
Column: Comparison surveys in presidential election year often questionable

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You may receive, as I do, emails and reports from online organizations about research purporting to show how Oregon stacks up to other states in various ways.

Don't trust them.

One recent report said that among the 50 states, Oregon has the fifth highest rate of religious discrimination – a topic that's emerged in presidential politics.

Republicans have appealed to conservative Christians by alleging religious victimization, and presidential candidate Donald Trump even offered to declare a Christian visibility day if elected. Democrats say much of the victimization argument is thinly supported, while the Biden administration has categorized some regulatory changes in social services as designed to protect religious freedom.

The report listed five states atop the list – Maine, Massachusetts, Rhode Island, Washington and Oregon – all are Democratic-leaning.

Could this be another instance of skewed data in support of an ideology?

An online publication, New American, headlined the results with this point: “States Biden Won in 2020 Lead – in Religious Discrimination Complaints.” The article added, “Of the 15 states with the most religious discrimination complaints, 11 are among the 15 most atheistic states.” It failed to mention that deep-red Idaho immediately follows Oregon in sixth place.

But what does this ranking even mean? The core data comes from credible sources. The state rankings were developed by the Boston law firm Duddy, Goodwin and Pollard, which specializes in employment law, based on underlying data from the U.S. Equal Employment Opportunity Commission. In Oregon, those cases are overseen by the Bureau of Labor and Industries, and Oregon has its own rules on religious discrimination.

However.

As the EEOC reference suggests, we're talking here strictly about employment discrimination — hiring, firing, job conditions and harassment and similar subjects. Other areas where religious discrimination might be alleged – in housing, education, health and other areas – weren't part of the analysis.

Second, the rates in the study didn't relate to how many cases of religious discrimination were alleged based on population, but rather they were based on a percentage of all kinds of employment discrimination charges. So if, for example, Mississippi, which had the lowest religion-based percentage, had a higher percentage of other forms of discrimination, that would lower the religious percentage, even if the number happened to be higher than Oregon's.

The New American article even suggested another concern about the lack of data on religious complaints.

"To what extent is today's fashionable Christophobia at issue and to what degree are these politically correct complaints (e.g., allegations of anti-Muslim bias)? And how does this vary state by state?"

A September 2020 analysis from the University of Washington, the fourth ranking state, said "Muslims and atheists in the United States are more likely than those of Christian faiths to experience religious discrimination, according to new research led by the University of Washington."

On top of that, the causes of religious discrimination cited in the data were scrambled, with data thrown together from during and after the pandemic, when debates roared over who would be required to take protective actions, such as getting a vaccine or the temporary closure of churches – issues that cut widely across cultural and political lines.

None of that means, of course, that discrimination on the basis of religion is irrelevant to Oregon. In fact, there have been a few recent cases where discrimination was alleged. For example, in May 2023, state Sen. Cedric Hayden, R-Fall Creek, complained to state and legislative employment offices that the Senate president had violated his right to an excused absence when he wanted to attend a Saturday church service during a stretch when Senate Republicans had departed the Legislature to bring it to a halt. That case appears to be still pending.

And another instance has been cited by the Portland firm Meyer Employment Law, which posted a list of top discrimination cases in the state in recent years. The top three involved age, race and gender discrimination but the fourth involved religion. A Portland city employee was awarded \$14,080 in that latter case. The city was found to have allowed a hostile work environment, with her lawsuit against the city quoting a fellow employee as saying: "I am tired of your Christian attitude ... I'm going to file a complaint against you the next time I sneeze and you say 'bless you.'"

There was also a religious discrimination case in Brookings involving zoning law and St. Timothy's Episcopal Church. It routinely provided meals for homeless people in the area as part of its religious mission, leaders said. But in 2022, the city passed an ordinance requiring a permit for meal services. The church fought back in court, claiming religious discrimination, and won.

So does that mean that Oregon has among the highest instances of religious discrimination in the country?

Hardly. The data doesn't stack up. But this case does show that it's good to be skeptical of comparisons during high-stakes election campaigns.

