

VICTORY IN NYC HOUSING CASE
LESBIAN WIVES ARE BOTH ON THE LEASE *p.5*

THAT CHICAGO TAXI KISS
LAMBDA LEGAL CHARGES DISCRIMINATION *p.5*

Impact

WINTER 2014

LAMBDA LEGAL DEFENDS HIGH SCHOOL TEACHER

JULIA FROST LOST HER JOB AFTER
STANDING UP TO ANTI-LGBT DISCRIMINATION *PAGE 3*

 **Lambda Legal**
making the case for equality

Kevin M. Cathcart, Executive Director
Frances J. Goldstein, Deputy Director

LAMBDA LEGAL BOARD OF DIRECTORS

CO-CHAIRS Robbin Burr*, *Rockford, IL*
Brad Seiling, *Los Angeles*
TREASURER Eric Nilson*, *Cleveland*
SECRETARY Lisa Linsky*, *Sleepy Hollow, NY*
MEMBERS Marcus Boggs, *Chicago*; Laura Brill, *Los Angeles*; Marla Butler*, *New York*; Roberta A. Conroy, *Santa Monica, CA*; Trayton M. Davis, *Monclair, NJ*; Bruce Deming, *San Francisco*; Karen K. Dixon*, *Washington, D.C.*; Martin Farach-Colton, *New York*; Tracy Guyot-Wallace, *Dallas*; Laurie Hasencamp, *Los Angeles*; Vincent Jones, *Los Angeles*; Anne Krook, *Seattle*; Robert W. Kuhn, *Ft. Lauderdale, FL*; Suzanne LeVan, *New York*; Laura Maechten, *San Francisco*; Gail H. Morse, *Chicago*; Dena Narbaitz, *San Francisco*; Thao Ngo, *San Francisco*; Michelle Peak*, *Mansfield, TX*; John R. Richards, *Washington, DC*; Vadim Schick, *Washington, D.C.*; Todd G. Sears, *New York, NY*; Elliott Sernel, *Palm Springs*; Daniel K. Slaughter, *San Francisco*; Lynn Slaughter, *Seattle*; Jillian T. Weiss, *New York*; Steve Winters, *Chicago*
(*denotes Executive Committee member)

NATIONAL LEADERSHIP COUNCIL

CHAIR Jamie Pedersen, *Seattle*
MEMBERS G. Ross Allen, *Palo Alto, CA*; Neil Bagadiang, *Indianapolis*; Debra R. Bernard, *Chicago*; Matthew P. Bissinger, *San Francisco*; Sheri Bonstelle, *Los Angeles*; Dr. Dan Bowers, *New York*; Susan Bozorgi, *Miami*; Mark Braun, *Chicago*; William Candelaria, *New York*; Sam Castic, *Seattle*; Martin S. Checov, *San Francisco*; Daniel C. Cochran, *New York*; Paul H. Coluzzi, *M.D., Irvine, CA*; R. Sue Connolly, *Chicago*; MaryKay Czerwicz, *Chicago*; David de Figueiredo, *Berkeley, CA*; Beth Davis, *Atlanta*; Mitchell Draizin, *New York*; Melinda Dunker, *Chicago*; Daniel S. Ebner, *Chicago*; Ruth Eisenberg, *Washington, DC*; C. Douglas Ferguson, *Chicago*; William P. Flanagan, *Washington, DC*; Michael Foncannon, *Summit, NJ*; Kendall E. French, *San Diego, CA*; Michael H. Gluck, *Stillman, NJ*; Michael I. Gottfried, *Los Angeles*; Kathryn G. Graham, *New York*; Jennifer Guyot-Wallace, *Dallas*; Natasha F. Haase, *Princeton, NJ*; Donald J. Hayden, *Miami*; Cynthia Homan, *Chicago*; Dennis Hranitzky, *New York*; Steven C. Huffines, *Chicago*; Lewis P. Janowsky, *Santa Ana, CA*; Eric D. Johnson, *Dallas*; F. Curt Kirschner, *San Francisco*; Kate Kleba, *Philadelphia*; B. Birgit Koebke, *San Diego, CA*; Charles V. Loring, *Ft. Lauderdale, FL*; Yery Marrero, *Miami*; Brian T. May, *Los Angeles*; Gregory S. McCurdy, *Washington, DC*; John McGowan, *Chicago*; Gina Menicucci, *Dallas*; Andrew T. Mitchell-Namdar, *Stamford, CT*; Matthew L. Moore, *Salt Lake City, UT*; Kelly Moser, *Seattle, WA*; Robert W. Ollis, *Chicago*; James Owens, *Los Angeles*; Stephen Paine, *New York*; Kathy Paspalis, *Culver City, CA*; Peter Pileski, *Ft. Lauderdale, FL*; Mike Ponto, *Minneapolis*; Jason Pucci, *Summit, NJ*; Greg Rae, *New York*; Jennifer L. Rexford, *Princeton, NJ*; Laura Ricketts, *Chicago*; Edward H. Sadtler, *New York*; Mark Scott, *Miami*; P. Watson Seaman, *Richmond, VA*; Richard M. Segal, *San Diego*; Beverlee E. Silva, *Atlanta*; Norman C. Simon, *New York*; Paul Smith, *Washington, DC*; Lisa D. Snyder, *Los Angeles*; Michael D. Soileau, *Philadelphia*; Charles M. Spiegel, *San Francisco*; John F. Stafstrom, *Bridgeport, CT*; Christopher W. Stuart, *San Francisco*; Blaine Templeman, *New York*; Tony Timiraos, *Ft. Lauderdale, FL*; Lawrence Trachtenberg, *Scottsdale, AZ*; George D. Tuttle, *Sebastopol, CA*; Lauren Verdich, *Chicago*; Eric Webber, *Los Angeles*; Marcy Wilder, *Washington, DC*; Peter S. Wilson, *New York*; Nora Winsberg, *Chicago*; George R. Zuber, *Ft. Lauderdale, FL*; Mark Zumwalt, *New York* (Last updated January 1, 2014)

