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RESEARCH THAT MATTERS

PUBLIC ATTITUDES TOWARD THE USE OF RELIGIOUS BELIEFS TO DISCRIMINATE AGAINST LGBTQ PEOPLE

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Christy Mallory
Ilan H. Meyer
Michelle M. Johns
Christopher Hansen
Stuart Michaels
Sabrina Avripas

EXECUTIVE SUMMARY

Attitudes toward LGBTQ people and LGBTQ rights have become more positive and supportive across the U.S. over time.¹ For example, support for marriage equality has grown from around 30% to over 70% in the past 20 years.² Despite growing public support, legislatures have increasingly considered bills to restrict LGBTQ rights, and courts have been asked to narrow the scope of existing protections.³ One area of recent focus has been whether businesses, medical professionals, and employers should be allowed to deny services or employment to LGBTQ people based on these entities' religious beliefs.

In this report, we describe the public's attitudes toward allowing businesses, medical professionals, and employers to use religious beliefs to deny services and employment to LGBTQ people. Our data comes from a survey of a nationally representative sample of 1,003 U.S. adults conducted in September 2022.

KEY FINDINGS

Most Americans oppose the use of religious beliefs to deny business services, medical care, and employment to LGBTQ people.

- 84% of respondents opposed allowing medical professionals to withhold care from an LGBTQ person based on religious beliefs.
- 74% of respondents opposed allowing employers to discriminate against LGBTQ people in hiring based on religious beliefs.
- 71% of respondents opposed allowing businesses to deny service to LGBTQ people based on religious beliefs.

Women were more likely than men to oppose the use of religious beliefs to deny business services, medical care, and employment to LGBTQ people. However, over two-thirds of men opposed the use of religious beliefs to discriminate against LGBTQ people.

People of color were generally more likely than white respondents to oppose the use of religious beliefs to deny business services, medical care, and employment to LGBTQ people.

- Over 80% of Black respondents opposed the use of religious beliefs to discriminate against LGBTQ people across all three domains.
- White respondents were the least likely to oppose the use of religious beliefs to deny business services (68%) and employment (71%) compared to people of other races and ethnicities.

¹ See, e.g., Tina Fetner, *U.S. Attitudes Toward Lesbian and Gay People are Better than Ever*, 15 CONTEXTS 20 (2016); ANDREW R. FLORES, WILLIAMS INST. NATIONAL TRENDS IN PUBLIC OPINION ON LGBT RIGHTS IN THE US (2014), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Public-Opinion-LGBT-US-Nov-2014.pdf>.

² Pew Research Center, *Attitudes on Same-Sex Marriage*, May 14, 2019, <https://www.pewresearch.org/religion/fact-sheet/changing-attitudes-on-gay-marriage/>; Press Release, NORC at U. Chi., Majorities of U.S. Adults Oppose anti-LGBTQ Laws, Dec. 7, 2022, <https://www.norc.org/NewsEventsPublications/PressReleases/Pages/majorities-of-u-s-adults-oppose-anti-lgbtq-laws.aspx>.

³ ACLU, *Mapping Attacks on LGBTQ Rights in U.S. State Legislatures*, <https://www.aclu.org/legislative-attacks-on-lgbtq-rights> (last visited May 9, 2023); *Masterpiece Cakeshop v. Colo. Civ. Rts. Comm.*, 584 U.S. __ (2018); *303 Creative LLC v. Elenis et al.*, 6 F. 4th 1160 (10th Cir. 2021), *cert. granted*, 142 S. Ct. 1106 (2022).

- In each racial ethnic group, the majority of respondents (>80%) opposed allowing medical professionals to withhold care to LGBTQ people based on religious beliefs.

The majority of respondents across political affiliations opposed the denial of services, medical care, and employment to LGBTQ people based on religious beliefs.

- An overwhelming majority of Democrats consistently opposed the use of religious beliefs to discriminate across all domains (medical care: 92%; business services: 90%; employment: 89%).
- Over half of Republicans opposed the use of religious beliefs to discriminate across all domains (medical care: 71%; business services: 52%; employment: 54%).

A large majority of all religiously affiliated respondents opposed denials of services, medical care, and employment to LGBTQ people based on religious beliefs.

- About two-thirds or more of Catholics and Protestant/Christians opposed the use of religious beliefs to discriminate against LGBTQ people across all three domains.
- Religiosity was related to attitudes towards refusals based on religious beliefs. Respondents who attended religious services more frequently were more likely than those who attended less frequently to support denials of services, medical care, and employment to LGBTQ people based on religious beliefs.

Knowing someone who is LGBTQ, and the closeness of the relationship, were related to the level of opposition to the use of religious beliefs to deny services, medical care, and employment.

- Respondents with close friends or family members who are LGBTQ were most likely to oppose the use of religious beliefs to discriminate against LGBTQ people (medical care: 86%; business services: 75%; employment: 78%).
- Even among respondents who did not personally know an LGBTQ person, 65% opposed denial of services or employment, and 80% opposed a medical professional denying care to an LGBTQ person.

The survey also asked about attitudes toward other LGBTQ rights, including marriage equality and adoption by same-sex couples, LGBTQ-inclusive non-discrimination protections, conversion therapy, and more. The topline report of our survey results is available on the [NORC at the University of Chicago website](#).

LGBTQ-INCLUSIVE NON-DISCRIMINATION LAWS AND REFUSALS TO SERVE LGBTQ PEOPLE

NON-DISCRIMINATION LAWS

A patchwork of federal, state, and local laws protects many LGBTQ people in the U.S. from discrimination based on their sexual orientation and gender identity in employment, housing, public accommodations, and other settings.

Although federal non-discrimination laws do not explicitly include sexual orientation and gender identity as protected characteristics, several laws that prohibit discrimination based on sex have been interpreted to protect LGBTQ people from discrimination in a range of settings. LGBTQ people across the U.S. are protected from employment discrimination under Title VII of the Civil Rights Act following the U.S. Supreme Court's 2020 decision in *Bostock v. Clayton County*, which interpreted the law's sex non-discrimination provisions to bar discrimination based on sexual orientation and gender identity.⁴ Consistent with the Court's holding, several lower courts and other agencies have interpreted analogous provisions in other federal laws to also prohibit discrimination based on sexual orientation and gender identity.⁵ These interpretations extend non-discrimination protections to LGBTQ people in housing, education, health care, access to benefits, and other settings. However, the reach of some protections has been limited by recent judicial decisions.⁶ Further, despite these protections, no federal law prohibits discrimination in public accommodations (i.e., access to goods and services) based on sex, sexual orientation, or gender identity.⁷

In addition to federal-level protections, 33 states and DC protect LGBTQ people from discrimination based on sexual orientation and/or gender identity under statewide laws or policies.⁸ The state laws and policies vary in terms of areas covered, but most prohibit discrimination in employment, housing, and public accommodations.⁹ Some also prohibit discrimination in education, credit, and other settings.¹⁰

⁴ *Bostock v. Clayton Cnty.*, 590 U.S. __ (2020).

⁵ E.g., Enforcement of Title IX of the Education Amendments of 1972 with Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of *Bostock v. Clayton County*, 86 Fed. R. 32,637 (June 22, 2021); Notification of Interpretation and Enforcement of Section 1557 of the Affordable Care Act and Title IX of the Education Amendments of 1972, 86 Fed. R. 27885 (May 25, 2021); USDA, Policy Memo, CRD 01-2022, Application of *Bostock v. Clayton County* to Program Discrimination Complaint Processing – Policy Update, May 5, 2022; *Grimm v. Gloucester Cnty. Sch. Bd.*, 972 F.3d 586 (4th Cir. 2020); *Adams v. Sch. Bd. of St. Johns Cnty.*, 968 F.3d 1286 (11th Cir. 2020).

⁶ E.g., *Tenn. v. U.S. Dep't of Educ.*, No. 3:21-cv-308 (E.D. Tenn. July 15, 2022).

⁷ See Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d-2000d-7 (2022).

⁸ Movement Advancement Project, State Nondiscrimination Laws: Employment, <https://www.lgbtmap.org/img/maps/citations-nondisc-employment.pdf> (last visited Apr. 5, 2023).

⁹ Movement Advancement Project, Equality Maps, <https://www.lgbtmap.org/equality-maps> (last visited Apr. 5, 2023) (Select Choose Issue, Select Nondiscrimination by area).

