



AMERICAN ATHEISTS

March 12, 2024

The Honorable Sen. John A. Hoffman
Chair, Senate Human Services Committee
2111 Minnesota Senate Building
95 University Ave. W
St. Paul, Minnesota 55155

The Honorable Rep. Peter Fischer
Chair, House Human Services Policy Committee
551 State Office Building
St. Paul, Minnesota 55155

Re: SUPPORT HF 3486/SF 3459, American Atheists letter of support for Minnesota Recovery Options Act

Dear Chairperson Hoffman, Chairperson Fischer, and Members of Senate Human Services Committee and House Human Services Policy Committee:

American Atheists, on behalf of its over 1,000 constituents in Minnesota, writes in support of HF 3486/SF 3459, the Minnesota Recovery Options Act. This bill would ensure that, when Minnesotans are required by the state to receive treatment for substance use disorders, they can receive appropriate treatment without religious coercion. Under current Minnesota law, individuals in the criminal legal system can be required to participate in religious treatment programs that conflict with their beliefs, which is unconstitutional and can hinder successful treatment. Passing HF 3486/SF 3459 will improve access to appropriate substance use disorder treatment, while protecting every Minnesotan's right to religious freedom. We urge you to pass this critical measure to protect the health, well-being, and civil rights of Minnesotans.

American Atheists is a national civil rights organization dedicated to equality for atheists and other nonreligious people. We protect the rights of atheists, advance social inclusion, and empower nonreligious people through advocacy, education, and community building. American Atheists supports secular recovery options and believes that no one should be forced by the state to participate in a religious treatment program that violates their freedom of religion.

Effective treatment for substance use disorders is essential to reduce crime and recidivism. In Minnesota, approximately 90% of incarcerated people are diagnosed with substance use disorders,¹ and 85% of people newly admitted to prison are referred to chemical dependency treatment.² Too often, however, individuals are required by the state to participate in religious programs that conflict with their beliefs and can hinder successful treatment. For example, 12-step programs such as Alcoholics Anonymous and Narcotics Anonymous are ubiquitous, but such programs have religious or spiritual elements that many object to. Approximately 27% of

¹ Minnesota Department of Corrections. (n.d.). Substance Use Disorder Treatment. Available at https://mn.gov/doc/assets/Substance%20Use%20Disorder%20Treatment_tcm1089-413914.pdf.

² National Institute of Justice. (n.d.). CrimeSolutions - The Evidence-based Guide for Justice Agencies in Search Practices and Programs. Available at <https://crimesolutions.ojp.gov/ratedprograms/150#1-0>.

Minnesotans are religiously unaffiliated and 5% are religious minorities,³ so it is essential that a diverse range of treatment programs for substance use disorders be available, rather than a one-size-fits-all approach.

In fact, in a national survey of nearly 34,000 nonreligious people, American Atheists found that there is rampant discrimination in substance use disorder treatment programs.⁴ Nearly one in six nonreligious participants (15.2%) reported that they encountered discrimination because of their nonreligious identity when engaging with substance use disorder treatment programs. For example, one participant said that: “As a recovering addict, I have been mocked, ridiculed and told I have no chance of recovery unless I accept spiritual principles and believe in some deity.” Unfortunately, this is not an uncommon experience, and it can have a dramatically negative impact on both recovery and mental health. We found that nonreligious people who had faced discrimination in substance use disorder treatment were 71.4% more likely to experience depression than other participants.

Moreover, some 12-step programs discourage the use of medication-assisted treatment (MAT) for alcohol and opioid use disorders.⁵ The Substance Abuse and Mental Health Services Administration (SAMHSA) explains that medication-assisted treatment, along with appropriate therapy, has been shown to improve patient survival, increase retention in treatment, decrease criminal activity among people with substance use disorders, and increase patient’s ability to maintain employment.⁶ In instances where people in the criminal legal system are required to participate in programs that discourage MAT, it may deprive them of treatment options they need to recover.

The Minnesota Recovery Options Act will address these issues by encouraging agencies to make a range of appropriate treatment programs available and ensure that individuals who object to religious substance use disorder treatment programs are able to access appropriate alternative programs.

This bill will also prevent costly lawsuits brought by people defending their constitutional rights. Courts have repeatedly upheld defendants’ rights to avoid being coerced to participate in religious substance use disorder treatment programs that conflict with their beliefs. For example, in a recent West Virginia case brought by American Atheists, our client, Andrew Miller, won a preliminary injunction to prevent the state from forcing him to participate in deeply religious 12-

³ PRRI. (2022). Religious Landscape: Minnesota. [Online]. Available at <https://ava.prii.org/#religious/2022/States/religion/m/US-MN>

⁴ Frazer, S., El-Shafei, A., Gill, A.M. (2020). *Reality Check: Being Nonreligious in America*. Cranford, NJ: American Atheists. Available at www.secularsurvey.org.

