

TESTIMONY
BEFORE THE HOUSE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
ON
RELIGIOUS FREEDOM & THE FIRST AMENDMENT DEFENSE ACT

BY
KELVIN J. COCHRAN

JULY 12, 2016

Mr. Chairman and Members of the Committee:

After being born and raised in poverty, I rose to become the first African American Fire Chief in the City of Shreveport, Louisiana and ultimately held the highest fire office in the nation. Despite these achievements, government officials used the very religious convictions that fueled my professional success to bring an end to my career in public service.

There is an ever increasing attack on religious liberty and expressive freedom in our beloved United States of America. Our government, formed to be freedom's greatest protector, increasingly is becoming its greatest threat. My story is just one of many where the government has imposed adverse consequences on an individual for publicly expressing the belief that marriage is the union of one man and one woman or for seeking to live and work consistent with that belief. Because of this government discrimination, the First Amendment Defense Act is necessary to preserve the freedom and dignity of people who hold beliefs about marriage that have been embraced throughout the world for most of human history and who seek to peacefully live consistent with those beliefs without fear of unjust government punishment.

The story of my dedicated public service became publicized during the week of Thanksgiving 2014 in a way that I never thought possible. That was when my government employer—the City of Atlanta—suspended me without pay and subsequently terminated me because of beliefs I expressed about marriage in a religious devotional book that I wrote on my own time. This brought my 34 years in the fire and emergency services industry to an abrupt end.

The very faith that inspired my professional achievements is what the government ultimately used to bring my childhood-dream-come-true career to an end.

I was born in poverty in Shreveport, Louisiana in the early 1960s, and I was one of six kids. We were living in a government project. After my dad left, my mother raised all six of us by herself. At that point, we were too poor to stay in the government project, so we moved to an alley shotgun house. When I was five years old, one Sunday after church, we heard a siren outside of our house. We sprang to our feet and opened the front door, and there was a big red Shreveport fire truck in front of our house. Ms. Mattie's house across the alley from us was on fire. I saw the firefighters, and I was smitten on that day: I knew that I wanted to be a firefighter when I grew up.

There were three things that I thought about as a little kid – I wanted to be a firefighter, I didn't want to be poor, and I wanted a family because I realized how awful it was not to have a dad at home. The grown-ups told us that in America all of our dreams would come true if we had faith in God, went to school and got a good education, respected grown-ups, and treated others like we wanted to be treated. Following those principles and trying to serve God faithfully led to success in my career.

In 1981, my childhood dream came true when I became a firefighter for the City of Shreveport. I was one of the first African Americans hired by the Shreveport Fire Department. I faced numerous obstacles and difficulties at work because of my race. But I believed that if I practiced the values that I had been taught as a child and demonstrated passion and dedication to the department and my colleagues, I could overcome any racial barrier.

Eventually, that proved to be true. In 1999, after years of dedicated service and many promotions within the department, I became the Chief of the Shreveport Fire Department.

In 2008, Mayor Shirley Franklin appointed me as the Fire Chief of the City of Atlanta.

In 2009, I was appointed by President Barak Obama and confirmed by the United States Senate as U.S. Fire Administrator for the United States Fire Administration, which is a component of the U.S. Department of Homeland Security's Federal Emergency Management Agency. Serving as the nation's highest ranking fire official, I oversaw, coordinated, and directed national efforts to prevent fires and improve fire response. I also led fire prevention and safety education programs and professional development opportunities for emergency responders.

Less than one year later, Mayor Kasim Reed recruited me back to Atlanta. I resumed my duties as Fire Chief of Atlanta in 2010, and I continued to serve there until my termination. While I was in Atlanta, I was nationally recognized as Fire Chief of the Year in 2012. Subsequently, in July 2014, under my leadership, the City of Atlanta received the best Public Protection Classification rating available from the Insurance Services Office for its fire services, a rating shared by only 60 cities nationwide.

Just weeks after that success, I was suspended for 30 days without pay after passages of a book that I wrote about my faith were brought to the attention of the mayor and a member of the City Council. Then on January 6, 2015, I was terminated from my employment with the City of Atlanta, ending my career. All of this happened simply because I expressed my religious beliefs about marriage and biblical morality—beliefs that have been held by Christians for nearly two thousand years.