¹⁰ *Id.*

DENIALS OF SERVICE TO LGBTQ PEOPLE BASED ON RELIGIOUS BELIEFS

In recent years, private businesses, employers, and service providers have sought exemptions from non-discrimination laws that protect LGBTQ people based on these entities' religious beliefs.¹¹ In these cases, the religious objectors generally argue that complying with LGBTQ non-discrimination laws violates their constitutional rights to free speech and free exercise of religion, or burdens their religious exercise in violation of the Religious Freedom Restoration Act.¹² Many of these cases have involved denials of wedding-related services for same-sex couples. For example, a flower shop in Washington refused to sell flowers to a same-sex couple for their wedding, a videography business in Minnesota sought to create wedding videos only for different-sex couples, and a bakery in Colorado refused to sell a wedding cake to a same-sex couple.¹³ In its 2022 term, the Supreme Court is reviewing a case brought by a website designer seeking an exemption from Colorado's non-discrimination law (*303 Creative v. Elenis*).¹⁴ In *303 Creative*, the website designer objects to serving same-sex couples based on her religious beliefs and argues that enforcement of Colorado's non-discrimination law, which prohibits discrimination based on sexual orientation, would violate her right to free speech under the U.S. Constitution. While the case is a challenge to a specific application of Colorado's non-discrimination statute, the decision could have implications for LGBTQ rights nationwide.¹⁵

In addition to lawsuits filed by entities seeking specific exemptions, some state legislatures have passed bills that allow certain types of businesses and service providers to deny services to LGBTQ people based on religious beliefs.¹⁶ The most common form of these laws specifically allow child welfare service providers to refuse to provide services to LGBTQ people based on their religious beliefs (13 states).¹⁷ In addition, nine states have laws that allow medical professionals to decline to serve LGBTQ people based on religious beliefs, and two states have laws that allow private businesses to deny wedding-related services to same-sex couples. One state, Mississippi, has a broad law that also allows employers and landlords or other housing providers to discriminate against LGBTQ people based on religious beliefs.¹⁸ In addition, 25 states have laws similar to the federal Religious

¹¹ See Netta Barak-Corren, *A License to Discriminate? The Market Response to Masterpiece Cakeshop*, 56 HARV. C.R.-C.L. L. REV. 315 (2021).

¹² *Fulton v. City of Philadelphia*, 593 U.S. __ (2021); *Masterpiece Cakeshop v. Colo. Civ. Rts. Comm.*, 584 U.S. __ (2018); *Telescope Media Group v. Lucero*, 936 F.3d 740 (8th Cir. 2019); *State v. Arlene's Flowers, Inc.*, 441 P.3d 1203 (Wash. 2019); *Elane Photography v. Willock*, 309 P.3d 53 (N.M. 2013).

¹³ *Masterpiece Cakeshop v. Colo. Civ. Rts. Comm.*, 584 U.S. __ (2018); *Telescope Media Group v. Lucero*, 936 F.3d 740 (8th Cir. 2019); *State v. Arlene's Flowers, Inc.*, 441 P.3d 1203 (Wash. 2019).

¹⁴ *303 Creative LLC v. Elenis et al.*, 6 F. 4th 1160 (10th Cir. 2021), *cert. granted*, 142 S. Ct. 1106 (2022).

¹⁵ Over the past few terms, the Supreme Court has heard other cases involving the application of state and local non-discrimination laws to entities that refuse to serve LGBTQ people or same-sex couples. Both of these cases were decided in favor of the religious objectors on relatively narrow grounds, and, as such, have not broadly affected the scope and application of LGBTQ non-discrimination protections.

¹⁶ HUMAN RIGHTS WATCH, "ALL WE WANT IS EQUALITY": RELIGIOUS EXEMPTIONS AND DISCRIMINATION AGAINST LGBT PEOPLE IN THE UNITED STATES (2018).

¹⁷ Movement Advancement Project, Religious Exemption Laws: Service Refusals, https://www.lgbtmap.org/equality-maps/religious_exemption_laws/religious_exemption (last visited June 5, 2023).

¹⁸ Miss. H.B. 1523, 2016 Reg. Sess. (Miss. 2016).

Freedom Restoration Act.¹⁹ These laws do not provide blanket exemptions to non-discrimination laws for private businesses and service providers, but in some cases allow these entities to assert that the government's enforcement of a non-discrimination law substantially burdens their religious exercise, excusing them from liability for discrimination.²⁰

¹⁹ Movement Advancement Project, Religious Exemption Laws: Broad Exemptions, https://www.lgbtmap.org/equality-maps/religious_exemption_laws (last visited June 5, 2023).

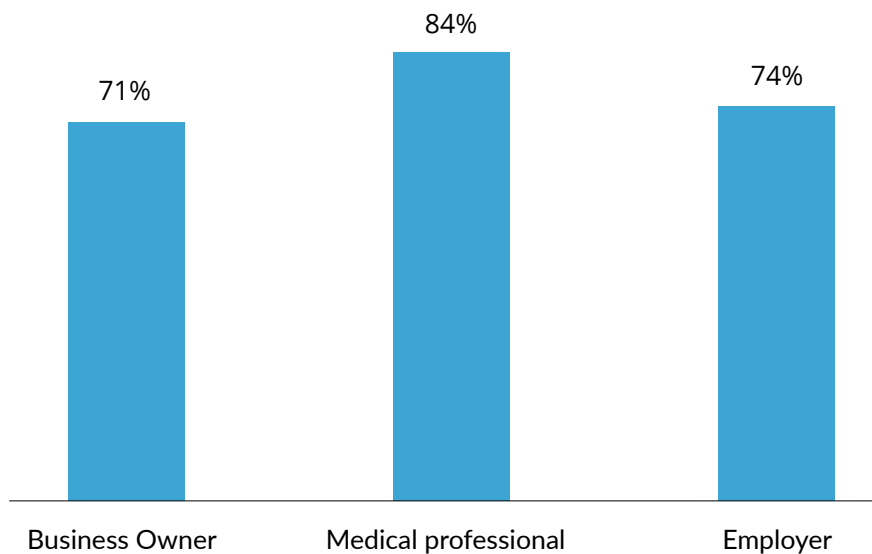
²⁰ Note that most state RFRA, like the prevailing view of the federal RFRA, likely only prohibit the government from taking action that substantially burdens religious exercise, but do not apply to actions of private parties. However, this area of law remains somewhat unsettled. See Kyle C. Velte, *All Fall Down: A Comprehensive Approach to Defeating the Religious Right's Challenges to Antidiscrimination Statutes*, 49 CONN. L. REV. 1 (2016).

MAIN FINDINGS

Results of our 2022 survey of attitudes towards religious exemption laws showed that an overwhelming majority of Americans opposed the use of religious beliefs to deny services, medical care, or employment to LGBTQ people. These results are based on data collected in September 2022 using AmeriSpeak®, NORC's probability-based panel designed to be representative of the U.S. household population. Table 1 summarizes the results for the sample of 1,003 adults. Data were weighted to reflect the U.S. population of adults ages 18 and over.

A clear majority of respondents opposed the use of religious beliefs to discriminate against LGBTQ people across all three domains. Specifically, 84% of respondents opposed allowing medical professionals to withhold care from an LGBTQ person based on religious beliefs; 74% of respondents opposed allowing employers to discriminate against LGBTQ people based on religious beliefs; and 71% opposed allowing businesses to deny service to LGBTQ people based on religious beliefs.

Figure 1. Americans opposed to allowing entities to deny services, medical care, or employment to LGBTQ people based on religious beliefs by domain (N=1,003 adults in a U.S. representative sample)



The level of opposition to denying services, medical care, or employment based on religious beliefs across the three domains was comparable to (or even higher than) other items in the survey asking about attitudes toward LGBTQ rights. For example, 72% of respondents favored allowing same-sex couples to marry, 71% favored allowing same-sex couples to legally adopt, and 76% favored civil rights laws protecting LGBTQ people against discrimination in jobs, public services, and housing.²¹

A majority of respondents expressed support for fair and equitable treatment of LGBTQ people, despite increased efforts to permit discrimination against LGBTQ people through lawsuits and legislation and increased focus on these issues in the media and public debate.

²¹ Press Release, NORC at U. Chi., Majorities of U.S. Adults Oppose anti-LGBTQ Laws, Dec. 7, 2022, <https://www.norc.org/NewsEventsPublications/PressReleases/Pages/majorities-of-u-s-adults-oppose-anti-lgbtq-laws.aspx>.

