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Baptist Homes sued by lesbian

Lawsuit over firing also targets use of state money there

By CHRIS POYNTER
The Courier-Journal

A social worker fired by the Kentucky Baptist Homes for Children because she is gay has sued the agency and the state of Kentucky, which provides the homes with millions of dollars to care for abused and neglected youngsters.

The suit was filed yesterday in U.S. District Court in Louisville by the American Civil Liberties Union on behalf of Alicia Pedreira and seven others. It claims the state uses tax money to fund religious-based discrimination because the Baptist Homes will not hire gays and lesbians. The suit also contends that this funding is a violation of the separation of church and state and that the Baptist Homes violate civil-rights laws.



The homes' director, Bill Smithwick, said gays are not good role models.

The agency fired Pedreira in October 1998 because her "admitted homosexual lifestyle is contrary to the Kentucky Baptist Homes for Children core values," according to her termination statement.

Bill Smithwick, executive director of the Baptist Homes, said his organization will vigorously defend itself against the suit. He said homosexuals are not good role models for the Baptist Homes' children, many whom have been sexually abused or are sexually confused.

Other plaintiffs include local religious and civil-rights leaders and the parents of a teen-ager who the suit claims thrived under Pedreira's care while she worked at the Spring Meadows Children's Home in Middletown.

The Baptist Homes, affiliated with the Southern Baptist denomination, have had a state contract since the



BY KEITH WILLIAMS, THE COURIER-JOURNAL

Alicia Pedreira, who was fired in October 1998, was hugged by supporters yesterday at a news conference. "My firing took away my livelihood," she said. "My civil rights were assaulted."

Fired lesbian sues Baptist agency

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late 1970s. Last year, the agency received about \$12 million from the state. It is headquartered in on Linn Station Road in Jeffersonton, and it has eight residential facilities — in Middletown, Glendale, Elizabethtown, Morehead, Mayfield, Dixon (Webster County) and Bronston (Pulaski County), which has two homes. It also has about 100 foster homes, 22 outpatient counseling centers and other operations.

Michael Adams, an ACLU attorney from New York, said Kentucky taxpayers are being forced to support the Baptist Homes' bigotry.

"This is wrong for the vulnerable young people that the state pays the Baptist Homes to care for," Adams said at the Kentucky branch of the ACLU in downtown Louisville. "It's wrong for good, qualified employees like Alicia Pedreira who lose their job over something that has nothing to do with their abilities and skills."

Adams said the case has national importance because of the amount of government money that goes to religious organizations.

The defendants are the Baptist Homes, the Kentucky Cabinet for Families and Children and the state Justice Cabinet. The Baptist Homes currently care for about 350 children for the state (the figure changes daily because some children are discharged and others are admitted).

Michael Jennings, a spokesman for the Cabinet for Families and Children, said the state expected to be sued and is deciding whether to renew its contract with the Baptist Homes. The contract runs out June 30, the end of the state's fiscal year.

Jennings said Viola Miller, secretary of the Cabinet for Families and Children, and Justice Secretary Robert Stephens will decide the future of the contract along with Gov. Paul Patton.

Smithwick said losing the contract would be a serious blow to the organization; it has an annual budget

of \$21 million, with more than half of that coming from the state. Layoffs would be unavoidable, he said, and the agency would have to evaluate whether it could keep its branches across the state open.

Smithwick said it does not intend to abandon its beliefs on homosexuality to keep its state contract.

Since Pedreira's firing, the Cabinet for Families and Children has urged Baptist Homes and Smithwick to stop basing employment on sexual orientation.

The Baptist Homes' board of directors decided last month to defend its position that employing homosexuals as counselors is "not the best way to care for troubled and abused children," Smithwick said.

"We are not going to acquiesce to political pressure," he said.

Pedreira was fired after a picture of her and her partner, Nance Goodman, appeared in a photo contest at the Kentucky State Fair in 1998.

Pedreira said that her life fell apart after she was fired.

"I had a house and I had a family and I had bills to pay, and I didn't know if I would be able to pay them," she said yesterday. "I was just plain scared."

She is now a supervisor for Seven Counties Services, which provides mental-health counseling and other assistance.

She said that although the lawsuit encompasses many legal issues, she views it as a human issue:

"My firing took away my livelihood. My civil rights were assaulted. And I'm still in the process of recovering from that. . . . The most important thing to me is that this doesn't happen to other people."

After speaking, Pedreira stood next to her partner while others addressed reporters.

The other plaintiffs are:

■ Jane and James Doe of Elizabethtown, whose son was under Pedreira's care as a resident of the Middletown home. To protect his privacy, the parents are not identified.

They claim their son has suffered since Pedreira's firing.

■ Karen Vance, a social worker in Long Beach, Calif., who wants to move to Kentucky but cannot apply to the Baptist Homes for employment because she is a lesbian.

■ Robert Cunningham, a Louisville civil-rights activist and leader of the Kentucky Alliance Against Racist and Political Oppression.

■ Johanna W.H. Van Wijk-Bos, a Presbyterian minister and a professor at the Louisville Presbyterian Theological Seminary.

■ Elwood Sturtevant, pastor of Thomas Jefferson Unitarian Church in Louisville.

■ The Rev. Paul Simmons, a trustee of Americans United for the Separation of Church and State and a former professor at the Southern Baptist Theological Seminary in Louisville.

Simmons said his involvement in the lawsuit brings him intense grief.

"Baptists are people who are important to me, and they remain important to me," he said. "But they have, in my judgment, been found at a major fault publicly. And that fault is a miscarriage of justice, and that must now be held up for examination."

Simmons said he hopes the suit will serve as a call to Baptists to recapture their tradition of advocating the separation of church and state.

"Churches should get their hands out of the public till," he said. "And government should stop trying to use churches as proxy service providers. Churches cannot and should not do social work simply as a secular enterprise."

Smithwick said that the Baptist Homes have provided good care for troubled children since the 1970s — and that the agency has served orphans and needy children since it was founded in 1869.

He said the homes' policy on homosexuals "is not a religious issue. It's a child-advocacy issue. What we're talking about is what's in the best interest of children."