

# IN ELECTION YEAR, STATE RELIGIOUS FREEDOM MATTERS MORE THAN EVER

WASHINGTON, D.C. - Today, Napa Legal Institute released its 2024 Faith and Freedom Index and urged Americans not to rely on federal law and policy alone - especially as we face uncertainty about how committed or hostile to religious freedom the incoming administration will be. State laws play a huge role in determining whether local institutions like churches, religious schools and charities are able to form, operate, and thrive. The Index scores state laws that affect faith-based, federally tax-exempt nonprofits based on consistent benchmarks for comparison across all 50 states and Washington, DC.

Many states burden and hinder these organizations, rather than protecting and supporting them. The second annual Faith and Freedom Index reveals that many states including Massachusetts, Michigan, and Washington over-burden and are even hostile towards faith-based nonprofits. Conversely, states like Alabama and Indiana have robust protections for faith-based nonprofits that their less-free neighbors could learn from. Encouragingly, many states have made progress since the Index launched in 2023 and improved their friendliness to religious organizations by passing better laws.

“Faith-based nonprofits fulfill a critical role in a healthy society,” notes Napa Legal’s Counsel Frank DeVito, “[a] state’s constitution, religious freedom laws, ‘nondiscrimination’ laws related to public accommodations and employment, state of emergency laws, charitable registration laws, and tax laws determine whether a religious organization will be free to accomplish its mission or will be hindered by burdensome laws and regulations.”

To evaluate how well the laws of the various states empower faith-based nonprofits, Napa Legal created the Faith and Freedom Index. The Index evaluates 14 types of state laws that affect faith-based nonprofits, rates the laws of all 50 states (plus Washington, DC), and provides scores for each state.

The highest overall scores went to Alabama and Indiana. While no state is perfect, these states protect religious freedom while also setting up nonprofits for success through straightforward corporate, tax, and fundraising regimes. The lowest overall scores went to Massachusetts, Michigan, and Washington because the states feature both complicated regulatory regimes and only minimal protections for faith-based nonprofits.

Some states have made progress since the initial Index was released in 2023. For example, Iowa, Nebraska, and Utah have passed state Religious Freedom Restoration Acts since the initial launch of the 2023 Faith and Freedom Index. These laws better protect faith-based nonprofits operating in those states and have improved those states’ religious freedom scores in the Index.

The final analysis, however, remains the same as when the Index was first launched, as noted by Napa Legal's Vice President and Executive Director, Mary Margaret (Beecher) Bush: "[t]he Faith and Freedom Index clearly shows that states must actively engage in the battle for religious freedom and a flourishing civil society. The work of faith-based nonprofits is especially crucial this election year, in which many Americans are uncertain about the future of our nation and are seeing escalating attacks on religious freedom and conscience rights across the country. It's encouraging to see states like Alabama and Texas staunchly protecting these crucial rights, however, these rights belong to Americans regardless of the state they inhabit. Now is the time for states that do not have robust protections of these rights to move towards doing so."

The mission of Napa Legal is to help religious organizations to succeed and flourish. By providing a series of skills courses and resources in its All Access platform, Napa Legal has helped hundreds of religious organizations to navigate the various laws that affect them. By creating the Good Counselor Project Fellowship and Attorney Network, Napa Legal provides formation to faith-based attorneys, equips them with the skills they need to assist religious organizations, and has created a nationwide network so that faith-based nonprofits and faith-based attorneys can come together and serve each other's needs.

"The Faith and Freedom Index is a natural and important extension of Napa Legal's work," concludes Napa Legal's Counsel Frank DeVito. "By analyzing the laws that affect faith-based nonprofits and publishing the results, Napa Legal can better educate nonprofits, lawyers, and state policymakers on the state laws that affect religious organizations. This education leads to better awareness and compliance for faith-based nonprofits, better legal training for the lawyers who serve those organizations, and the possibility of state lawmakers passing better laws to help faith-based nonprofits thrive."

Napa Legal educates faith-based nonprofit leaders on general corporate and legal issues by publishing resources such as issue reports, webinars, and example documents. Napa Legal's educational resources should be used in close consultation with an attorney, but not as a substitute for an attorney's advice. Napa Legal is not a law firm and has no attorney-client relationships. Read more [here](#).