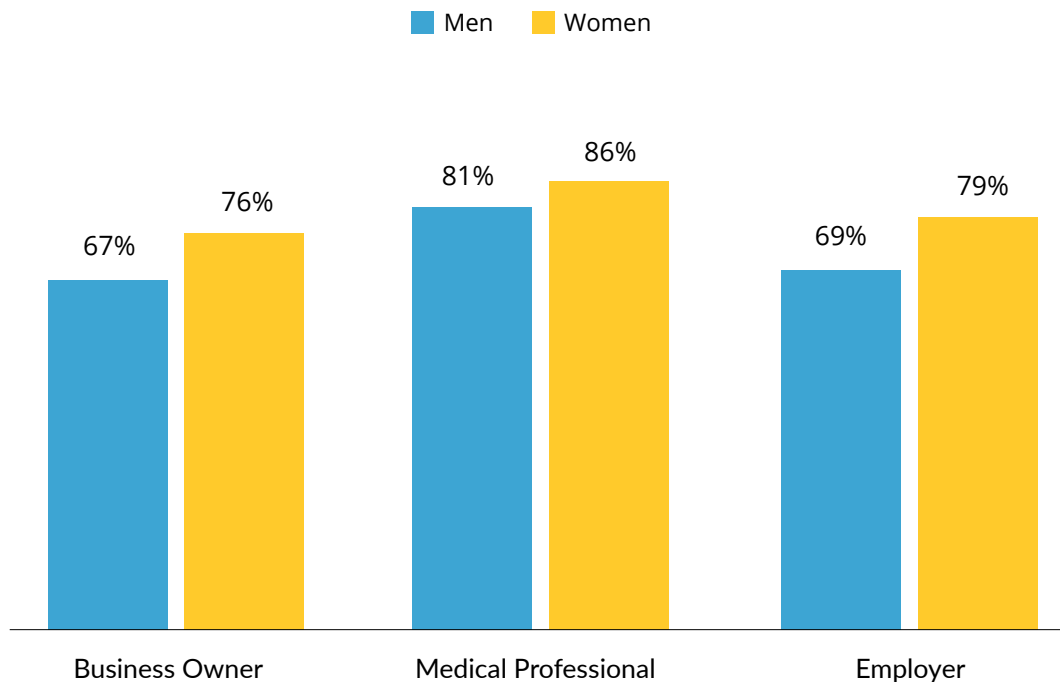
Although we found clear support for LGBTQ protections across all groups of respondents, there were some differences in responses to these items by demographic (sex/gender, race/ethnicity) and other characteristics of respondents (party affiliation, religion, and religious attendance). Accompanying analytic tables are included in Appendix A. Ninety-five percent confidence intervals were compared between groups to assess statistical significance.

DEMOGRAPHICS

Gender: Men and women generally opposed the denial of services, medical care, and employment to LGBTQ people based on religious beliefs; however, a larger majority of women were opposed. Women’s opposition to allowing employers and businesses to deny services was about 10 percentage points greater than men’s. Men and women were closest in overwhelming opposition to the denial of medical care. Despite lower levels of support among men compared to women, a strong majority of men (at least two-thirds) were opposed to allowing discrimination against LGBTQ people based on religious beliefs across all domains.

Our findings are consistent with extensive and longstanding research showing that women have more positive attitudes toward LGBTQ people and civil rights.²²

Figure 2. Americans opposed to allowing entities to deny services, medical care, or employment to LGBTQ people based on religious beliefs by domain and gender (N=1,003 adults in a U.S. representative sample)



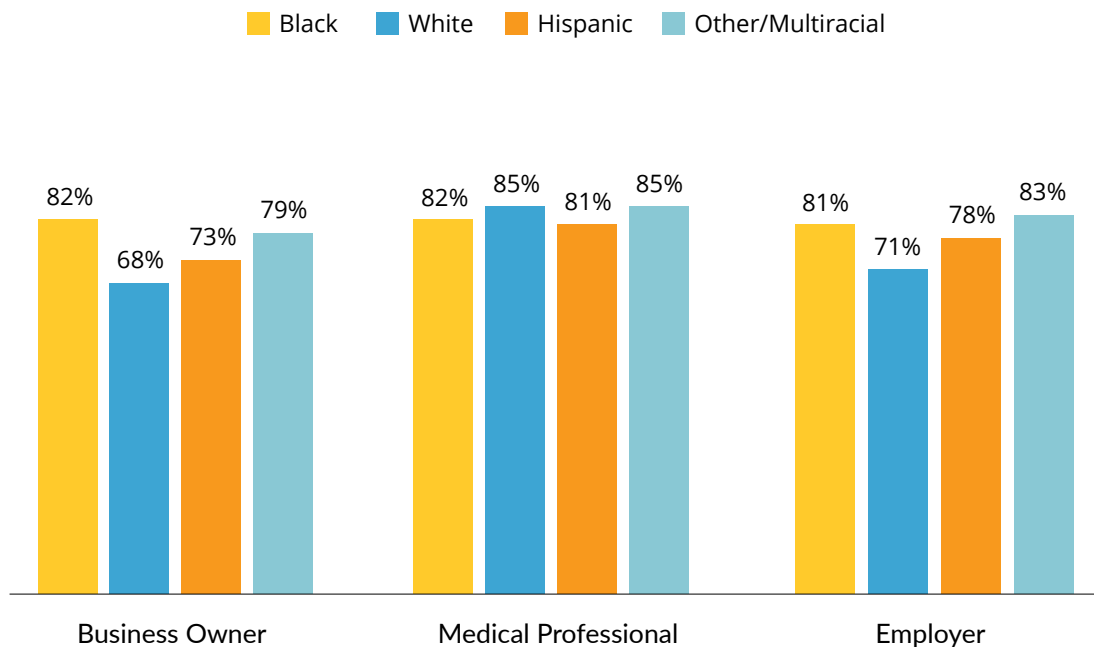
²² Mary E. Kite & Bernard E. Whitley, Jr., *Sex Differences in Attitudes Toward Homosexual Persons, Behaviors, and Civil Rights: A Meta-Analysis*, 22 *PERSONALITY & SOCIAL PSYCHOL. BULL.* 336 (1996); Gregory M. Herek, *Gender Gaps in Public Opinion about Lesbians and Gay Men*, 66 *PUB. OP. Q.* 40 (2002); Gregory M. Herek & Kevin A. McLemore, *Sexual Prejudice*, 64 *ANN. REV. PSYCH.* 309 (2013); Andrew R. Flores, Christy Mallory & Kerith J. Conron, *Public Attitudes about Emergent Issues in LGBTQ Rights: Conversion Therapy and Religious Refusals*, 7 *RESEARCH & POLITICS* 1 (2020).

Race/ethnicity: The sample included 62% White respondents, 17% Hispanic respondents, 12% Black respondents, and 9% of another or multiple races/ethnicities.

A majority of respondents across all racial and ethnic groups opposed the denial of services, medical care, and employment to LGBTQ people based on religious beliefs. The greatest proportion of respondents from all racial and ethnic groups expressed opposition to the denial of medical care. In fact, in terms of medical care, there was no significant difference in opposition by race/ethnicity. In terms of the denial of business services or employment, people of color were more likely to oppose denials based on religious beliefs than White people. About 10% more Black respondents, Hispanic respondents, and respondents who identified as another race or multiracial opposed allowing employers to discriminate against LGBTQ people than White respondents.

Similar to our findings, prior research has found that people of color are more likely than White respondents to oppose allowing businesses to discriminate against LGBTQ people based on religious beliefs.²³

Figure 3. Americans opposed to allowing entities to deny services, medical care, or employment to LGBTQ people based on religious beliefs by domain and race/ethnicity (N=1,003 adults in a U.S. representative sample)



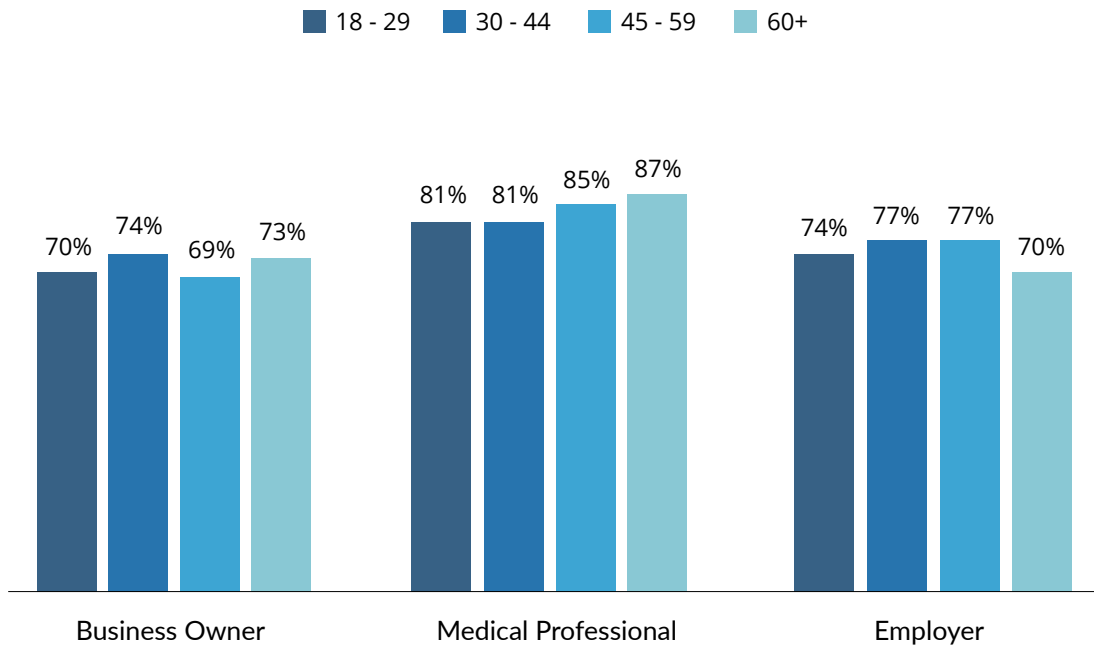
Age: The sample included about 20% of respondents ages 18 to 29, 26% ages 30 to 44, 24% ages 45 to 59, and 30% of respondents ages 60 and older.