IMPACT MAGAZINE STAFF

Director of Education and Public Affairs

Leslie Gabel-Brett

Deputy Director of Education and

Public Affairs—Communications

Lisa Hardaway

Content and Editorial Director

Angelo Ragaza

Consulting Editor

Sally Chew

Consulting Designer

Carolina Jucksch Paula

Contributors

Tomika Anderson, Thai Pham, Fran Cohen

Forward Motion



The year 2013 brought us many stunning events in the march toward marriage equality. After the excitement of the Supreme Court decisions last June, there were victories in New Jersey, Illinois and Hawai'i—Lambda Legal fought long, punishing battles in all three states—and a holiday-season win in New Mexico. Then Utah became the next frontier for marriage equality.

Although the U.S. Supreme Court issued a stay in Utah, halting marriages while an appeal makes its way through the 10th Circuit, that state in essence became the 18th to legalize marriage for same-sex couples. In 2013 alone, nine states opened marriage to same-sex couples—as many as the number of states that did so over the previous nine years.

This is what momentum looks like.

Still, while couples and families in Utah had reason to rejoice this season, couples in Houston were dealt some awful news. One month after city employees legally married to same-sex spouses got spousal employment benefits, including health coverage for their spouses, they were told the city might have to withdraw the coverage. The reason? Some antigay activists who oppose the benefit sued to stop it, claiming that it violated Texas' so-called Defense of Marriage Act.

Lambda Legal went to court in Houston to fight back. Noel Freeman, a nine-year city employee, said that having the threat of coverage being taken away from his husband Brad was "like a punch in the stomach." Now they are one of three couples in our suit against the city.

In this issue of *Impact*, mixed in with some very satisfying victories, are more low blows that have led to action by Lambda Legal's dedicated attorneys:

- In San Bernardino County, California, school officials ended the employment of high school English teacher Julia Frost after she helped students stand up against anti-LGBT discrimination (see opposite page).
- In Chicago, a taxi driver tried to throw a gay couple out of his cab—late at night, with a storm raging on an expressway—because the couple kissed (see page 5).
- In Wisconsin, Lambda Legal is fighting a suit filed by Julaine Appling, president of the antigay Wisconsin Family Action. The state passed a domestic partnership law that provides limited but crucial protections to same-sex couples. In October, we argued before the Wisconsin Supreme Court to defend the law (see page 6).

This year, as Lambda Legal takes on new cases in the south and continues our work in every region, we are motivated by the belief that equality unites us. As we celebrate the victories, let's keep our guard up. Nothing less than full equality is at stake, for all our communities throughout the country.

EXECUTIVE DIRECTOR

NOEL FREEMAN, A NINE-YEAR CITY EMPLOYEE IN HOUSTON, SAID THAT HAVING THE THREAT OF COVERAGE BEING TAKEN AWAY FROM HIS HUSBAND BRAD WAS "LIKE A PUNCH IN THE STOMACH."

Lambda Legal Defends High School Teacher

A California teacher helps her students stand up to anti-LGBT discrimination—and loses her job

ON ONE OF THE WORST DAYS in Julia Frost's two years as an English teacher at Sultana High School in San Bernadino County, California, she was told by officials to teach her students the "other side" of a law ending antigay discrimination. "That was personally insulting and just really eye-opening" about the administration's anti-LGBT views, says Frost. In a lawsuit which Lambda Legal and co-counsel Traber & Voorhees filed on her behalf on November 19, Frost charges that she endured persistent harassment at Sultana for being a lesbian—and then lost her job for advising students how to report anti-LGBT discrimination.

"Sultana High officials ended Julia Frost's employment because she was a kind and conscientious teacher and created a safe space for vulnerable students," said Lambda Legal Senior Counsel Jenny Pizer. "In other words, she was punished for doing her job."