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View the full Faith & Freedom Index here:  
[www.faithandfreedomindex.org](http://www.faithandfreedomindex.org)

View the Faith and Freedom Index press conference here:  
<https://www.dropbox.com/scl/fi/2ttwrirrgiio1hf7nxskk/2024-FFI-Press-Conference.mp4?rlkey=3i94dhmyb2krokam7iooqcqi&st=bunsnr7&dl=0>

## MEDIA COVERAGE OF THE 2024 FAITH AND FREEDOM INDEX:

Why Americans Must Fight For Religious Freedom At The Local Level by Frank DeVito (Daily Wire 10/25/2024)

Many states 'burden' religious freedom of faith-based nonprofits, report finds by Kate Quiñones (Catholic News Agency 10/25/2024)

Alabama shines, Michigan brings up rear on annual Faith and Freedom Index by Valerie Richardson (Washington Times 10/25/2024)

Religious freedom hits historic low levels in key US election battleground states, reveals study (Catholic Herald 10/28/2024)

NAPA Legal Institute: State Burdens and Benefits on Religious Nonprofits by Professor Darryl K. Jones (Nonprofit Law Prof Blog 10/28/2024)

Napa Legal Institute publishes annual Faith and Freedom Index, calls for robust religious freedom protections ahead of election by Louis Knuffke (Catholic Vote 10/28/2024)

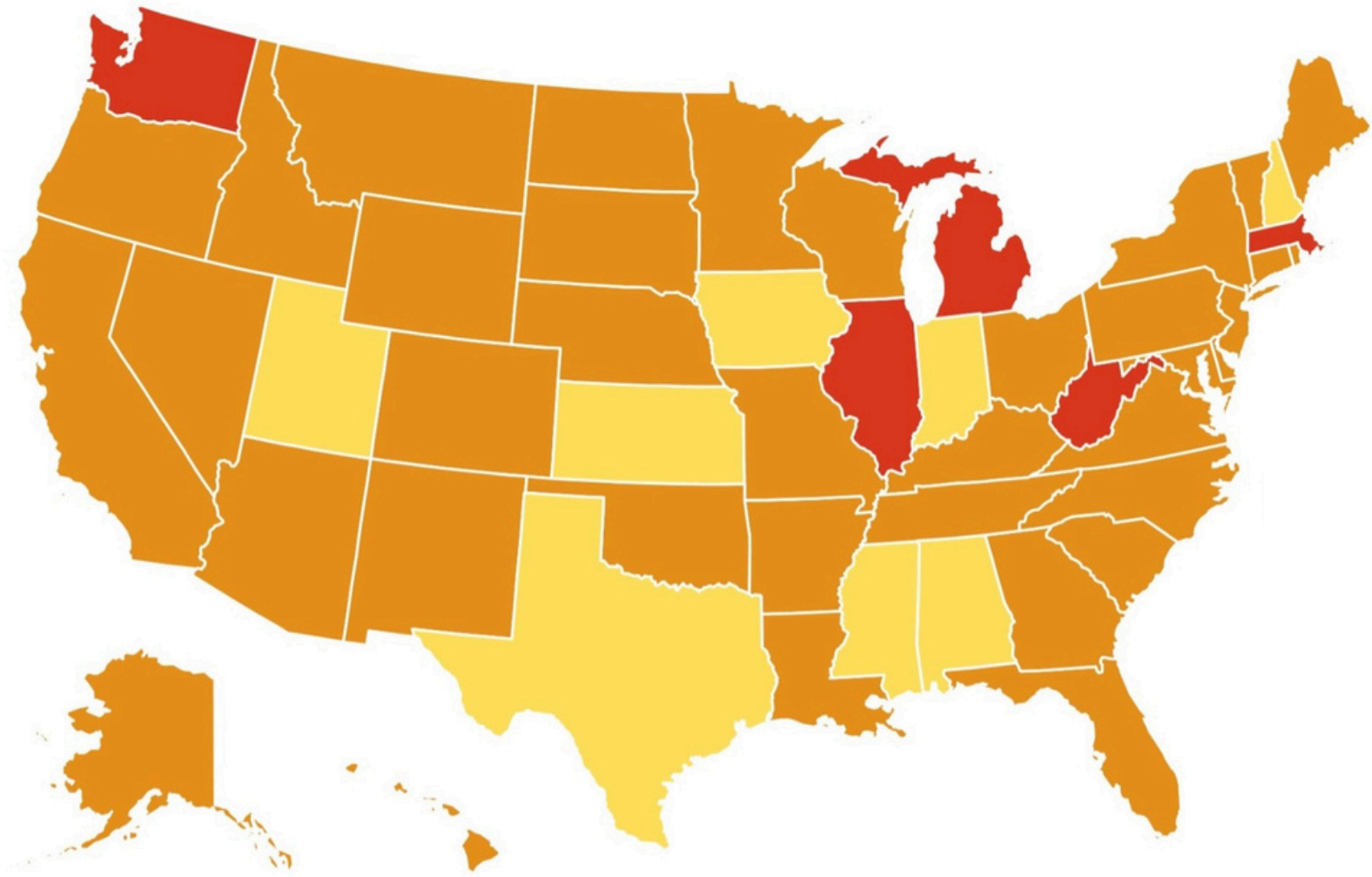
EWTN News Nightly | Monday, October 28, 2024 (EWTN News Nightly 10/28/2024)

