptions about our diverse, inclusive, and welcoming community.
- Many major cities-Chicago, Orlando, New Orleans, Phoenix, Dallas, Nashville, etc.- are already subject to state RFRA laws. This is not well known and has created the perception that RFRA legislation is unique to Indiana, but it is not.
- Visit Indy is actively working with our community to share the message with Governor Pence and state lawmakers that perception is reality and that legal arguments and the RFRA's historical track record are not sufficient in addressing this issue in a way that meets the needs of the region's hospitality industry or, more important, our visitors.

**Here is the Marriott International statement:**

*“Marriott International is a hospitality company providing public accommodations like many others. We welcome all people as our customers and employees regardless of race/ethnicity, religion, culture, sex, gender identity or sexual orientation. In addition, we are proud of our commitment to diversity, fairness and nondiscrimination”*

**From the Marriott Downtown in Indianapolis**

Here is also a statement that was just released from our management company, White Lodging:

White Lodging has always been, and will continue to be, committed to providing inclusive service and hospitality at our hotel and restaurant properties. We believe our core value of “genuine care” is a key element to the heartbeat of our properties, and this value applies to each guest and every associate. Other cities and states where White Lodging operates had existing bills similar to SB101, Indiana’s Religious Freedom Restoration Act. However, neither those bills, nor SB101, have impacted, or will impact, our commitment to serve everyone, free of discrimination, who chooses to stay or dine at a White Lodging property.

Here is the official language for Hilton's anti-discrimination policy:

*To fulfill Hilton's Corporate Mission, we treat people as our most important asset and expect Hilton employees to observe the highest standards of conduct. In keeping with those values, Hilton has long been committed to maintaining a work environment that is free of discrimination, including harassment, on the basis of a legally protected status. Accordingly, Hilton will not tolerate any form of unlawful harassment against any Hilton employee by anyone, including other Hilton employees, vendors, or guests. All Hilton employees are expected to avoid any behavior or conduct that could be interpreted as unlawful harassment. All Hilton employees are also expected to make it known promptly, through the avenues identified below, whenever they experience or witness offensive behavior or conduct.*

*The conduct prohibited by this policy includes all unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, color, race, ancestry, religion, national origin, age, disability, medical condition, marital status, veteran status, citizenship status, sexual orientation, gender identity and/or expression, or other protected group status or upon the protected status of the person's relatives, friends, or associates.*

*The conduct forbidden by this policy specifically includes, but is not limited to: (a) epithets, slurs, negative stereo-typing, or intimidating acts that are based on a person's protected status; and (b) written or graphic material circulated within or posted within the workplace that shows hostility toward a person because of his or her protected status.*

*Sexual harassment is a problem that deserves special mention. Guidelines promulgated by the Equal Employment Opportunity Commission (EEOC) define sexual harassment as including "unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature" not only when the conduct is made as a condition of employment ("quid pro quo" harassment), but when the conduct creates an intimidating, hostile or offensive working environment.*

*Sexual harassment is not limited to explicit demands for sexual favors. It also may include such actions as (1) sex-oriented verbal kidding, teasing or jokes; (2) repeated sexual flirtations, advances or propositions; (3) continued or repeated verbal abuse of a sexual nature; (4) graphic or degrading comments about an individual or his or her appearance; (5) the display of sexually suggestive objects or pictures; (6) subtle pressure for sexual activity; and (7) physical contact such as patting, hugging, pinching, or brushing against another's body.*