Already an experienced teacher when she arrived at Sultana, Frost discovered a school atmosphere rife with anti-LGBT hostility, with school officials often the worst culprits. One teacher told a student in class to "take the gay headband off" and commented disparagingly, "That's so gay." Yet students told Frost they were deterred from filing complaints; the administration went so far as to threaten to reveal complaining students' sexual orientation to their parents if they insisted on making formal reports.

Sultana officials also actively suppressed the school's popular gay-straight alliance student club (GSA), for which Frost was one of two faculty advisors. Unlike announcements from other student clubs, information about GSA events was censored if broadcast at all over the school's loudspeaker system. Approval for GSA activities was withheld. And the group's name was cut from an official list of school organizations in the student handbook. Unlike her heterosexual co-advisor, Frost herself was repeatedly grilled about GSA activities and warned not to play too active a role.

When the principal learned that Frost had helped a student find the form for making a formal complaint, he told her she would not be hired back for the next school year, despite a glowing appraisal of her teaching abilities. Her April 10, 2012 review had indicated that she reached all performance goals and reported, "Ms. Julia Frost had a great first year as an English teacher at Sultana. It is clear she cares about her students and her new school... We appreciate her hard work at Sultana this year! Nice job Ms. Frost!"

Frost's November lawsuit, filed with the San Bernardino County Superior Court, presents nine legal claims under California law, ranging from anti-LGBT harassment and discrimination to retaliation. It follows a March demand letter sent to Sultana on behalf of the GSA by the ACLU of Southern California, to which the school responded first by denying the accusations but later promising an array of policy changes. Frost hopes that those promises are genuine,

THE ADMINISTRATION WENT SO FAR AS TO THREATEN TO REVEAL COMPLAINING STUDENTS' SEXUAL ORIENTATION TO THEIR PARENTS.



English teacher Julia Frost got a glowing review at Sultana High in California, but after she advocated for LGBT students, she wasn't invited back.

but worries about the contrary message sent by the ending of her employment because she helped these students. "The kids expected more from the faculty and staff," says Frost of her time at the school. "I don't think any of them expected their teachers to use derogatory terms. It really upset them."

Frost's case may help empower her former students, she says, and also may inspire students and teachers around the country to stand up to anti-LGBT discrimination at their schools. "If these things are happening in California, with the strong laws we have," she says, "imagine what's happening in other places."

THREE STATES, THREE FAMILIES



TWENTY YEARS AFTER A LAMBDA LEGAL lawsuit started it all in Hawai'i, there are **17 states plus D.C. where same-sex couples can marry.** So we wanted to take a moment and talk with some couples who have worked with us for so many (many) years at Lambda Legal to secure the freedom to marry in their home states of **New Jersey, Hawai'i and Illinois.**



HAWAI'I

THE GUILLERMO-TOGAWAS

STATE MARRIAGE NEWS: On November 12, Hawai'i's legislature finally approved a bill granting marriage equality—20 years of advocacy and multiple lawsuits later. It was in Hawai'i that Lambda Legal launched the first ever suit for marriage rights.

THE GUILLERMO-TOGAWAS' HISTORY WITH LAMBDA LEGAL: They were plaintiffs in *Young and Lingle*, the case in which Lambda Legal, the ACLU of Hawai'i and Alston Hunt Floyd & Ing sought civil unions for same-sex couples. Lambda Legal also was co-counsel in *Baehr v. Miike*, in which the Hawai'i Supreme Court ruled in 1993 that denying same-sex couples access to marriage is sex discrimination, the first-ever state supreme court ruling on marriage equality.

THEIR MARRIAGE STORY: Thanks to approval of the marriage bill, their 2008 California marriage is now fully recognized in Hawai'i.

THEIR PARENTS: "My dad, who is 87, called to congratulate Pauline and me—and told us he was happy for us. It was tremendously moving to witness the signing of our marriage equality bill in my home state. I felt so proud!"—*Jill*

Photo: Jill and Pauline Guillermo-Togawa with daughter Carmel



NEW JERSEY

THE LAELS

STATE MARRIAGE NEWS: On Oct 21, Lambda Legal won its 11-year battle in the courts for marriage equality when the state high court refused to stay a lower court victory and the State of New Jersey abandoned its appeal.

THE LAELS' HISTORY WITH LAMBDA LEGAL: The Laels were one of seven couples to join in *Lewis*, the 2002 case that resulted in a unanimous New Jersey Supreme Court ruling and then lead to adoption of civil unions in New Jersey in 2006.

THEIR MARRIAGE STORY: They traveled to Massachusetts to marry in 2010, but until Lambda Legal's second court victory, New Jersey didn't recognize their marriage.

