



Kentucky Commission on Human Rights

Resolution Supporting Equal Opportunity in Adoption and Foster Care Policies

To All Whom These Presents Shall Come:

- WHEREAS,** The Kentucky Commission on Human Rights is charged by statute with the responsibility of encouraging and promoting equal treatment for all persons, regardless of race, color, religion, national origin, ethnicity, age, gender, disability, smoking status, or familial status, and;
- WHEREAS,** The Kentucky Commission on Human Rights is further charged with the responsibility of fostering mutual understanding and respect among Kentucky's diverse population, and;
- WHEREAS,** The Kentucky Commission on Human Rights is further charged with the responsibility of discouraging discrimination against any protected class, or any member thereof, and;
- WHEREAS,** Under current law applicable to adoption and foster care determinations, governing statutes do not disqualify categories of individuals, other than persons under the age of 18, from seeking to become an adoptive parent or a foster parent, and;
- WHEREAS,** Statutory changes have been proposed that, if enacted, would disqualify specified categories of individuals from seeking to become an adoptive parent or a foster parent, and;
- WHEREAS,** At present, approximately 2000 children in the Commonwealth are eligible for and have the goal of adoption, and;
- WHEREAS,** Excluding categories of individuals from adopting or becoming a foster parent is contrary to the interests of Kentucky children who would benefit from an adoptive parent or foster parent, thus putting at risk hundreds of children who are in need of the shelter and caring that might otherwise be offered by a willing and capable prospective parent, and;
- WHEREAS,** The exclusion of categories of individuals from becoming an adoptive parent or a foster parent is not supported by generally accepted social science and is not founded upon empirical research, but is instead premised upon flawed negative stereotypes and biases, and;
- WHEREAS,** Excluding categories of individuals from engaging in the statutory process for becoming an adoptive parent or a foster parent contravenes fundamental principals of fairness and equal treatment under the law, and;
- WHEREAS,** Depriving categories of individuals the opportunity to equally avail themselves of the legal prerogatives and opportunities with regarding to being an adoptive parent or foster parent will foster in such excluded individuals a mistrust of government and disdain for civic life, and;
- WHEREAS,** Kentucky should be leader in promoting equality in all aspects of civic life, and;
- WHEREAS,** All Kentuckians should have an equal right to be an adoptive parent or foster parent, and all Kentuckians should be encouraged to reach out to children who are in need of an adoptive parent or foster parent.

NOW, THEREFORE BE IT RESOLVED,

Due to the constitutional equal protection issues and extreme monitoring and enforcement costs that would arise from excluding categories of individuals from becoming an adoptive parent or foster parent, and for the reasons stated above, the Kentucky Commission on Human Rights recommends that the Kentucky Legislature refrain from excluding categories of individuals from statutory processes that are a prerequisite to becoming an adoptive parent or foster parent in Kentucky.

BE IT FINALLY RESOLVED,

That a copy of this Resolution be presented to the Kentucky Legislature and also spread upon the Minute Book of this Commission; and dated in Louisville, Kentucky this 19th day of February, in the year of Our Lord Two Thousand and Nine and in the 217th year of the Commonwealth.

On Behalf of the Commission:

George W. Stinson
Commission Chair

Attest:

John J. Johnson
Executive Director