Among the most important Christian values is to love without condition all humankind. I believe that every person—without exception—possesses the image of the Creator, and as such has inherent dignity and worth.

In the fire service, I had the privilege to live out this virtue every day for 34 years. I would have laid down my life for anyone in the community. And I would gladly do so today if necessary, even though I no longer serve in a profession that often requires this ultimate sacrifice.

Having overcome discrimination myself, I believed that I had an obligation as Fire Chief to run inclusive fire departments that respected the diverse traits, characteristics, and beliefs of all my employees. I sought to ensure that every member of my departments was treated with dignity and respect, regardless of any personal characteristic.

So the investigation that the City of Atlanta launched during my suspension was particularly hard to understand and even more difficult to endure. For years, I had worked so hard to ensure that everyone in my departments was respected and valued. And now, the City was insinuating that because of my faith, I discriminated against others.

After my suspension but before my termination, the City determined that I had never discriminated against anyone. Its investigation concluded that "[n]o interviewed witness could point to a specific instance in which any member of the organization has been treated unfairly" by me. Yet the City terminated me anyway.

It is still unthinkable to me that writing a book about my faith to help other men pursue God's calling on their lives brought about the end of my career in public service. I was prompted to write the book while I was leading a men's Bible Study. I became fascinated with God's interaction with Adam in the Garden of Eden. After much research and prayer, I became convinced that there were too many Christian men who were failing to live up to all that God is calling them to be. So I wrote the book to encourage and inspire men to fulfill their purposes as husbands, fathers, and community leaders. A few pages in the book addressed biblical morality, sexual challenges that Christian men face, and the Bible's teaching on marriage, but those issues are not the book's primary topic. Yet statements from City of Atlanta officials have made it clear that those religious beliefs resulted in my suspension, investigation, and ultimate termination.

On the day I was suspended, Mayor Reed issued the following statement on social media:

Late last week, Mayor Reed learned about material published in a book by Atlanta Fire and Rescue Chief Kelvin Cochran. The contents of the book do not reflect the views of Mayor Reed or the Administration. Mayor Reed's full statement is below:

I was surprised and disappointed to learn of this book on Friday. I profoundly disagree with and am deeply disturbed by the sentiments expressed in the paperback regarding the LGBT community. I will not tolerate discrimination of any kind within my administration.

We are conducting a thorough review of the facts surrounding the book and its distribution. In the interim, I have directed that the following steps be taken:

- Chief Cochran will be suspended for one month without pay;
- Chief Cochran will be required to complete sensitivity training;
- Chief Cochran will be prohibited from distributing the book on city property; and
- Deputy Chief Joel G. Baker will serve as Acting Fire Chief in Chief Cochran's absence.

I want to be clear that the material in Chief Cochran's book is not representative of my personal beliefs, and is inconsistent with the Administration's work to make Atlanta a more welcoming city for all of her citizens - regardless of their sexual orientation, gender, race and religious beliefs.

Atlanta City Council Member Alex Wan similarly made the following statement to the *Atlanta Journal Constitution*:

I respect each individual's right to have their own thoughts, beliefs and opinions, but when you're a city employee, and those thoughts, beliefs and opinions are different from the city's, you have to check them at the door.

Councilmember Wan also said that my termination sent a strong message. I could not agree more. It publicly declared that there are grave consequences for expressing the belief that marriage is the

union of a man and a woman. If government employees hold beliefs like mine, they better remain silent, even in their personal lives, or they will be fired.

But the actions by the City of Atlanta do not reflect American values. The real test of liberty is what happens when citizens disagree on important issues. By terminating me because of my beliefs, the City failed to reflect the true tolerance and diversity that has always set America apart. Instead, the City labeled as outcasts the many diverse people—from Christians to Jews to Muslims—who express their faith's longstanding teachings on marriage.