Faith and Freedom Index: Religious Freedom Looms Large in Crucial Swing States (The Catholic Thing 10/29/2024)

These states are the friendliest and freest for faith groups this election year, new study says by Kristine Parks (Fox News 10/30/2024)

# FAITH & FREEDOM INDEX ★

— A PROJECT OF NAPA LEGAL —



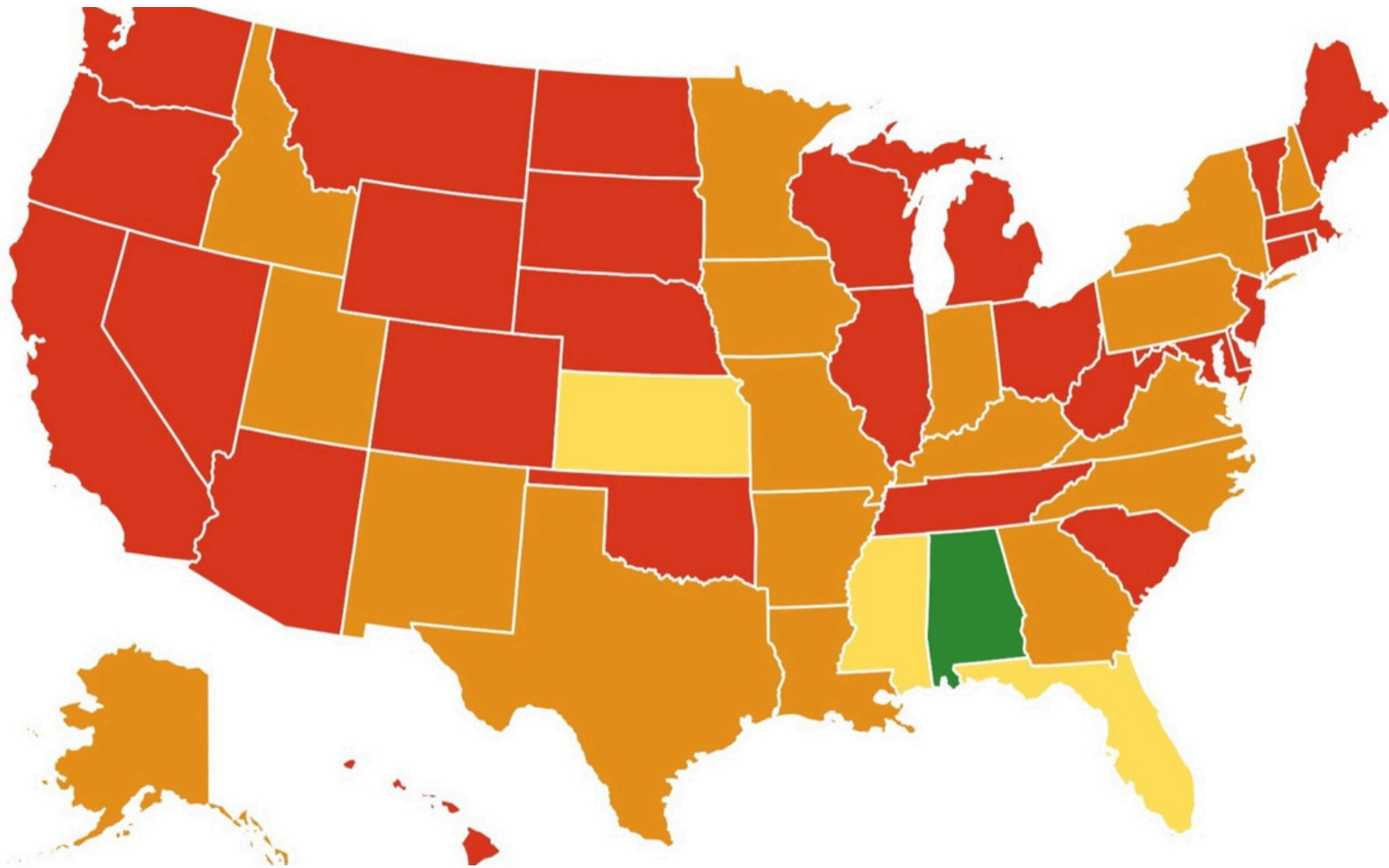
● 0 - 19% ● 20 - 39% ● 40 - 59% ● 60 - 79% ● 80 - 100%

