

Marriage Equality, Catholic Charities and Adoption
A Fact Sheet for Marriage Equality Supporters
(Updated: December 22, 2011)

Background: Marriage equality opponents have spread misinformation about the relationship between marriage equality in Massachusetts and the decision of Catholic Charities of Boston to stop providing adoption services in 2006. **This fact sheet gives marriage equality supporters some facts.**

Why did Catholic Charities of Boston stop doing adoptions?

Catholic Charities of Boston (CCB) stopped all adoptions in 2006 rather than continuing to place children with gay parents in compliance with the state's 1989 non-discrimination law. CCB had placed 13 extremely needy children with gay adoptive parents over 17 years. Said CCB Board Chairman Peter Meade, "What we do is facilitate adoptions to loving couples. I see no evidence that any child is being harmed." But CCB drew back from that commitment when the *Boston Globe* printed a story about those adoptions in October 2005 and the archdiocese of Boston became involved

What does any of that have to do with marriage equality?

Nothing. This was a dispute between the Catholic Charities board of directors and the Archdiocese. The CCB board wanted to make placements with gay people when in the child's best interest, while the Archdiocese wanted to forbid any placements with gay parents. The gay community itself was not involved in the Catholic Charities dispute in any way.

Why did Catholic Charities of Boston decide to stop complying with the law?

When the *Globe* story ran, Boston Archbishop Sean O'Malley attacked the CCB board's commitment to adoptions based on the child's best interest. O'Malley pressured the agency to change policy, but the CCB board voted unanimously to continue. When four bishops announced that they would seek an exemption from the anti-discrimination law, eight of the board's 42 directors resigned. The CCB finally ended their adoption work, which was all state-funded, to end the internal struggle.

Why was Catholic Charities of Boston subject to the non-discrimination law?

The adoption service of Catholic Charities is a public accommodation, and all public accommodations – businesses or services functioning in the public sphere and providing goods or services to the public – are subject to non-discrimination laws.

Did the state “deny” Catholic Charities of Boston “its adoption agency license”?

No. For 17 years Catholic Charities of Boston complied with non-discrimination laws and put the best interests of children first, in some cases placing a child with gay or lesbian parents. Catholic Charities chose to close down its adoption services. At no point was it denied an adoption license.

Did the state stop funding Catholic Charities of Boston?

CCB performed its adoption work as a contractor for the state. When the Archdiocese insisted on excluding all prospective gay and lesbian adoptive parents, CCB knew it could not discriminate and also qualify for the state monies that funded this work. Other organizations have stepped in to do the work previously performed by CCB.

Boston Globe coverage:

Archdiocesan Agency Aids In Adoptions By Gays Says It’s Bound By Anti-bias Laws:
www.boston.com/news/local/articles/2005/10/22/archdiocesan_agency_aids_in_adoptions_by_gays/

Board members resign:
www.boston.com/news/local/massachusetts/articles/2006/03/02/seven_quit_charity_over_policy_of_bishops/

CCB withdraws from adoptions:
http://www.boston.com/news/local/articles/2006/03/11/catholic_charities_stuns_state_ends_adoptions/

If you have questions or want further information, contact GLAD’s Legal InfoLine at 800-455-GLAD (4523).