There were no significant differences by age in opposition to denial of services, medical care, or employment based on religious beliefs. Our findings differ from prior research on attitudes towards

²³ MELISSA DECKMAN ET AL., PRRI, MORE ACCEPTANCE BUT GROWING POLARIZATION ON LGBTQ RIGHTS 14 (2023), <https://www.prii.org/wp-content/uploads/2023/03/PRRI-Mar-2023-LGBTQ-FINAL.pdf>.

religious refusals and other measures of attitudes toward LGBTQ rights where younger respondents tend to hold more supportive attitudes than older respondents.²⁴

Figure 4. Americans opposed to allowing entities to deny services, medical care, or employment to LGBTQ people based on religious beliefs by domain and age group (N=1,003 adults in a U.S. representative sample)



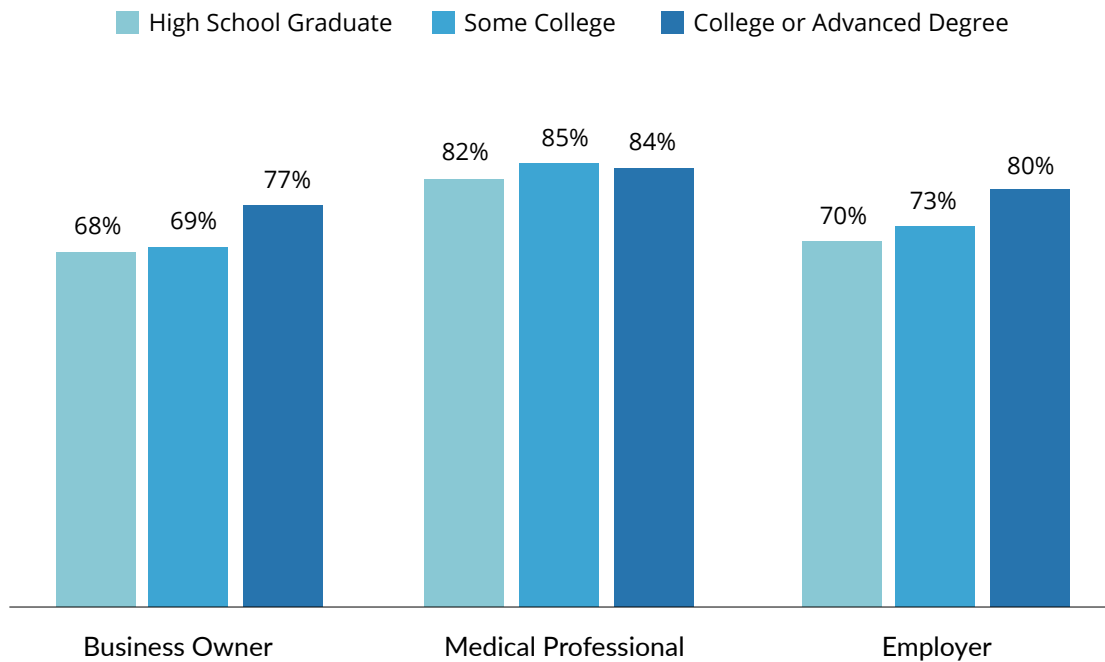
Educational attainment: About one-third of the sample had a bachelor's degree or above (35%), less than a third had completed some college or associate degree (26%), and over a third had a high school degree or below (39%).

Similar to the findings by gender and race/ethnicity, there was strong opposition to the denial of services, medical care, and employment based on religious beliefs across all levels of educational attainment. Our findings are consistent with prior research finding strong opposition to allowing businesses to discriminate against LGBTQ people based on religious beliefs across levels of education.²⁵

²⁴ DANIEL COX, JUHEM NAVARRO-RIVERA & ROBERT P. JONES, PRRI, A SHIFTING LANDSCAPE: A DECADE OF CHANGE IN AMERICAN ATTITUDES ABOUT SAME-SEX MARRIAGE AND LGBT ISSUES (2003), https://www.prri.org/wp-content/uploads/2014/02/2014.LGBT_REPORT-1.pdf; DECKMAN ET AL., *supra* note 24.

²⁵ DECKMAN ET AL., *supra* note 24; Flores, Mallory & Conron, *supra* note 23.

Figure 5. Americans opposed to allowing entities to deny services, medical care, or employment to LGBTQ people based on religious beliefs by domain and educational attainment (N=1,003 adults in a U.S. representative sample)



Party affiliation: Over one-third of the sample were Democrats, about one-quarter identified as Republican, one-quarter identified as Independent, and about 15% did not identify as any of the three-party affiliations.²⁶

Our results point to party affiliation having a very strong relationship to attitudes towards denials of services, medical care, or employment based on religious beliefs. However, the majority of respondents across political affiliations opposed the use of religious beliefs to discriminate against LGBTQ people.

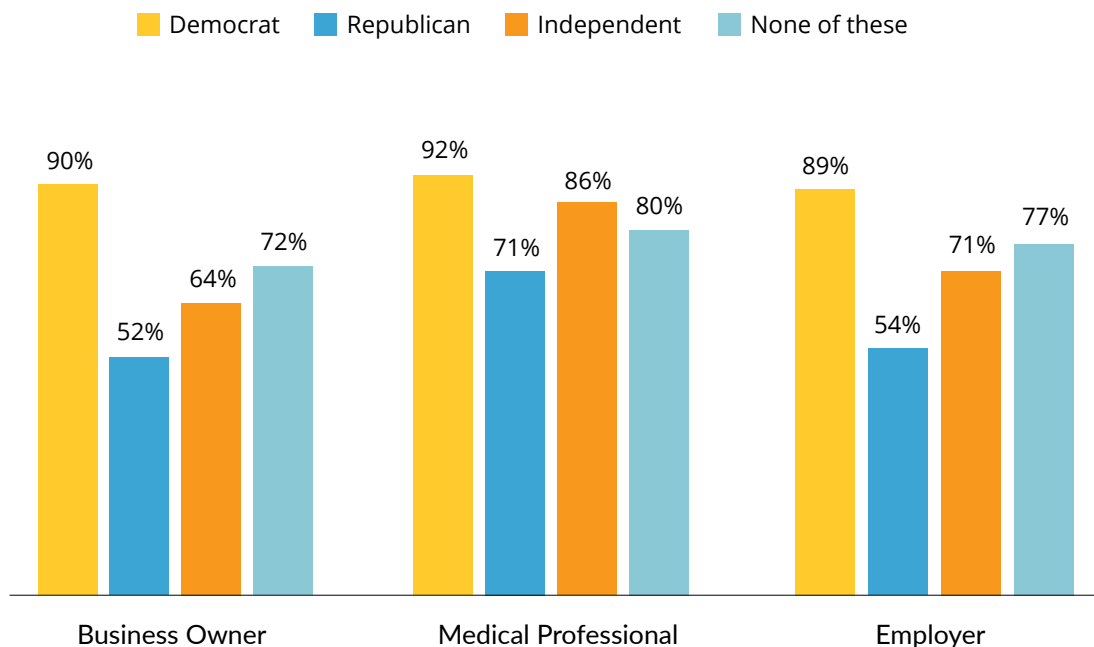
An overwhelming majority of Democrats consistently opposed the use of religious beliefs to discriminate against LGBTQ people across all domains (medical care 92%, business services 90%, employment 89%). Most Republicans also opposed the denial of services, medical care, and employment to LGBTQ people based on religious beliefs, though to a lesser degree than Democrats. Independents and respondents who did not choose among these political affiliations expressed opposition at proportions in between those who identified with the Democratic and Republican parties.