THEIR KIDS: "I always knew I was going to have a family, but marriage just wasn't a possibility. It's so great to see how much easier it's now going to be for others. The change in the law was really something; I've been talking with the kids about it a lot. They say when they go to school, having gay parents that are married is no big deal."—*Suyin*

Photo: Sarah and Suyin Lael with daughters Zenzali, Danica and Tenaj



ILLINOIS

JIM DARBY AND PATRICK BOVA

STATE MARRIAGE NEWS: On November 5, the Illinois legislature voted to legalize marriage equality after a fight in the courts and a coalition advocacy effort chaired by Lambda Legal.

DARBY AND BOVA'S HISTORY WITH LAMBDA LEGAL: Long acquainted with Lambda Legal's advocacy in Illinois, they were lead plaintiffs in *Darby v. Orr*, the 2012 lawsuit that Lambda Legal filed a year after Illinois civil unions took effect. The case, on behalf of 16 same-sex couples and their children, challenged their exclusion from marriage. *Darby* and a companion ACLU case were heading for a decision on summary judgment this fall before the legislature finally voted in favor of marriage equality.

THEIR MARRIAGE STORY: Together for over 50 years, they'll marry as soon as the new law goes into effect—to celebrate their life together, and for a range of practical reasons.

THEIR COMMUNITY: "A lot of our friends who are in committed relationships didn't want to wait for Illinois law to change—mostly because we're old. So they have gotten married in Iowa, Minnesota, New York or California. But we have always intended to be married in our home state."—*Pat*

Photo: Jim Darby and Patrick Bova



In December, New Mexico brought to 17 the number of states where same-sex couples can marry, and Utah was temporarily #18, although the Supreme Court has temporarily stopped Utah from issuing more marriage licenses pending appeal. Here's where Lambda Legal is currently in court fighting for marriage equality:

ILLINOIS	WEST VIRGINIA	VIRGINIA	NEVADA
<p>Early in December, Lambda Legal and the ACLU won a ruling which allows same-sex couples to marry immediately if they provide a doctor's declaration stating that one or both of them has a life-threatening illness.</p> <p>CONGRATULATIONS TO VERNITA AND PAT! On November 25, Lambda Legal helped get a federal judge to issue an order for an early marriage license to Pat Ewert and Vernita Gray, who has terminal cancer—and they tied the knot the next day.</p>	<p>As we celebrated the new year, Lambda Legal filed for summary judgment, asking the court for a swift ruling, arguing that the state's ban on marriage for same-sex couples violates the U.S. constitution.</p>	<p>On December 23, a federal court held that Lambda Legal's case could continue against a Virginia clerk seeking to deny marriage licenses to same-sex couples.</p>	<p>Lambda Legal filed its opening brief with the Ninth Circuit Court of Appeals on October 18 in <i>Sevcik v. Sandoval</i>. This case challenges Nevada's refusal to provide marriage equality to same-sex couples.</p>



Dava Weinstein (right) was finally allowed to add her wife, Dorothy Calvani, to the lease on the apartment where they've lived since 1977.

NEW YORK

Married Lesbian Couple Wins Housing Fight

On December 4, Lambda Legal announced a victory in a housing discrimination case on behalf of a married lesbian couple. In violation of both city and state law, their landlord had refused to put both their names on a rent-controlled lease. Dorothy Calvani, 64, was finally permitted to add her name alongside Dava Weinstein, 68, and the landlord agreed to pay the couple \$20,000 to settle the matter.

The couple had lived together at the West 86th Street address since 1977, but the lease was in Weinstein's name. After marrying in Iowa in 2011, Weinstein submitted a copy of their marriage certificate to the landlord, Weinreb Management, in order to get Calvani on the lease. But the company refused, so Lambda Legal filed a complaint in October in New York Supreme Court.

"After months of disregard and discrimination, we are happy that this issue is finally resolved," said Weinstein when the victory was announced. "If something should happen to either me or Dorothy, we now know that our housing is secure because both of our names are on the lease."

Karen Loewy, Senior Staff Attorney for Lambda Legal, said, "Dava and Dorothy should not have had to retain lawyers and go through this emotionally taxing experience to protect their clearly established rights. Other New York State apartment management companies, landlords and building owners should take note: Same-sex spouses must be treated equally under the laws of New York."

The case comes a year after Lambda Legal clients in Harlem threatened to sue their landlord for the same reason; the landlord in that case complied before a lawsuit was ever filed.



Stephen White and Matthew McCrea hailed a taxi in Chicago, but their driver refused to take them home when he saw them kiss.

ILLINOIS

Chicago Taxi Kiss Leads to Discrimination Lawsuit

On October 28, Lambda Legal filed a discrimination lawsuit with the Illinois Department of Human Rights on behalf of a gay couple in Chicago who were kicked out of a taxicab last spring after sharing a kiss.

Steven White and Matthew McCrea had hailed the cab at O'Hare International Airport just before midnight in a rain storm on May 30. They were on their way to McCrea's home in Lakeview. The driver pulled quickly over to the shoulder of the highway when he saw the kiss and told the couple to get out, saying that the taxi was "public transportation" and that such behavior was not allowed.

