



Written by [Bob Adelman](#) on March 27, 2024

## Youth Ministry Sues Oregon Over New Rule Discriminating Against Religious Groups

The youth ministry 71Five Ministries [filed suit in federal court](#) earlier this month complaining that the state's new "anti-discrimination" rule is unconstitutional and violates the group's First Amendment rights. The ministry's name comes from Psalm 71:5: "Lord God, You are my hope. I have trusted You since I was young."

Since 1964 the ministry has been serving "at risk" children and young people in Medford, Oregon, and since 2017 has received substantial state funding for its efforts. When the group filed last year for another round of grants it learned that the state's new rule prohibited it from issuing the grant. The amount involved is more than \$400,000. The principle — the First Amendment's guarantee of the right of groups like 71Five Ministries not to be discriminated against — is vastly greater.



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The ministry "exists to share God's story of hope with young people through trusting relationships ... [t]hese relationship are the foundation for guiding young people according to the teachings of Jesus Christ — helping them to develop the mental, physical, social, and spiritual components of their lives."

Accordingly, the ministry requires that everyone affiliated with the ministry — paid and volunteer — not only adheres to its statement of faith, but also formally signs off on the statement:

We believe the Bible to be the inspired, the only infallible, authoritative word of God.

We believe that there is one God, eternally existent in three persons: Father, Son, and Holy Spirit.

We believe in the deity of our Lord Jesus Christ, in His virgin birth, in His sinless life, in His miracles, in His vicarious and atoning death through his shed blood, in His bodily resurrection, in His ascension to the right hand of the Father, and in His personal return in power and glory.

We believe that for the salvation of lost and sinful man, regeneration by the Holy Spirit is absolutely essential.

We believe in the present ministry of the Holy Spirit by whose indwelling the Christian is enabled to live a godly life.

We believe in the resurrection of both the saved and the lost; they that are either saved unto the resurrection of life, and they that are lost unto the resurrection of damnation.



We believe in the spiritual unity of believers in Christ.

The ministry has eight programs to serve K-12 students, inner-city youth, and minors who are incarcerated or involved in gang violence. They include providing youth centers, pre-apprenticeship classes, camp experiences, behavior modification workshops, outreach to parents of these young people, as well as one-to-one mentoring programs designed especially to reach at-risk young people for Christ.

When the ministry received word last fall that the state would no longer provide grants as it had in the past, the reason was simple: under its new rule groups applying had to agree that they “do not discriminate in [their] employment practices, vendor selections, subcontracting or service delivery with regard to ... religion.”

In reality, it's the state of Oregon that is discriminating against 71Five Ministries for simply expecting its employees and volunteers to share in both the group's religious beliefs but also its mission to reach young people for Christ.

After much back-and-forth between the ministry and the state, with the state remaining adamant in its old, *passé* belief in the “separation of church and state,” Alliance Defending Freedom (ADF) entered the picture.

In its lawsuit filed against Oregon's director of the state's Department of Education, and others, ADF attorneys laid out its case:

This civil-rights action challenges the constitutionality of Defendants' decision to exclude a religious organization from an otherwise available government benefit program solely because of its religious character and exercise....

This New Rule led to Defendants stripping 71Five Ministries of over \$400,000 in grant awards just because the Christian ministry expects its employees and volunteers to share its religious beliefs and mission.

In Defendants' view, to participate in this otherwise available government benefit program, religious organizations like 71Five Ministries cannot prefer coreligionists as employees or volunteers.

It does not matter whether the position is ministerial or nonministerial, paid or volunteer—Defendants forbid religious organizations from requiring any of their staff or volunteers to share and live out their faith if they want to participate in the government program like everyone else.

This, of course, violates the group's First Amendment rights to freedom of religion and speech: “But the New Rule and Defendants' actions cannot be squared with the First Amendment. Such religious discrimination is “odious to our Constitution” [quoting from a previous ADF Supreme Court victory, *Trinity Lutheran Church of Columbia, Inc. v. Comer*].

In *Trinity*, the high court ruled 7-2 that Missouri violated the First Amendment by denying a public benefit to an otherwise eligible recipient solely because of its religious status:

Missouri's policy violated the rights of Trinity Lutheran under the Free Exercise Clause [of



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the First Amendment] by denying the church an otherwise available public benefit on account of its religious status.

Therefore, the attorneys for 71Five Ministries concluded:

Because the New Rule and Defendants' actions violate the First Amendment many times over and conflict with well-established Supreme Court precedent, 71Five Ministries is entitled to declaratory and injunctive relief to prevent the ongoing and prospective constitutional violations, as well as damages to remedy the past constitutional violations.

The war against the pernicious long-held error that there is a "wall of separation" that allows the state to erase all religious content from the culture continues. But the old myth is dying, thanks to groups like 71Five Ministries and legal assistance from public interest law firms like Alliance Defending Freedom (ADF).



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