Our findings are consistent with prior research finding that Democrats are most strongly opposed to allowing businesses to discriminate against LGBTQ people based on religious beliefs, followed by Independents and Republicans.²⁷

²⁶ In the AmeriSpeak® survey, political affiliation is measured by the question “Do you consider yourself a Democrat, a Republican, an Independent, or none of these?”

²⁷ DECKMAN ET AL., *supra* note 24; Flores, Mallory & Conron, *supra* note 23.

Figure 6. Americans opposed to allowing entities to deny services, medical care, or employment to LGBTQ people based on religious beliefs by domain and party affiliation (N=1,003 adults in a U.S. representative sample)



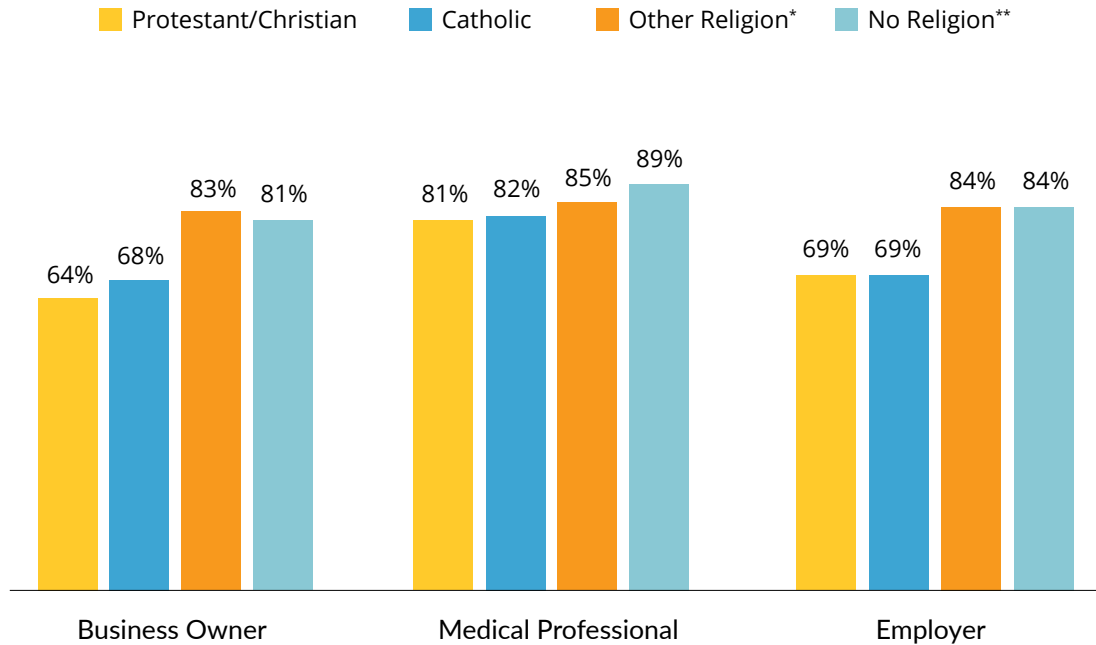
Religious affiliation: Respondents were placed into four overarching religious affiliation groups: Protestant/Christian (about 42%), Catholic (about 20%), Other Religion (about 8%), and No Religion (about 31%).²⁸ A large majority of respondents across all four groups opposed allowing denials of services, medical care, and employment to LGBTQ people based on religious beliefs. These majorities were smaller for Protestants/Christians (a single combined category) and Catholics than people in the Other Religion or No Religion groups, but still about two-thirds or more of Protestants/Christians and Catholics opposed denials across all domains. Protestants/Christians and Catholics were most similar to the Other Religion and No Religion groups in their opposition to denials of medical care, and departed from these groups in the domains of business services and employment.

Our findings are consistent with prior research showing that majorities of people across most religious groups oppose allowing businesses to discriminate against LGBTQ people based on religious beliefs.²⁹

²⁸ Respondents were placed in religious groups based on their response to the question “What is your present religion, if any?”

²⁹ DECKMAN ET AL., *supra* note 24.

Figure 7. Americans opposed to allowing entities to deny services, medical care, or employment to LGBTQ people based on religious beliefs by domain and religious affiliation (N=1,003 adults in a U.S. representative sample)



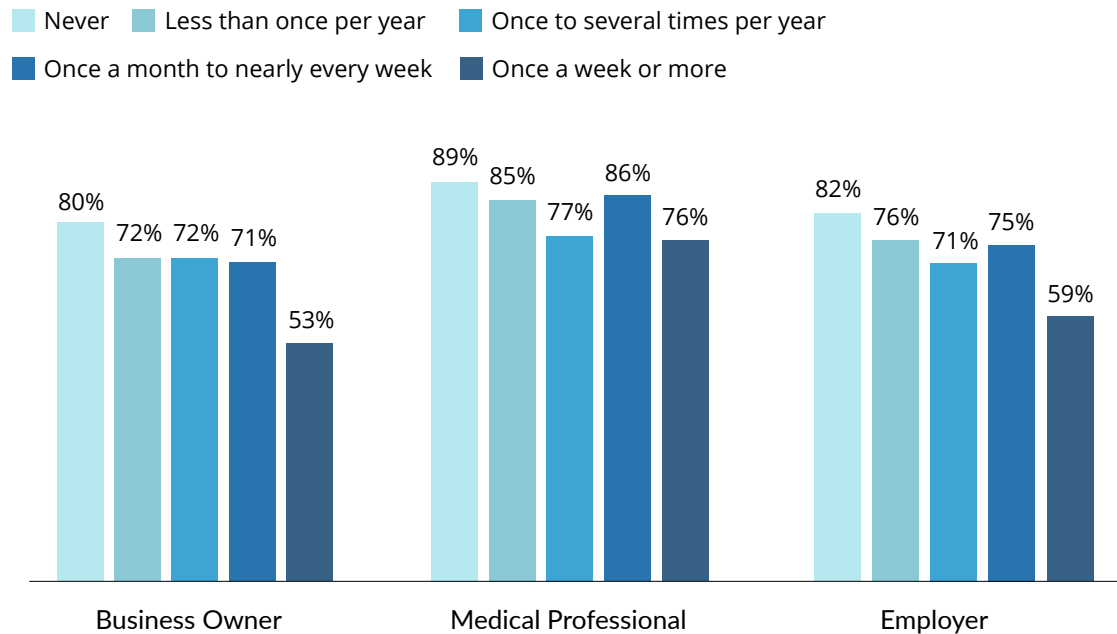
*includes Mormon, Orthodox, Muslim, Jewish, Buddhist, Hindu, Unitarian, and "Something else"

**Includes Atheist, Agnostic, and "Nothing in particular"

Religious attendance: Respondents were placed into five groups based on how often they attend religious services, including never attend (about 37%), attend less than once per year (about 17%), attend one or twice a year to several times a year (about 17%), attend about once a month to nearly every week (about 13%), and attend once a week or more (about 15%).³⁰ Notably, even among those who most frequently attended religious services, the majority opposed the use of religious beliefs to deny services, medical care, or employment to LGBTQ people. However, we did find a strong relationship between religious attendance and attitudes toward religious refusals: those who attended religious services more frequently were more likely than those who attended less frequently to favor denial of services, medical care, or employment to an LGBTQ person based on religious beliefs.

³⁰ Religiosity was measured by respondents' answer to the question, "How often do you attend religious services?". This question was asked independent of their religious affiliation.

Figure 8. Americans opposed to allowing entities to deny services, medical care, or employment to LGBTQ people based on religious beliefs by domain and frequency of attending religious services (N=1,003 adults in a U.S. representative sample)



Familiarity with LGBTQ people: Respondents were placed in three groups based on their familiarity with LGBTQ people: respondents who reported not knowing anyone who is LGBTQ (about 15%), respondents who had at least one LGBTQ acquaintance (about 11%), and respondents who had at least one close friend or family member who was LGBTQ (about 73%).³¹