Said McCrea, "When the driver demanded that we get out of the cab, I was afraid. It was late, there was a storm, we were on an expressway." The men refused. Instead, they called 311, the city's municipal information line.

But then the driver sped back out onto the expressway and toward the nearest exit, prompting the 311 operator to transfer the call to 911. The cab driver stopped inside a nearby parking lot, where police eventually arrived. White and McCrea phoned another service to get a taxi home.

The lawsuit charges discrimination on the part of the driver and two companies involved in the ownership of the vehicle and the medallion. "A taxi-cab company, like any other business in Illinois that offers services to the public, is bound by the Illinois Human Rights Act to not discriminate based on sexual orientation, among other protected categories," said Lambda Legal Counsel Christopher Clark.

ON OUR BLOG

For more about White and McCrea and their Lambda Legal lawsuit, visit: lambdalegal.org/il-cab



At the Wisconsin Supreme Court in Madison, for *Appling* arguments: Lambda Legal Midwest Regional Director Jim Bennett, Fair Wisconsin External Relations Director Megin McDonell, Lambda Legal Litigation Coordinator Cheryl Angelaccio, Lambda Legal Legal Fellow Sean Karunaratne, Lambda Legal Counsel Christopher Clark, Fair Wisconsin President and CEO Katie Belanger and Lambda Legal Public Information Officer Erik Roldan.

Court of Appeals affirmed the circuit court's decision upholding the domestic partnership law. Shortly thereafter, Wisconsin Family Action appealed to the Wisconsin Supreme Court, which is expected to rule on the case in 2014.

WISCONSIN

Lambda Legal Defends Domestic Partnership Law in State Supreme Court

On October 23, Lambda Legal presented oral arguments in Wisconsin Supreme Court on behalf of five same-sex couples and the LGBT advocacy group Fair Wisconsin, urging the court to uphold the state's domestic partnership law as constitutional.

The case, *Appling vs. Doyle*, was filed in 2009 by Julaine Appling, president of the antigay group Wisconsin Family Action (WFA). WFA claims that the domestic partnership law violates Wisconsin's constitutional amendment barring marriage for same-sex couples and any legal status that is substantially similar to marriage.

"The limited protections provided by domestic partnerships are a long way from the important rights, benefits and responsibilities associated with marriage," said Lambda Legal Counsel Christopher Clark. "To suggest that the two types of relationships are impermissibly similar is a discriminatory stretch of the imagination."

The law gives same-sex partners access to inheritance and survivor protections, family and medical leave and hospital visitation rights, among other rights and benefits.

The oral arguments came less than a year after the Wisconsin

ALASKA

Alaska Lesbian Fights for Survivor Benefits

Lambda Legal filed a brief with the Alaska Supreme Court on October 14 in the case of Deborah Harris, who was denied survivor benefits after her same-sex partner was killed at work in 2011. Under current Alaska law, same-sex couples are excluded from workplace survivor benefits, an exclusion that Lambda Legal argues is unconstitutional.

Alaska's denial of marriage—or access to the rights and responsibilities of marriage—to same-sex couples effectively bars them from accessing protections for widows and widowers as well. "Alaska law traps same-sex couples in a Catch-22: they can't marry, and then the state uses the fact they weren't married to deny survivor benefits," said Peter Renn, Lambda Legal Staff Attorney.

Two years ago, Harris's same-sex partner, then 55-year-old Kerry Fadely, was working as a food and beverage manager at the Millennium Hotel in Anchorage when a disgruntled former employee shot and killed her. The state compounded this tragedy by cruelly denying to Harris the financial assistance available to married heterosexual couples under Alaska's workers' compensation law.

Harris' denial of survivor benefits forced her to leave the home the couple had shared and move in with one of her children; without Fadely's income, she couldn't afford to keep up payments. Survivor benefits are intended to minimize precisely such a disruption in a crisis moment.

Harris affirmed that she and Fadely would have married if they had been allowed to do so. "We loved and cared for each other for more than a decade. But because we could not marry, I was denied the same financial protections that the state provides to married heterosexual couples... The government denied me the dignity of being a widow and instead branded me as a legal stranger to the most important person in my life."



Deborah Harris's partner was killed at work, but she was denied survivor benefits.



WATCH DEBORAH HARRIS TELL HER STORY: lambdalegal.org/harris-vid

MAKING PROGRESS IN LAW & POLICY

It's been a big year for Lambda Legal's new Law and Policy Project

RELIGIOUS EXEMPTIONS

Lambda Legal has been working in state legislatures across the country to oppose efforts by antigay groups to carve out religious exemptions in nondiscrimination bills, relationship recognition bills and a variety of rules and regulations. "The constitutional protections for religious liberty are intended as a shield for free thought and worship, not a sword against others of different views," said Jenny Pizer, Law and Policy Project Director. "We can and must cherish both liberty and equality—the twin commitments that bring harmony from polyphonous pluralism."