⁵ Duwe, G., & King, M. (2013). Can Faith-Based Correctional Programs Work? An Outcome Evaluation of the InnerChange Freedom Initiative in Minnesota. *International Journal of Offender Therapy and Comparative Criminology*, 57(7), 813-841. <https://doi.org/10.1177/0306624X12439397>

⁶ SAMHSA. (n.d.). Medications for Substance Use Disorders. Available at <https://www.samhsa.gov/medications-substance-use-disorders>.

step programming to qualify for parole.⁷ There have been numerous other cases in different jurisdictions where courts have found that 12-step programs are inherently religious. The Minnesota Recovery Options Act would protect everyone's right to religious freedom by ensuring that no one is required to participate in religious substance use disorder treatment programs that conflict with their beliefs.

Substance use disorders are serious health issues, and everyone should be able to receive appropriate treatment that aligns with their needs and beliefs. No one should ever be forced by the state to take part in religious programming they object to, and their recovery and freedom should never depend on it. It is essential to promote inclusive and effective recovery options for all Minnesotans. We strongly urge you to pass this critical bill. If you have any questions regarding American Atheists' support for HF 3486/SF 3459, please contact me by email at agill@atheists.org.

Sincerely,



Alison Gill, Esq.
Vice President, Legal & Policy
American Atheists

⁷ *Miller v. Marshall*, Civil Action 2:23-cv-00304 (S.D.W. Va., Jul. 18, 2023).



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Letter of Support: HF 3486, Recovery treatment and Religious objections

Dear Members of the Human Services Cmte,

We are writing in support of Rep Freiberg's bill allowing people to opt out of religious requirements or religious elements within substance use treatment programs.

Many Minnesotans mandated to receive treatment, often through the criminal legal system, are denied the right of choice when it comes to those treatments. Substance use programs frequently include religious teachings and practices that conflict with an individual's belief system – yet many people will be required to attend treatment despite the conflict it poses to their beliefs.

These treatment requirements become increasingly harsh when tied to things like sentencing, parole or probation. People can find their sentences extended for refusing to abide by a treatment program's steps.

The average person is frequently unaware of their rights, unable to advocate for themselves, or their lawyer is unaware of secular programs as an alternative. And you can imagine how a substance abuse treatment mandated by a judge might feel final and obligatory to someone. It's also difficult to prove religious coercion in the courts making the situation even worse and leaving individuals with fewer protections.

But the legislature can act now. Let people know they have rights in mandated treatment and make it clear that no one should be forced by the government to take part in religious programs.

The ACLU of MN supports this bill because it will uphold our constitutional rights to religious freedom. We urge the cmte to pass HF 3486—Thank you.

March 12, 2024

The Hon. Peter Fischer
Chair, House Human Services
551 State Office Building
St. Paul, MN 55155

Re: Testimony in support of H.F. 3486

Dear Chair Fischer and Committee Members:

I am writing on behalf of the FFRF Action Fund (FFRF AF) to provide testimony in strong support of House File 3486. FFRF AF is an affiliate of the Freedom From Religion Foundation, a national nonprofit organization with more than 40,000 members across the country, including over 860 members in Minnesota and two local chapters in the state. We work to ensure that our laws remain secular in order to protect the constitutional separation between state and church and to represent the views of nonreligious citizens.

Minnesota should take great pride in knowing that its treatment programs for individuals with substance use disorders are top-notch. Despite this, many individuals who receive treatment through the criminal legal system are often required by the state to participate in substance use treatment programs with religious undertones that conflict with their beliefs and can hinder successful treatment.

H.F. 3486, known as the Minnesota Recovery Options Act, seeks to provide Minnesotans with substance use disorders with effective, evidence-based substance use disorder treatment that is vital to recovery. This bill would help ensure that these Minnesotans can receive the appropriate treatment they need for substance use disorders. No one should ever be forced to choose between incarceration and government-mandated religious programming they don't believe in.

Defendants who feel they are being forced to participate in substance use disorder recovery programs based on the twelve steps are often unaware that secular treatment programs are available. The proposed Minnesota Secular Recovery Options Act would ensure that Minnesotans of all faiths, and those who adhere to no faith at all, are not left behind because they are unaware of a recovery program that resonates with them.

Overall, this bill seeks to accomplish the following crucial objectives:

- Prevent courts and state agencies from requiring anyone to participate in or attend religious elements of substance use disorder treatment programs to which they object.
- Ensure that individuals who object to mandatory religious substance use disorder treatment programs are able to access appropriate alternative programs.
- Encourage state agencies to recognize a diverse range of substance use disorder treatment programs to meet the needs of all Minnesotans, regardless of their beliefs.
- Modify continuing education requirements so that alcohol and drug counselors are informed about secular treatment approaches and able to better serve all Minnesotans.