## Overall Score

Overall, is this state friendly or unfriendly to faith-based nonprofits?

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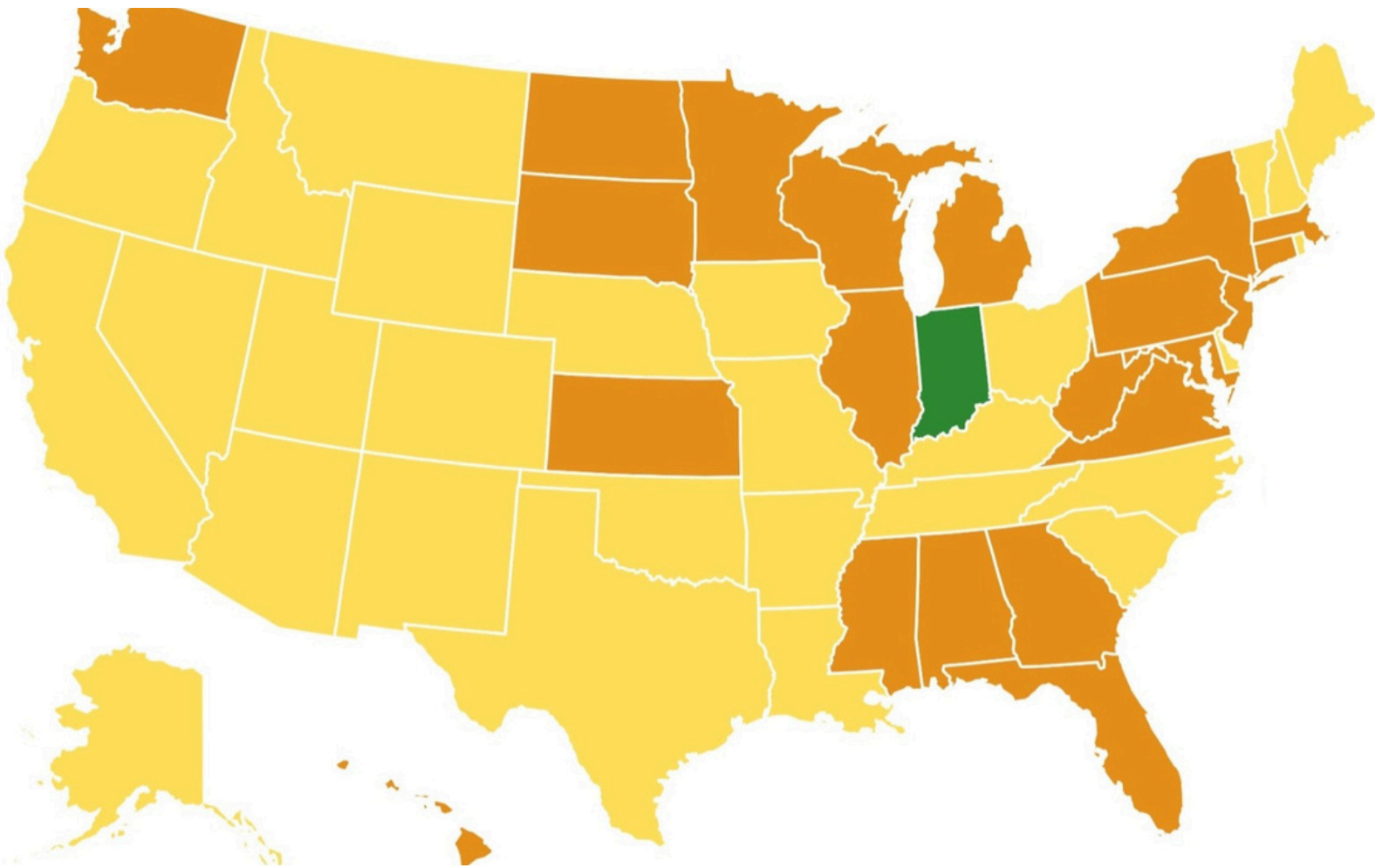
● 0 - 19% ● 20 - 39% ● 40 - 59% ● 60 - 79% ● 80 - 100%