HEALTH CARE DISCRIMINATION

In September, Pizer submitted comprehensive responses to questions asked by the federal Department of Health and Human Services (DHHS) about rules prohibiting health care discrimination under the Affordable Care Act (ACA). "This was an important chance to identify serious health needs of our diverse LGBT population and explain how barring discrimination improves health," Pizer said. "Our submission focused on youth, seniors, people living with HIV, transgender people and LGBT people of color within these demographic groups. We also explained that the regulations should be explicit that sexual orientation discrimination is a prohibited form of sex discrimination, just like discrimination based on sex stereotyping or gender identity."

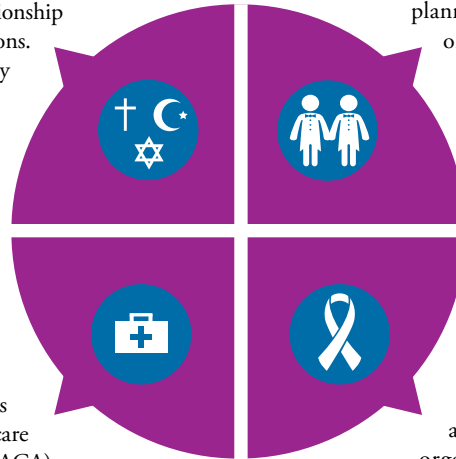
CIVIL UNIONS IN BISBEE, AZ

In April, after meeting with Pizer, Arizona Attorney General Tom Horne dropped threats to sue the city of Bisbee, Arizona to block its planned civil union ordinance. "We made clear that the ordinance addresses things that cities have control over," said Pizer, "like benefits for city workers and family rights at city facilities. It's especially innovative in allowing couples to make a public record of their mutual designations for life-planning." The ordinance went into effect in June and numerous Arizona cities have followed Bisbee's lead.

PROTECTING PEOPLE LIVING WITH HIV

HIV Project Director Scott Schoettes worked with other advocates to push for medically appropriate federal policies with respect to organ donation. We celebrated passage of the HIV Organ Policy Equity (HOPE) Act, setting the stage for life-saving organ donation from HIV-positive donors to HIV-positive patients.

Lambda Legal is grateful to the Anita May Rosenstein Foundation for partially funding the work of the Law and Policy Project.



Senate Passes ENDA with Broadened Religious Loophole

On November 7, the U.S. Senate voted 64-32 to pass the landmark Employment Non-Discrimination Act (ENDA), which would significantly enhance federal protections against discrimination for LGBT people in the workplace. Next, ENDA needs to be approved by the House of Representatives, hopefully with key improvements made along the way.

Lambda Legal reiterated its concern about this version of ENDA as having an expansive religious "loophole" or exemption that is much broader than the religious exemptions in other federal antidiscrimination laws. The current version would allow religious employers to discriminate against workers with no religious job duties—like janitors or office workers in a hospital—based on sexual orientation or gender identity in ways not permitted for other forms of discrimination forbidden by federal law.

Despite the loophole concerns, the November vote was widely applauded as the first time in history that the Senate has passed ENDA. The House passed a version of the bill in 2007, but it did not include protection for transgender people.

After the vote, Lambda Legal urged constituents to call state representatives to make sure they back the legislation overall but not its over-broad religious exemption. "Next, since the battle now shifts to the House, call your representative and tell him or her both to support ENDA and improve it," says Lambda Legal Workplace Fairness Program Strategist Gregory R. Nevins.

WHAT YOU'RE SAYING

A SAMPLING OF COMMENTS FROM OUR FACEBOOK PAGE

RE: SENATE PASSES ENDA (SEE LEFT)

KRISTIE SVALESON: Well done Senate....on to the House. Fingers crossed.

RE: HIV ORGAN POLICY EQUITY (HOPE) ACT (SEE ABOVE)

KURT LYNN: This is great, how many times have you had to go renew your license and they ask if you wanted to register to be an organ donor and you had to politely decline, due to the stigma associated with HIV?

RE: FEDERAL "STOP HARMING OUR KIDS" (SHOK) RESOLUTION

PFLAG ROCKFORD: If you are gay, you are gay. That is nothing to be ashamed of. It is the pseudo-psychologists and haters who should be ashamed.



FOR MORE INFORMATION ABOUT ENDA, VISIT:
lambdalegal.org/blog/20131107_enda-religious-loophole

Latino LGBT Activists Join Forces at Unión=Fuerza

On January 30 in Houston, Texas, Lambda Legal's Proyecto Igualdad helped host the second annual Latino Institute, Unión=Fuerza 2014 (visit unionfuerza.org), an all-day organizing event at Creating Change, the U.S.'s largest annual LGBT conference convened by the Task Force. Dozens of people attended to share resources and information or participate in training sessions designed to improve their organizing skills.

"The idea behind Unión=Fuerza 2014 was to help support collaborative relationships among Latino LGBT activists," said Francisco Dueñas, Proyecto Igualdad Coordinator, "and to prevent the isolation and burnout that can come with being a double minority."

