

Atlanta fire chief fired after calling gays 'vile' claims religious bias

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The former Atlanta fire chief, who was dismissed by the city's mayor this month after writing a book in which he said homosexuality is "vile," has filed a federal discrimination complaint against the city in a case that is testing the issue of religious expression in the workplace and mobilizing Christian conservatives to his defense.

Kelvin Cochran, the ousted chief and a deacon of Elizabeth Baptist Church in southwest Atlanta, filed a complaint with the Equal Employment Opportunity Commission, accusing the city of violating Title VII of the 1964 Civil Rights Act, which protects against religious discrimination.

Cochran claims he was discriminated against when the city terminated him from his position on Jan. 6 after he self-published "Who Told You That You Were Naked?" a book about his personal religious beliefs.

Cochran, who had served as chief since 2010, has said that he was motivated to write his book after developing a lesson plan with his weekly Bible study group. In one passage, he compares homosexuality to pederasty, bestiality and other forms of "sexual perversion."

"The book expresses my deeply held religious convictions on many subjects," Cochran said in the EEOC complaint.

The dispute has roiled Atlanta — the modern capital of the Bible Belt and home to the largest population of gay and lesbians in the South.

Debates about the boundaries of religious expression are uncomfortable in this sprawling metropolis, where many take pride in their progressivism. In November, Atlanta received a perfect 100 score on the Human Rights Campaign's Municipal Equality Index, which examines the laws, policies and services of municipalities and rates them according to their inclusivity of gay, lesbian and transgender people.

After receiving a complaint from an employee, Mayor Kasim Reed suspended Cochran for 30 days as chief of the 750-member Fire Department.

The initial hope, according to the mayor's spokeswoman, Anne Torres, was that Cochran would enroll

in sensitivity training and return to work. Cochran, however, began to talk publicly about the matter at a number of Atlanta churches, as well as to the executive committee of the Georgia Baptist Convention, even though the commissioner of the city's Department of Human Resources had instructed him not to do so while the investigation was in process.

Reed said he terminated Cochran because of his lack of judgment and management skills, not his religious beliefs. Not only did Cochran violate the city's code of conduct, which requires approval from city officials to publish a book, but he also distributed his book to employees who did not ask for it. Such behavior, the mayor said, opened the city to potential discrimination lawsuits.

"The truth is that I am a man of deep faith myself, and we are a city of laws," Reed said in a statement this month. "I believe [Cochran's] actions and decision-making undermine his ability to effectively manage a large, diverse workforce.

"Every single employee under the Fire Chief's command deserves the certainty that he or she is a valued member of the team and that fairness and respect guide employment decisions. His actions and his statements during the investigation and his suspension have eroded my confidence in his ability to convey that message."

The Atlanta Professional Firefighters union, Local 134, commended Reed's decision and issued a statement affirming its support for "LGBT rights and equality among all employees."

Jeff Graham, the executive director of Georgia Equality, also said he backed the chief's termination: "Many people felt that the comments he had made presented a very uncomfortable and hostile work environment," he said.

However, Cochran said in his complaint that the city's investigation revealed "zero instances of discrimination by me against any other employee of the City." He claims his termination "arose due to the content of my book and the fact that I attempt to conduct myself in accordance with my religious convictions at all times, even when I'm at work."

Since the firing, more than 11,000 of Cochran's supporters have signed a Georgia Baptist Convention petition calling on the Christian community to "stand up for biblical principles and fellow believers who are punished or marginalized for their faith." Nearly 60,000 supporters have signed an American Family Foundation petition thanking Cochran for "standing firm on the principles contained in the Holy Scripture." Several hundred people joined Cochran at a rally at the Georgia State Capitol on Jan. 13 calling for his reinstatement.

Cochran's firing has also revived efforts among state legislators to draft a new religious freedom law, which supporters said would protect Georgians' religious expression from government intrusion.

The bill would apply only to government, not businesses, and would provide Georgians with the same protections provided by the federal Religious Freedom Restoration Act, signed by President Clinton in 1993. Eighteen states have passed similar laws.

Mark Goldfeder, a law professor at Emory University and director of its law and religion student program, said it was too early to decide whether Cochran had a strong legal case against the city. If Cochran did not follow official city protocol, as the mayor's office claims, he said there could be reasonable grounds for dismissal.

“The media is painting two very different pictures, one of a man who was fired for his religious beliefs, which should never happen, and another of a man who was distributing literature and making people uncomfortable at work, who then refused to obey the rules while the city tried to investigate,” he said.

Goldfeder noted that Americans have the right to express their personal beliefs and Title VII requires reasonable accommodations for doing so in the workplace. “But what it doesn't protect is imposing your beliefs on somebody else or making people feel uncomfortable.”

A spokesman for the city would not comment on Cochran's religious discrimination complaint, other than to release a brief statement: “We intend to defend the Mayor's decision vigorously, whether through the EEOC administrative process or in any other appropriate forum.”

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