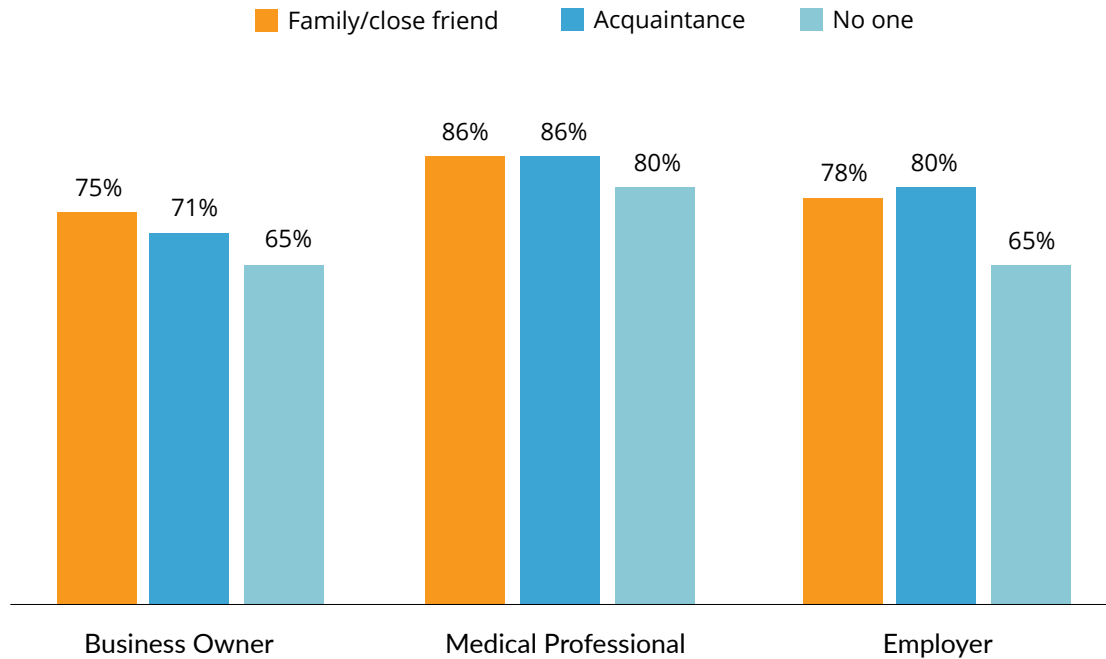
Knowing someone who is LGBTQ and the closeness of the relationship were related to the level of opposition to the use of religious beliefs to deny services, medical care, and employment. Even among respondents who did not personally know an LGBTQ person, 65% opposed denial of services or employment, and 80% opposed a medical professional denying care to an LGBTQ person based on religious beliefs. Respondents who know someone who is LGBTQ were overwhelmingly opposed to the use of religious beliefs to deny services (about 86% opposed for medical care, 75% opposed for business services) and employment (about 78% opposed).

Our findings are consistent with other research that has shown that knowing LGBTQ people positively affects attitudes toward the treatment and rights of LGBTQ people.³²

³¹ We asked a series of questions about the number of LGBTQ people respondents knew as acquaintances, close friends, and family to create a single variable measuring knowing any LGBTQ person or people by the type of relationship.

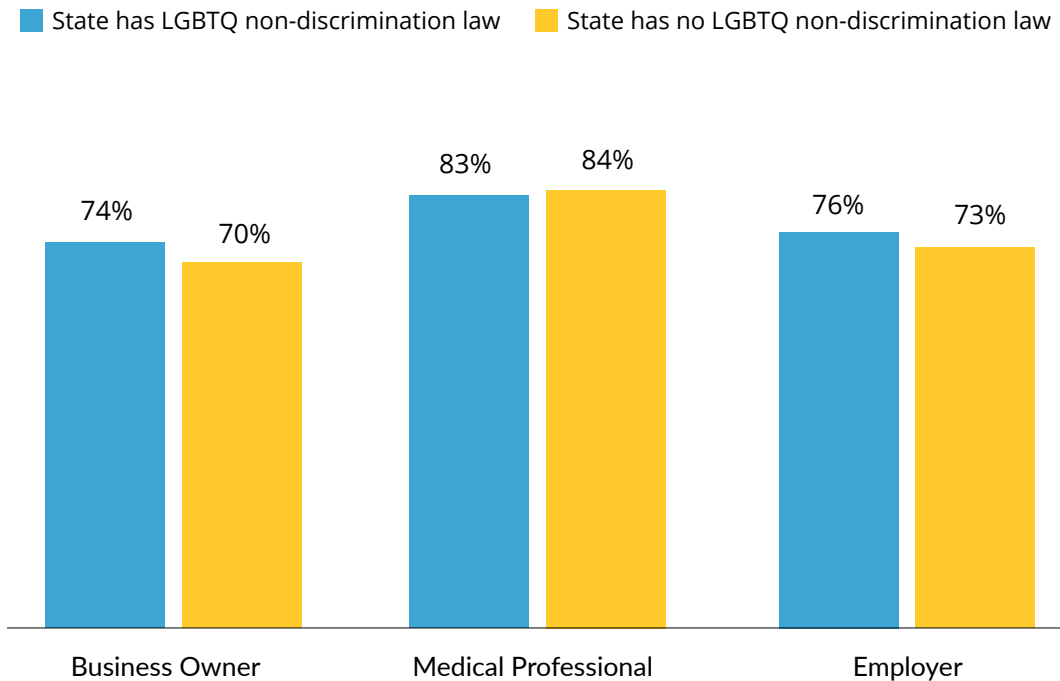
³² Gregory M. Herek & Eric K. Glunt, *Interpersonal Contact and Heterosexuals' Attitudes toward Gay Men: Results from a National Survey*, 30 *J. Sex Research* 239 (1993); Gregory M. Herek & John P. Capitanio, "Some of My Best Friends": *Intergroup Contact, Concealable Stigma, and Heterosexuals' Attitudes toward Gay Men and Lesbians*, 22 *Personality & Social Psychol. Bull.* 412 (1996); Daniel C. Lewis et al., *Degrees of Acceptance: Variation in Public Attitudes toward Segments of the LGBT Community*, 70 *Pol. Res. Q.* 861 (2017); Flores, Mallory & Conron, *supra* note 23.

Figure 9. Americans opposed to allowing entities to deny services, medical care, or employment to LGBTQ people based on religious beliefs by domain and familiarity with an LGBTQ person (N=1,003 adults in a U.S. representative sample)



Legal landscape: To investigate whether the state legal landscape for LGBTQ people is related to attitudes, we grouped respondents based on whether they currently live in a state that has a statute that expressly prohibits sexual orientation and gender identity discrimination in employment, housing, and public accommodations. We find very little difference in attitudes toward use of religious objections to deny services, medical care, and employment, though there is a slight tendency for people in states with a law against discrimination to be more opposed to religious refusals (however these differences are not statistically significant). Majorities of respondents in both groups of states opposed the use of religious beliefs to deny services, medical care, and employment to LGBTQ people.

Figure 10. Americans opposed to allowing entities to deny services, medical care, or employment to LGBTQ people based on religious beliefs by domain and geopolitical context (N=1,003 adults in a U.S. representative sample)



METHODS

This survey was conducted and funded by NORC at the University of Chicago in partnership with the Williams Institute at the University of California Los Angeles. Data were collected using the AmeriSpeak® Omnibus, a biweekly multi-client survey using NORC's probability-based panel designed to be representative of the U.S. household population. The survey was part of a larger study that included questions about other topics not included in this report. During the initial recruitment phase of the panel, randomly selected U.S. households were sampled with a known, non-zero probability of selection from the NORC National Sample Frame and then contacted by U.S. mail, email, telephone, and field interviewers (face-to-face). The panel provides sample coverage of approximately 97 percent of the U.S. household population. Those excluded from the sample include people with P.O. Box-only addresses, some addresses not listed in the USPS Delivery Sequence File, and some newly constructed dwellings.

Interviews for this survey were conducted in English between September 9 and September 12, 2022, with adults aged 18 and over representing the 50 states and the District of Columbia. Panel members were randomly drawn from the AmeriSpeak panel. Panel members were invited by email or by phone from a NORC telephone interviewer. Respondents were offered a small monetary incentive for completing the survey. The overall margin of sampling error is +/- 4.0 percentage points at the 95 percent confidence level, including the design effect. The margin of sampling error may be higher for subgroups. Sampling error is only one of many potential sources of error, and there may be other unmeasured errors in this or any other survey.

To assess the level of support and opposition to exempting businesses, employers, and medical professionals from antidiscrimination statutes on the basis of religious objections, we asked the three questions below. Question order was randomized by screen to reduce potential measurement error associated with context effects (see Appendix B).

Do you strongly favor, favor, oppose, or strongly oppose each of the following?

- A. Allowing a business owner with a religious objection to deny service to an LGBTQ person.
- B. Allowing a medical professional with a religious objection to withhold medical care from an LGBTQ person.
- C. Allowing an employer with a religious objection to refuse to hire an LGBTQ person.

Quality assurance checks were conducted to ensure data quality. Interviews were removed for respondents who answered less than half of the questions, for those completing the survey in less than one-third the median interview time for the full sample, or for “straight-lining” all grid questions asked of them (i.e., checking the same answer for every item in the grid). These interviews were excluded from the data file prior to weighting. Overall, 1,003 respondents completed the survey—946 via the web and 57 by telephone.