Topping the agenda were immigration reform, HIV advocacy and discussions about the Latino transgender community.

There were also strategy sessions about working with mainstream Latino organizations and fundraising for Latino LGBT activism.

Bisexuality Meeting at the White House

On September 23, Lambda Legal Director of Education and Public Affairs Leslie Gabel-Brett joined about 50 experts and advocates from around the country at a White House meeting focused on legal and policy issues related to bisexuality. Among the topics discussed: discrimination, mental health, substance abuse, hate crimes, domestic and intimate partner violence and HIV infection.

"A significant percentage of people within the LGBT community identify as bisexual," said Gabel-Brett. "Failing to understand their separate and distinct experiences makes them invisible and fails to meet their needs." The team making a presentation about employment issues explained, for instance, that people who come out as bisexual at work report being mistrusted by their lesbian and gay coworkers yet facing discrimination from straight coworkers.

The meeting, convened by the White House Office of Public Engagement, was co-sponsored by BiNet USA and the Bisexual Resource Center and included officials from the Departments of Justice, Labor, Education and Health and Human Services.

Lambda Legal Honored for Work on Marriage, Immigration, HIV and Schools



Lambda Legal at the Chicago Gay & Lesbian Hall of Fame on November 12:

- | | |
|---|---|
| 1 Lambda Legal Chicago Leadership Council (CLC) Victor Armendariz | 9 Lambda Legal Counsel Christopher Clark |
| 2 CLC Co-chair Chris Mullins | 10 Lambda Legal Senior Legal Assistant Graciela Gonzalez |
| 3 City of Chicago Commissioner of the Department of Public Health Bechara Choucair | 11 Lambda Legal Office Manager Carla Avila |
| 4 City of Chicago Commissioner of the Department of Human Relations Mona Noriega | 12 Lambda Legal and Illinois Coalition of Immigrant and Refugee Rights Fellow Luis Roman |
| 5 Lambda Legal Midwest Regional Director Jim Bennett | 13 Lambda Legal National Events Director Jeff Souza |
| 6 Lambda Legal HIV Project Director Scott Schoettes | 14 Lambda Legal Public Information Officer Erik Roldan |
| 7 Co-chair of the Gay and Lesbian Hall of Fame Mary Morten | 15 Lambda Legal Legal Assistant Alexandra Kirschner |
| 8 Lambda Legal Marriage Project Director Camilla Taylor | 16 Lambda Legal Legal Fellow Sean Karunaratne |

CHICAGO GAY & LESBIAN HALL OF FAME

On November 12, Lambda Legal's Midwest Regional Office and its director, Jim Bennett, were both inducted into the Chicago Gay & Lesbian Hall of Fame, which honors the contributions of Chicago's LGBT communities and highlights efforts to fight homophobic bias and discrimination. Lambda Legal was recognized for its role in some of the organization's most significant LGBT cases and for the legal information provided to thousands by its Legal Help Desk. Bennett, who also chairs Illinois Unites for Marriage, was acknowledged for his tireless leadership, particularly his efforts to help LGBT communities win the right to marry in Illinois and Iowa.

"ADVOCATE OF THE YEAR"

On November 3, Lambda Legal was honored with the Spirit of Stonewall "Advocate of the Year" Award at Palm Springs Pride in California. The award recognizes outstanding people, organizations, events or businesses working to make a difference in the community through advocacy or service. Among the Lambda Legal courtroom victories highlighted were the first ever HIV/AIDS discrimination case, *People v. West 12 Tenants Corp.* (1983) and, in the 1990s, *Nabozny v. Podlesny*, in which Lambda Legal won an unprecedented \$1 million settlement on behalf of a former student who had been bullied in school, establishing a legal basis for holding schools responsible for anti-LGBTQ harassment and violence nationwide.

IMMIGRATION RIGHTS

On December 11, the American Immigration Lawyers Association recognized Lambda Legal for its work on immigration rights. "Lambda Legal's Midwest Regional Office in Chicago has been a leader and core coalition partner in issues around comprehensive immigration reform, LGBT detention issues, town hall educational sessions and Illinois marriage equality," said Derek Strain, AILA Chicago Chapter Chair.

LAMBDA LEGAL CELEBRATES MARRIAGE EQUALITY IN ILLINOIS AND NEW JERSEY!



ILLINOIS! FINALLY: After signing the new "Illinois Religious Freedom and Marriage Fairness Act," Governor Pat Quinn (center) celebrates with Lambda Legal plaintiffs Lakeesha Harris, Janean Watkins, Mercedes Santos, Jaidon Santos-Volpe, Theresa Volpe, (new baby) Lennox Santos-Volpe and Ava Santos-Volpe.