## Religious Freedom Score

Does this state advance or inhibit the religious freedom of faith-based nonprofits?

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● 0 - 19% ● 20 - 39% ● 40 - 59% ● 60 - 79% ● 80 - 100%

## Regulatory Freedom Score

Does this state facilitate or hinder the operations of faith-based nonprofits?

# STATE RANKINGS

● 0 - 19% ● 20 - 39% ● 40 - 59% ● 60 - 79% ● 80 - 100%

## Overall

Michigan	32%
Washington	35%
Massachusetts	38%
West Virginia	38%
Illinois	39%
Hawaii	40%
Maryland	40%
Wisconsin	41%
South Dakota	42%
Delaware	42%
New Jersey	43%
Nevada	44%
Ohio	44%
Rhode Island	45%
North Dakota	45%
Connecticut	45%
Oklahoma	46%
Maine	47%
Vermont	47%
Colorado	47%
Washington D.C.	47%
California	48%
Virginia	49%
Alaska	49%
Pennsylvania	49%
Oregon	50%
Arizona	50%
Wyoming	50%
South Carolina	50%
New York	50%
Tennessee	51%
Montana	51%
Nebraska	52%
Minnesota	53%
Georgia	53%
Idaho	53%
Missouri	54%
New Mexico	55%
Louisiana	55%
North Carolina	56%
Kentucky	57%
Florida	58%
Arkansas	58%
Utah	60%
New Hampshire	60%
Iowa	62%
Mississippi	63%
Texas	64%
Kansas	64%
Indiana	68%
Alabama	72%

## Religious Freedom

Michigan	22%
Delaware	25%
Washington	26%
Nevada	29%
Hawaii	29%
Massachusetts	30%
Maryland	30%
Wyoming	32%
California	32%
Oregon	32%
Wisconsin	33%
Ohio	34%
West Virginia	34%
Vermont	34%
New Jersey	34%
Rhode Island	35%
Washington D.C.	36%
Colorado	36%
South Carolina	37%
Oklahoma	37%
Arizona	37%
Montana	37%
South Dakota	37%
Illinois	37%
North Dakota	37%
Maine	38%
Tennessee	39%
Connecticut	39%
Nebraska	39%
Alaska	40%
Idaho	41%
Virginia	43%
Pennsylvania	44%
New York	47%
New Mexico	48%
Missouri	49%
Louisiana	49%
North Carolina	50%
Iowa	51%
Utah	51%
Georgia	51%
Minnesota	52%
Kentucky	53%
Arkansas	53%
Texas	57%
Indiana	59%
New Hampshire	59%
Florida	60%
Mississippi	67%
Kansas	71%
Alabama	86%

## Regulatory Freedom

Illinois	43%
West Virginia	46%
Maryland	49%
South Dakota	49%
Washington	50%
Alabama	50%
Massachusetts	52%
Minnesota	54%
Maryland	54%
Kansas	54%
Wisconsin	54%
Florida	54%
Connecticut	55%
New York	55%
Georgia	55%
Hawaii	56%
New Jersey	57%
Mississippi	57%
Pennsylvania	57%
North Dakota	58%
Virginia	58%
Maine	60%
Rhode Island	60%
Oklahoma	60%
New Hampshire	60%
Ohio	61%
Missouri	61%
Alaska	62%
Louisiana	62%
Kentucky	63%
Colorado	63%
New Mexico	64%
Washington D.C.	65%
North Carolina	66%
Arkansas	66%
Vermont	66%
Nevada	67%
Delaware	69%
Tennessee	69%
South Carolina	70%
Arizona	70%
Nebraska	70%
California	72%
Idaho	73%
Utah	73%
Montana	73%
Texas	74%
Oregon	76%
Wyoming	77%
Iowa	79%
Indiana	81%