This is a good bill that will improve recovery outcomes for many who struggle with addiction issues in Minnesota. I urge you to vote yes on this bill. This bill will go a long way toward ensuring that vast and diverse recovery options are available to all residents of Minnesota.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Dudley", with a stylized flourish at the end.

Ryan Dudley
State Policy Manager
FFRF Action Fund



HUMANISTS MN

March 12, 2024

The Honorable Sen. John A. Hoffman
Chair, Human Services Committee
2111 Minnesota Senate Building
95 University Ave. W
St. Paul, Minnesota 55155

The Honorable Rep. Peter Fischer
Chair, Human Services Policy Committee
551 State Office Building
St. Paul, Minnesota 55155

Re: SUPPORT HF 3486/SF 3459, HumanistsMN letter of support for Minnesota Recovery Options Act

Dear Chairperson Hoffman, Chairperson Fischer and Members of Senate Human Services Committee and House Human Services Policy Committee:

HumanistsMN, a Minnesota secular community for ethical living, writes in support of HF 3486/SF 3459, the Minnesota Recovery Options Act. This bill would ensure that, when Minnesotans are required by the state to receive treatment for substance use disorders, they can receive appropriate treatment without religious coercion. Under current Minnesota law, individuals in the criminal legal system can be required to participate in religious treatment programs that conflict with their beliefs, which is unconstitutional and can hinder successful treatment.

HumanistsMN represents humanists and other nontheists who find meaning in life outside of organized religion. We believe strongly that government programs should not give preference to one religion over another or to the religious over the nonreligious. Our members should have access to treatment programs that will be most effective for them.

Approximately 27 percent of Minnesotans are religiously unaffiliated and 5 percent are religious minorities, so it is essential that a diverse range of treatment programs for substance use disorders be available, rather than a one-size-fits-all approach.

Too often, however, individuals are required by the state to participate in religious programs that can hinder successful treatment – for example, ubiquitous 12-step programs like Alcoholics Anonymous and Narcotics Anonymous.

Indeed, courts have repeatedly upheld defendants' rights to avoid being coerced to participate in religious substance use disorder treatment programs that they object to. For example, in a recent West Virginia case, a man won a preliminary injunction to prevent the state from forcing him to participate in deeply religious 12-step programming to qualify for parole.

Substance use disorders are serious health issues. The Minnesota Recovery Options Act would protect everyone's right to religious freedom by ensuring that no one is required to participate in treatment programs that conflict with their beliefs.

HumanistsMN strongly urges you to pass HF 3486/SF 3459 to protect the health, well-being, and civil rights of Minnesotans. If you have any questions regarding our support for HF 3486/SF 3459, please contact me by email at president@humanistsmn.org.

Sincerely,

Ellie Haylund
President
HumanistsMN

Nick Stumo-Langer

From: Julie Raether <ziegler.julie@gmail.com>
Sent: Tuesday, March 12, 2024 5:41 PM
To: David.Zak@mnsenate.gov; Nick Stumo-Langer
Subject: Testimony

To Whom It May Concern:

My name is Julie Raether, and I am a woman in long term recovery. I am writing to offer testimony in support of any legislation that gives individuals with substance use disorder the greatest chance of long term recovery by offering alternative programs that fit the individuals values and beliefs. There are many pathways to recovery.

I found long term recovery through a variety of pathways. I attended an intensive outpatient program and continued to strengthen my recovery after graduation. One of the most impactful supports I discovered along my journey was SMART Recovery. I did not feel comfortable in AA. SMART Recovery was exactly what I needed. It offered connection and a self management style that was science driven and aligned with my values. My husband, who is also in recovery, and I attended a SMART Recovery meeting weekly via zoom. We believed in SMART Recovery so much that we went on to create a new meeting so others would have more options as well. Like all SMART Recovery facilitators, I was required to go through training to lead a meeting. I have been facilitating this SMART Recovery meeting weekly for over a year now. I have seen first hand how SMART Recovery works. I have had members come to our meeting who have tried the traditional 12 step meetings and found SMART Recovery was a much better fit. Moreover, I have had multiple members say that our SMART Recovery meeting saved their life.

There are many people, like me, who need an alternative to AA that fits their personal recovery journey. For these people, mandating 12 step programs is not an effective solution.

