

A Sermon on American Values

Sermon by Rev. Minister Angela Smith of COPE for January 7th, 2024 (and beyond)

Many describe American values as being Judeo-Christian historically and presently. But, there is disagreement on what that means. I believe employers subjecting employees and applicants to mandatory drug screening violates due process rights in spirit and creates legal liabilities as a result where such tests are fallible and often used to discriminate against protected classes including the disabled even when able to do the job in full.

Beyond that, it is a confederate reach around the current US Constitution to do such screening en masse without just cause. It sends a message that all applicants and employees are criminal suspects until proven otherwise even where there is no criminal record and a clean driving record with no flags for intoxication, which is sufficient evidence of sobriety.

In terms of discrimination and false or falsified test results in order to discriminate, the courts have repeatedly found the tests violate the rights of protected classes. "Pre-offer drug tests to determine the use of both legal and illegal drugs violated the Americans with Disabilities Act's prohibition on pre-offer medical inquiries, a federal court in Pennsylvania held on March 6, 2014. EEOC v. Grane Healthcare Co. and Ebensburg Care Center, LLC, d/b/a Cambria Care Center, CV No. 3:10-250 (W. Dist. Pa. Mar. 6, 2014)." Source: <https://www.preemploymentscreen.com/eec-says-drug-tests-violated-ada/> And, in late 2023, Boston Police won their lawsuit proving the drug tests they were subjected to provided falsified results from a faulty lab with a history of misconduct and were awarded \$2.6 million after suing for discriminatory testing. Source: <https://www.wbur.org/news/2023/11/16/boston-police-hair-drug-tests-racially-biased> And, there is even more case law where prescription drug use was used to discriminate against the disabled where in all respects able to do the job. See <https://www.shrm.org/resourcesandtools/legal-and-compliance/state-and-local-updates/pages/washington-employer-to-pay-for-failing-to-accommodate-prescription-drug-use.aspx>

Article IV of the Articles of Confederation grant the Bill of Rights protections to all except paupers, vagabonds, and criminals, which criminalizes and expressly disenfranchises the poor. Policies that align with these confederate values undermine freedom, democracy, and true republicanism.

I find such practices to be insulting and demoralizing as well as likely to result in protest of the offensive and accusatory tone of such testing. In addition, if anyone suspects or has evidence of a crime, then they should report it to law enforcement for investigation and prosecution rather than sidestepping due process without a warrant while expecting a warrant if their person or property is to be searched. I feel such is a slippery slope that may result in employers doing strip searches and cavity searches of all employees or claiming any sexual impropriety was simply a search that the employee agreed to because without permitting such abuse they would not be considered for employment by someone doing business in the United States of America. And, of course everyone can sue where

an employer is violating the law in such a way. But, some employers only hire ignorant people who are legal incompetents and screen in more ways than one to avoid hiring competent staff that may identify more illegal practices and report those too. This leaves the competent but poor with limited options for gainful employment because predatory employers set up shop in the poorest and least regulated areas (i.e. outside of city limits) of the country. There's always entrepreneurship with consideration of supply and demand and best opportunity for growth given limited resources of the brave and the bold that embrace the independent spirit of freedom.

I refuse to work for someone who categorizes the majority as criminal suspects that must prove their innocence in violation of the spirit of due process and Bill of Rights, including rights to privacy and medical privacy. I'd rather not have employer provided health coverage and retain medical privacy rights where the government deems providing one provides reason for invading the other. But, many can't afford to stand on principle and actively participate in undermining their rights and the rights of others by working for those who prefer the Articles of Confederation to the current US Constitution that includes the Equal Protection Clause.

It is possible offending people by normalizing violation of civil rights results in riots and many feeling that the law doesn't apply to the privileged as described in the Articles of Confederation. I'd like to believe this sermon isn't necessary, but know otherwise.

Luke 6:31 and Matthew 7:12 "Do unto others as you would have them do unto you." If you want me to assume you are a criminal and treat you as a suspect, by all means, you do the same. But, I don't believe that's the spirit of the law nor of the words as spoken by Jesus in the above referenced passages. Solomon was a king and a judge, he listened to both sides before rendering a verdict. So, that supports due process. Jesus' opposition to hypocrisy is the foundation of all principles of equality at law and in private practice.

There's clearly a disconnect happening, but if you don't want to be mistaken for a confederate who wishes to return to being governed by the Articles of Confederation rather than current US Constitution with Equal Protection Clause, then respect the civil liberties and constitutional rights of everyone equally including your own. The more you infringe on the rights of others, the more others may and/or will respond in kind.

Happy New Year!

For those interested in starting #TaoFu Self-Defense Exercises, please see <https://www.cope.church/taofu.htm> and begin at any time.

There are opportunities to send messages, receive mystery bonus blessings, and more with or without donating available now on our "Pass the Basket" page at <https://www.cope.church/basket.htm> . Thank You.

"And ye shall know the truth, and the truth shall make you free." John 8:32 KJV Willful blindness is an abomination.

COPE accepts Feedback, critical and complimentary. Learn more at <https://www.cope.church/feedback.htm> . For the sake of keeping myself and others humble, a sense of humor is welcome on all sides.