Once the sample was selected and fielded, and all the study data were collected and made final, a poststratification process was used to adjust for any survey nonresponse and any noncoverage or under- and oversampling resulting from the study-specific sample design. Poststratification variables included age, gender, census division, race/ethnicity, and education. Weighting variables were obtained from the 2022 Current Population Survey. The weighted data reflect the U.S. population of adults aged 18 and over. Additional information on the AmeriSpeak® Panel methodology is available online at <https://amerispeak.norc.org/content/dam/amerispeak/research/pdf/AmeriSpeak%20Technical%20Overview%202019%2002%2018.pdf>.

CONCLUSION

The results of this survey show that the majority of Americans oppose the use of religious beliefs to deny services, medical care, and employment to LGBTQ people. Although there were some differences in the degree of opposition by demographic characteristics—such as gender, race, political party affiliation, religious service attendance, and religiosity—in all segments of the American public, we found majorities expressing opposition to the use of religious beliefs to discriminate against LGBTQ people.

These findings echo 2019 research published by Flores and colleagues,³³ which found similar majorities of Americans opposing use of religious beliefs to deny services or employment to LGBTQ people. The percent of Americans in opposition to religious exemptions appears to have slightly increased in the intervening three years, which may point to increasing public support for LGBTQ people and greater acceptance of LGBTQ non-discrimination protections. Given the prior trajectories of increasing support for LGBTQ civil rights generally, and a dramatic increase in support for marriage equality from about 30% to over 70% in the past 20 years,³⁴ it is perhaps unsurprising that attitudes towards religious objections see similar movement.

These results warrant consideration alongside recent and ongoing efforts by some private businesses, employers, and service providers to seek exemptions from non-discrimination laws that protect LGBTQ people³⁵ as well as efforts by state legislatures to pass bills allowing certain types of businesses and service providers to deny services to LGBTQ people based on religious beliefs.³⁶ Such policy shifts are largely out of alignment with the majority of Americans' support for LGBTQ-inclusive and widely applicable non-discrimination laws.

³³ Andrew R. Flores, Christy Mallory and Kerith J. Conron. Public attitudes about emergent issues in LGBTQ rights: Conversion therapy and religious refusals. *Research & Politics*, October-December 2020: 1-9. 2020.

³⁴ Pew Research Center, Attitudes on Same-Sex Marriage, May 14, 2019, <https://www.pewresearch.org/religion/fact-sheet/changing-attitudes-on-gay-marriage/>; Press Release, NORC at U. Chi., Majorities of U.S. Adults Oppose anti-LGBTQ Laws, Dec. 7, 2022, <https://www.norc.org/NewsEventsPublications/PressReleases/Pages/majorities-of-u-s-adults-oppose-anti-lgbtq-laws.aspx>.

³⁵ See Netta Barak-Corren, *A License to Discriminate? The Market Response to Masterpiece Cakeshop*, 56 HARV. C.R.-C.L. L. REV. 315 (2021).

³⁶ HUMAN RIGHTS WATCH, "ALL WE WANT IS EQUALITY": RELIGIOUS EXEMPTIONS AND DISCRIMINATION AGAINST LGBT PEOPLE IN THE UNITED STATES (2018).

AUTHORS

Williams Institute

Christy Mallory, J.D., is the Renberg Scholar of Law and Legal Director at the Williams Institute.

Ilan H. Meyer, Ph.D., is a Distinguished Senior Scholar for Public Policy at the Williams Institute and Professor Emeritus of Sociomedical Sciences at Columbia University.

NORC at the University of Chicago

Michelle M. Johns, Ph.D., M.P.H., is a Senior Research Scientist at NORC at the University of Chicago and affiliate staff in NORC's Center on Equity Research.

Christopher Hansen, M.A., is a Research Methodologist in the Methodology and Quantitative Social Sciences department at NORC at the University of Chicago and a Ph.D. candidate in sociology at Loyola University Chicago.

Stuart Michaels, Ph.D., is a Senior Research Scientist in The Bridge at NORC at the University of Chicago.

Sabrina Avripas, M.S.W., is a Senior Research Director in the Public Health Department at NORC at the University of Chicago.

ABOUT NORC

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The Williams Institute is dedicated to conducting rigorous, independent research on sexual orientation and gender identity law and public policy. A think tank at UCLA Law, the Williams Institute produces high-quality research with real-world relevance and disseminates it to judges, legislators, policymakers, media, and the public. These studies can be accessed at the Williams Institute website.

FOR MORE INFORMATION

The Williams Institute, UCLA School of Law
Box 951476, Los Angeles, CA 90095-1476
williamsinstitute.law.ucla.edu



APPENDICES

APPENDIX A.

Analytic tables for U.S. attitudes toward the use of religious objections beliefs to justify discrimination against LGBTQ people by demographics

Table 1. Weighted proportions of Americans opposed or in favor of allowing entities to deny services or employment to LGBTQ people based on religious beliefs by domain (N=1,003 adults in a U.S. representative sample)

	OPPOSE % (95% CI)	FAVOR % (95% CI)	DK/NR % (95% CI)
Business Owner	71% (69%, 74%)	25% (22%, 28%)	3% (2%, 5%)
Medical Professional	84% (81%, 86%)	13% (11%, 15%)	4% (3%, 5%)
Employer	74% (72%, 77%)	23% (20%, 25%)	3% (2%, 4%)

Table 2. Weighted proportions of Americans opposed or in favor of allowing entities to deny services or employment to LGBTQ people based on religious beliefs by domain and gender (N=1,003 adults in a U.S. representative sample)

	BUSINESS OWNER % (95% CI)			MEDICAL PROFESSIONAL % (95% CI)			EMPLOYER % (95% CI)		
	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR
Men	67% (63%, 71%)	29% (26%, 34%)	4% (2%, 6%)	81% (77%, 84%)	15% (12%, 19%)	4% (2%, 6%)	69% (65%, 73%)	28% (24%, 32%)	3% (2%, 4%)
Women	76% (72%, 79%)	21% (17%, 24%)	3% (2%, 5%)	86% (83%, 89%)	10% (8%, 13%)	4% (2%, 5%)	79% (76%, 83%)	18% (14%, 21%)	3% (2%, 5%)

Table 3. Weighted proportions of Americans opposed or in favor of allowing entities to deny services or employment to LGBTQ people based on religious beliefs by domain and race/ethnicity (N=1,003 adults in a U.S. representative sample)

	BUSINESS OWNER % (95% CI)			MEDICAL PROFESSIONAL % (95% CI)			EMPLOYER % (95% CI)		
	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR
Black	82% (74%, 88%)	12% (7%, 18%)	6% (3%, 12%)	82% (75%, 89%)	11% (6%, 17%)	7% (3%, 12%)	81% (73%, 87%)	14% (9%, 21%)	5% (2%, 10%)
White	68% (64%, 72%)	29% (25%, 32%)	3% (2%, 5%)	85% (82%, 87%)	12% (10%, 15%)	3% (2%, 5%)	71% (68%, 75%)	26% (23%, 30%)	3% (2%, 4%)
Hispanic	73% (66%, 79%)	23% (17%, 30%)	3% (1%, 7%)	81% (77%, 91%)	16% (11%, 22%)	3% (1%, 7%)	78% (71%, 84%)	19% (15%, 26%)	3% (1%, 7%)
Other/Multiracial	79% (70%, 87%)	20% (13%, 30%)	1% (0%, 5%)	85% (77%, 91%)	13% (7%, 21%)	2% (0%, 7%)	83% (74%, 90%)	16% (9%, 25%)	1% (0%, 5%)

Table 4. Weighted proportions of Americans opposed or in favor of allowing entities to deny services or employment to LGBTQ people based on religious beliefs by domain and age group (N=1,003 adults in a U.S. representative sample)

	BUSINESS OWNER % (95% CI)			MEDICAL PROFESSIONAL % (95% CI)			EMPLOYER % (95% CI)		
	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR
18-29	70% (64%, 76%)	26% (20%, 32%)	4% (2%, 7%)	81% (75%, 86%)	15% (11%, 21%)	4% (2%, 7%)	74% (68%, 80%)	22% (16%, 28%)	4% (2%, 7%)
30-44	74% (68%, 79%)	22% (17%, 27%)	5% (3%, 8%)	81% (76%, 86%)	15% (11%, 19%)	4% (2%, 7%)	77% (72%, 82%)	19% (15%, 24%)	3% (2%, 6%)
45-59	69% (62%, 74%)	28% (23%, 34%)	4% (2%, 7%)	85% (81%, 89%)	11% (7%, 15%)	4% (2%, 7%)	77% (71%, 82%)	21% (16%, 26%)	2% (1%, 5%)
60+	73% (68%, 78%)	25% (20%, 30%)	2% (1%, 4%)	87% (82%, 90%)	10% (7%, 14%)	3% (1%, 5%)	70% (65%, 75%)	27% (22%, 32%)	2% (1%, 4%)