The First Amendment Defense Act would protect federal employees who express their religious belief or moral conviction that marriage is the union of one man and one woman. As I previously mentioned, I was the Fire Administrator for the United States Fire Administration in 2009. Had I been in that position when I wrote my book, the federal government could have terminated me just as the City of Atlanta had done, simply because it did not like the beliefs that I expressed. There are many men and women who daily risk their lives for others like I did, yet they live in fear of their government discriminating against them because of their belief about marriage. The First Amendment Defense Act would ensure that no federal employee will face the same sort of unjust government punishment that I endured.

We live in a pluralistic society in which people of good will hold more than one view of marriage. We have a rich history in America of balancing important government interests with a wide diversity of beliefs, including disfavored beliefs, on controversial issues like war, healthcare, education, and abortion. I'm here today to ask that you preserve these cherished freedoms in a world where they are increasingly eroding. When our government takes steps to safeguard its citizens' freedom to peacefully live and work according to their beliefs, we as a nation live up to the best of our ideals.

Although I was born in poverty, I have been blessed to succeed in America, a land where all are equal regardless of their religious creed. Please pass the First Amendment Defense Act and send the message that there is a place for me, and others like me, in the public square. In a truly diverse society, no one deserves to be ostracized, marginalized, or driven out of their profession because of their beliefs about marriage.

Committee on Oversight and Government Reform
Witness Disclosure Requirement - "Truth in Testimony"
Required by House Rule XI, Clause 2(g)(5)

Name:

KELVIN J. COCHRAN

1. Please list any federal grants or contracts (including subgrants or subcontracts) you have received since October 1, 2012. Include the source and amount of each grant or contract.

NONE

2. Please list any entity you are testifying on behalf of and briefly describe your relationship with these entities.

NONE

3. Please list any federal grants or contracts (including subgrants or subcontracts) received since October 1, 2012, by the entity(ies) you listed above. Include the source and amount of each grant or contract.

NOT APPLICABLE

I certify that the above information is true and correct.

Signature:

Kelvin J. Cochran

Date:

7/7/2016

Biography

Kelvin J. Cochran

Background:

Shreveport, Louisiana native Kelvin J. Cochran, as a five-year-old boy, was spellbound by Shreveport Firefighters fighting a fire across the street from his house and dreamed that one day he would be a firefighter.

Education:

A proud student of Caddo Parish Public Schools, he graduated from Woodlawn High School (1978); Wiley College (1999) with a Bachelor's Degree in Organizational Management; Louisiana Tech University (2004) with a Master's Degree in Industrial and Organizational Psychology; Doctorate in Christian Leadership, Ohio Christian University (2016); and is currently pursuing a doctorate in Interdisciplinary Leadership from Creighton University.

Employment History:

His employment with the Shreveport Fire Department began in 1981 as a firefighter. He was then promoted to Fire Training Officer and served in this capacity from 1985 - 1990, when he gained promotion to Assistant Chief Training Officer. His service in this position concluded when he was appointed Fire Chief of the Shreveport Fire Department on August 26, 1999. On January 2, 2008 he was appointed fire chief of the City of Atlanta Fire Rescue Department. On August 17, 2009 he was appointed as the United States Fire Administrator by President Barack Obama; June 19, 2010 he was re-appointed by Mayor Kasim Reed as Fire Chief of the City of Atlanta Fire Rescue Department. Kelvin now serves as Chief Strategic Officer/Chief Operating Officer of the Elizabeth Baptist Church in Atlanta, Georgia.

Fire Service Involvement:

International Association of Fire Chiefs: Former First Vice President-IAFC 2007, Second Vice President-IAFC 2006; Past President of the Metropolitan Fire Chiefs Association; Southeastern Division IAFC; Georgia Association of Fire Chiefs; Metro Atlanta Fire Chiefs Association; and he authored two (2) chapters for Jones and Bartlett Publishers, Chief Fire Officers Desk Reference: **Chapter 1-Leadership and Management and Chapter 25-The Fire Chief of the Future**. Kelvin received the International Metropolitan Fire Chiefs Association—Lifetime Achievement Award in 2010 and the International Association of Fire Chiefs—Career Fire Chief of the Year Award in 2012.

Personal:

Kelvin is an ordained minister, but served as a deacon and teacher at Elizabeth Baptist Church until being called into the ministry. He is married to Carolyn Marshall Cochran (34 years) and the father of three children, and one granddaughter.