Thank you for your consideration,

Julie Raether
952-715-0429



March 7, 2024

Subject: Support for the Minnesota Recovery Options Act (HF3486)

To Whom It May Concern,

I am writing to express LifeRing Secular Recovery's strong support for the Minnesota Recovery Options Act (HF3486), which seeks to amend various sections of the Minnesota Statutes to ensure that all individuals in the Minnesota criminal justice system have access to treatment and recovery support programs that align with their constitutional rights under the First Amendment to the U.S. Constitution.

If passed, this act will provide individuals in the judiciary system with the option to participate in treatment and recovery support programs that do not have a religious affiliation. It aims to ensure that substance use disorder treatment programs are accessible to all individuals, irrespective of their beliefs, and that alcohol and drug counselors are equipped with the knowledge of secular treatment approaches to better serve those in need.

Key Provisions of the Minnesota Recovery Options Act

The act aims to achieve the following objectives:

1. Prevent courts and state agencies from mandating participation in religious elements of substance use disorder treatment programs for individuals who object to them.
2. Ensure that individuals who object to mandatory religious substance use disorder treatment programs have access to alternative programs that are in line with their beliefs.



3. Encourage the recognition of a diverse range of substance use disorder treatment programs to meet the needs of all Minnesotans, regardless of their beliefs.
4. Modify continuing education requirements for alcohol and drug counselors to include information about secular treatment approaches.

Support from LifeRing Secular Recovery

We are pleased to support the Minnesota Recovery Options Act, as it complements our mission to provide diverse, decentralized, and community-based support for individuals seeking recovery from substance use challenges. The act's emphasis on expanding access to a range of recovery services and empowering individuals in their recovery journey resonates with LifeRing's commitment to comprehensive secular recovery support.

Addressing the Substance Use Crisis

The problematic substance use crisis, which affects individuals with alcohol use disorder, opioid use disorder, methamphetamine use disorder, and other substance use disorders, has had a significant impact on our communities. It has led to a high rate of treatment admissions from the criminal justice system and has disproportionately affected younger Americans and people of color. Addressing this crisis requires expanding treatment options and ensuring that nonreligious alternatives are available to create a more equitable system for everyone.

Ensuring First Amendment Rights

Furthermore, making nonreligious treatment options available is consistent with established law. Many defendants are unable to secure these rights due



to the cost of legal representation and a lack of awareness about their First Amendment rights in this context. Therefore, a state law ensuring these rights is crucial.

We urge you to join us in advocating for the adoption of the Recovery Options Act (HF3486) to ensure that nonreligious alternatives are available to those seeking recovery support. No individual, especially a defendant in a criminal case, should be compelled to forfeit their First Amendment rights.

Thank you for your attention to this matter, and we hope for your endorsement to ensure individuals in Minnesota have access to the resources and support they need to achieve and sustain recovery.

Sincerely,

A handwritten signature in black ink that reads "S. Betts".

Sue Betts, Chair
LifeRing Secular Recovery Board of Directors
sue@lifering.org
800.911.4142



March 12, 2024

Sen. John A. Hoffman
Chair, Human Services Committee
2111 Minnesota Senate Building
95 University Ave. W
St. Paul, Minnesota 55155

Rep. Peter Fischer
Chair, Human Services Policy Committee
551 State Office Building
St. Paul, Minnesota 55155

Re: **Please SUPPORT HF 3486/SF 3459**

Dear Chairperson Hoffman, Chairperson Fischer, and Members of Senate Human Services Committee and House Human Services Policy Committee:

Rainbow Health, the state's largest organization focused on LGBTQ+ health, writes in support of HF 3486/SF 3459, the Minnesota Recovery Options Act. This bill would ensure that, when Minnesotans are required by the State to receive treatment for substance use disorders, they can receive appropriate treatment without religious coercion. Under current Minnesota law, individuals in the criminal legal system can be required to participate in religious treatment programs that conflict with their beliefs, which is unconstitutional and can hinder successful treatment.

This is of particular concern to LGBTQ+ individuals, who represent a substantial percentage of the population Rainbow Health serves, including through our behavioral- and chemical-health clinic. Many of our clients have turned to substances in order to cope with stigma and discrimination directed their way *by religious institutions*. For this population, it is critical to assure they may satisfy any requirements for such treatment through participation in programs which don't exacerbate past experiences of religious trauma which may have contributed to their substance-use concerns in the first place.

Substance use disorders are serious health issues, and everyone should be able to receive appropriate treatment that aligns with their needs and beliefs. No one should ever be forced by the state to take part in religious programming they object to, and their recovery and freedom should never depend on it. It is essential to promote inclusive and effective recovery options for all Minnesotans.



Rainbow Health strongly urges you to support this bill. If you have any questions regarding our support for HF 3486/SF 3459, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Hanson Willis".

Jeremy Hanson Willis
Chief Executive Officer