Table 5. Weighted proportions of Americans opposed or in favor of allowing entities to deny services or employment to LGBTQ people based on religious beliefs by domain and educational attainment (N=1,003 adults in a U.S. representative sample)

	BUSINESS OWNER % (95% CI)			MEDICAL PROFESSIONAL % (95% CI)			EMPLOYER % (95% CI)		
	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR
HS grad/-	68% (63%, 72%)	28% (23%, 32%)	4% (2%, 6%)	82% (78%, 86%)	14% (10%, 17%)	4% (2%, 6%)	70% (65%, 74%)	27% (23%, 31%)	3% (2%, 6%)
Some college	69% (63%, 74%)	29% (23%, 34%)	2% (1%, 5%)	85% (81%, 89%)	12% (9%, 16%)	2% (1%, 5%)	73% (68%, 79%)	24% (19%, 30%)	2% (1%, 5%)
BA/+	77% (72%, 81%)	19% (16%, 24%)	4% (2%, 6%)	84% (80%, 88%)	12% (9%, 16%)	4% (2%, 6%)	80% (76%, 84%)	17% (13%, 21%)	3% (2%, 5%)

Table 6. Weighted proportions of Americans opposed or in favor of allowing entities to deny services or employment to LGBTQ people based on religious beliefs by domain and party affiliation (N=1,003 adults in a U.S. representative sample)

	BUSINESS OWNER % (95% CI)			MEDICAL PROFESSIONAL % (95% CI)			EMPLOYER % (95% CI)		
	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR
Republican	52% (46%, 59%)	43% (37%, 50%)	5% (3%, 8%)	71% (65%, 77%)	24% (18%, 29%)	5% (3%, 9%)	54% (48%, 61%)	41% (35%, 48%)	4% (2%, 8%)
Independent	64% (58%, 70%)	35% (29%, 40%)	1% (1%, 4%)	86% (82%, 90%)	12% (8%, 16%)	2% (1%, 4%)	71% (65%, 76%)	28% (23%, 34%)	1% (0%, 3%)
Democrat	90% (86%, 93%)	8% (6%, 11%)	2% (1%, 4%)	92% (89%, 94%)	6% (4%, 9%)	2% (1%, 4%)	89% (85%, 92%)	9% (6%, 12%)	2% (1%, 4%)
None of these	72% (64%, 78%)	22% (16%, 29%)	6% (3%, 11%)	80% (73%, 86%)	14% (9%, 19%)	6% (3%, 11%)	77% (70%, 83%)	18% (12%, 24%)	5% (3%, 10%)

Table 7. Weighted proportions of Americans opposed or in favor of allowing entities to deny services or employment to LGBTQ people based on religious beliefs by domain and religious affiliation (N=1,003 adults in a U.S. representative sample)

	BUSINESS OWNER % (95% CI)			MEDICAL PROFESSIONAL % (95% CI)			EMPLOYER % (95% CI)		
	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR
Protestant/Christian	64% (60%, 69%)	31% (26%, 35%)	5% (3%, 8%)	81% (77%, 85%)	13% (10%, 17%)	6% (4%, 8%)	69% (64%, 73%)	27% (23%, 31%)	5% (3%, 7%)
Catholic	68% (61%, 74%)	29% (23%, 36%)	3% (1%, 6%)	82% (76%, 87%)	15% (11%, 20%)	3% (1%, 6%)	69% (63%, 76%)	28% (22%, 35%)	3% (1%, 6%)
Other religion*	83% (73%, 90%)	16% (9%, 25%)	0% (0%, 3%)	85% (76%, 92%)	12% (6%, 21%)	3% (1%, 8%)	84% (75%, 91%)	16% (9%, 25%)	0% (N/A)
No religion**	81% (77%, 85%)	17% (13%, 22%)	1% (0%, 3%)	89% (85%, 92%)	11% (7%, 14%)	1% (0%, 3%)	84% (79%, 88%)	15% (12%, 20%)	1% (0%, 3%)

*includes Mormon, Orthodox, Muslim, Jewish, Buddhist, Hindu, Unitarian, and “Something else”

**Includes Atheist, Agnostic, and “Nothing in particular”

Table 8. Weighted proportions of Americans opposed or in favor of allowing entities to deny services or employment to LGBTQ people based on religious beliefs by domain and religiosity (N=1,003 adults in a U.S. representative sample)

	BUSINESS OWNER % (95% CI)			MEDICAL PROFESSIONAL % (95% CI)			EMPLOYER % (95% CI)		
	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR
Never	80% (75%, 83%)	19% (15%, 23%)	1% (0%, 3%)	89% (86%, 92%)	10% (7%, 13%)	1% (0%, 3%)	82% (77%, 85%)	17% (14%, 21%)	1% (0%, 3%)
< 1 per year	72% (64%, 78%)	23% (17%, 29%)	5% (3%, 9%)	85% (78%, 89%)	12% (7%, 17%)	4% (2%, 8%)	76% (69%, 82%)	21% (15%, 27%)	3% (1%, 6%)
1-2/several times	72% (65%, 78%)	25% (19%, 32%)	3% (1%, 5%)	77% (70%, 83%)	19% (14%, 25%)	4% (1%, 7%)	71% (64%, 78%)	26% (20%, 33%)	3% (1%, 5%)
1/month-<1/week	71% (63%, 78%)	23% (17%, 31%)	6% (3%, 11%)	86% (79%, 91%)	8% (4%, 14%)	6% (3%, 11%)	75% (68%, 82%)	19% (13%, 26%)	6% (3%, 11%)
1/week, +	53% (45%, 60%)	41% (34%, 49%)	6% (3%, 11%)	76% (69%, 83%)	16% (11%, 23%)	7% (4%, 12%)	59% (51%, 67%)	36% (28%, 43%)	5% (3%, 10%)

Table 9. Weighted proportions of Americans opposed or in favor of allowing entities to deny services or employment to LGBTQ people based on religious beliefs by domain and familiarity with an LGBTQ person (N=1,003 adults in a U.S. representative sample)

	BUSINESS OWNER % (95% CI)			MEDICAL PROFESSIONAL % (95% CI)			EMPLOYER % (95% CI)		
	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR
Family/close friend	75% (72%, 78%)	24% (21%, 27%)	1% (1%, 2%)	86% (84%, 89%)	12% (10%, 14%)	2% (1%, 3%)	78% (75%, 81%)	20% (18%, 24%)	1% (1%, 2%)
Acquaintance	71% (62%, 79%)	28% (20%, 37%)	1% (0%, 4%)	86% (78%, 91%)	14% (8%, 21%)	1% (0%, 4%)	72% (63%, 80%)	27% (20%, 36%)	1% (0%, 4%)
No one	65% (57%, 72%)	33% (26%, 41%)	2% (1%, 6%)	80% (73%, 86%)	18% (12%, 24%)	2% (1%, 6%)	65% (57%, 72%)	33% (26%, 41%)	2% (1%, 6%)

Table 10. Weighted proportions of Americans opposed or in favor allowing entities to deny services or employment to LGBTQ people based on religious beliefs by domain and geopolitical context (N=1,003 adults in a U.S. representative sample)

	BUSINESS OWNER % (95% CI)			MEDICAL PROFESSIONAL % (95% CI)			EMPLOYER % (95% CI)		
	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR	OPPOSE	FAVOR	NR
Residents of a state that has no antidiscrimination protections for LGBTQ people	70% (66%, 74%)	26% (23%, 30%)	4% (2%, 5%)	84% (81%, 87%)	12% (10%, 15%)	4% (2%, 5%)	73% (70%, 77%)	23% (20%, 27%)	3% (2%, 5%)
Resident of a state that offers at least some antidiscrimination. Protections for LGBTQ people	74% (69%, 78%)	23% (19%, 28%)	3% (2%, 5%)	83% (79%, 87%)	13% (10%, 17%)	4% (2%, 6%)	76% (72%, 80%)	21% (18%, 26%)	2% (1%, 4%)

APPENDIX B.

Screenshot from AmeriSpeak® Omnibus Survey, September 2022

Do you strongly favor, favor, oppose, or strongly oppose each of the following?

	Strongly favor	Favor	Oppose	Strongly oppose
Allowing a business owner with a religious objection to deny service to an LGBTQ person.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Allowing an employer with a religious objection to refuse to hire an LGBTQ person.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Allowing gay and lesbian couples to legally marry one another.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Allowing gay and lesbian couples to legally adopt children.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Allowing a medical professional with a religious objection to withhold medical care from an LGBTQ person.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>