FOR MORE ABOUT THE BIG ILLINOIS WIN, VISIT:
lambdalegal.org/il-marriage-victory



JERSEY CELEBRATION: Lambda Legal plaintiffs Louise Walpin and Marsha Shapiro; Deputy Legal Director Hayley Gorenberg; plaintiffs Karen Nicholson-McFadden, son Kasey Nicholson-McFadden, Marcye Nicholson-McFadden and daughter Maya Nicholson-McFadden; and plaintiffs Maureen Kilian, son Josh Kilian-Meneghin and Cindy Meneghin.



FOR A FACT SHEET ABOUT THE NEW JERSEY VICTORY, VISIT:
lambdalegal.org/publications/fs_new-jersey-marriage-law



CORPORATE SPOTLIGHT: AMERICAN AIRLINES

Rainbow in the Sky

For over two decades, American Airlines has been a global leader advocating equality, respect and fairness for our lesbian, gay, bisexual and transgender (LGBT) customers and employees.

For the 12th year in a row, we have earned a perfect 100% score on the Human Rights Campaign's Corporate Equality Index—one of only a handful of corporations to do so, and the only airline ever—and we have been honored to be a National Sponsor of Lambda Legal since 2004.

Just as important to us are the vital partnerships we've invested in the LGBT community over the years. We take pride in serving as the Official Airline for more LGBT causes than any other airline in the world. This is one way that we express our loyalty and respect to all the customers, employees and shareholders who are loyal to us—and demonstrate our unflagging commitment to diverse communities. Giving back is part of our DNA.

Looking back, we take special pride in being the first airline to implement same-sex partner benefits and to add nondiscrimination policies that include sexual orientation and gender identity. We also were honored to testify on Capitol Hill in support of same-sex partner benefits and to be the first airline to endorse the Employment Non-Discrimination Act (ENDA).

Looking forward, we're excited to join forces and usher in the new American Airlines with our partner, US Airways. Our goal is the same—to better serve you around the world. Together, we're excited to bring you an expanded global network, modern and fuel-efficient planes, more Wi-Fi across our updated fleet and products and services that will wow you with a more connected and comfortable travel experience.

Imagine more than 3,500 daily flights, more than 50 countries and territories served globally and more than 250 destinations and communities connected around the world. Imagine the world at your doorstep and traveling with a partner you know and trust.

Everyone at American Airlines shares the vision of a world where every person is treated with respect, dignity and equality under the law. It is humbling to realize that the work we do every day helps support the vital work of Lambda Legal, in some small way.

Learn more about our values and our leadership by visiting www.aa.com/equality—and as always, please remember to book your next flight at www.aa.com/rainbow.



Each month, Lambda Legal’s lawyers and public educators work in the courts and in the court of public opinion fighting for the rights of LGBT people and those with HIV.

The most efficient way for you to support Lambda Legal’s ongoing work is to join the Justice Fund with a recurring monthly gift. With as little as \$10 per month, you will be providing the financial stability that our lawyers and public educators need to do their jobs in every corner of our country.

To join the Justice Fund fill out the information below and mail it in the enclosed envelope.

\$10.00 \$25.00 \$30.42 Other \$ _____

I have made a Justice Fund monthly contribution of at least \$25, please send me a Lambda Legal stainless-steel water bottle as a gift.***

I PREFER TO CHARGE MY: MASTERCARD VISA AMERICAN EXPRESS DISCOVER

NAME ON CARD _____ CREDIT CARD NUMBER _____ EXP. DATE* _____ SECURITY CODE** _____

BILLING ADDRESS _____

SIGNATURE _____ DAYTIME NUMBER _____

* information required to make gift by credit card. We won’t be able to process your gift if not complete.

** VISA/MC/Discover - 3 digits on the back of card; AmEx - 4 digits on front of card.

***Lambda Legal bottle is available with Justice Fund (monthly giving) memberships at the \$25 level or more. Bottle will be mailed after the second consecutive month of Justice Fund membership. Please allow 2 to 4 weeks for delivery. While supplies last. Lambda Legal | 120 Wall Street, 19th Floor | New York, NY 10005

IM14WINJ



DONOR PROFILE

Marilyn Lamkay

Marilyn Lamkay considers herself an “old” activist: she came out at age 25, almost a decade before the Stonewall Riots. A native New Yorker, she moved to Manhattan from her childhood home in Brooklyn and began her lifelong work as a passionate activist for the LGBT rights movement. “Coming out is about the joy of being yourself and being free,” Lamkay says. Yet, even living openly as a lesbian, Lamkay continued to harbor fear and discriminatory attitudes of her own.

Lamkay overcame these negative feelings for herself, and by extension for countless other LGBT people at the time, by seeking out and helping build a community for gays and lesbians in New York City. In the late 1970s, she helped found the East End Gay Organization (EEGO) and became a member of their board of directors. Lamkay also began to raise funds for a number of LGBT nonprofits, including Lambda Legal, the Gay and Lesbian Community Center, GMHC and the Astraea Lesbian Foundation for Justice. Along with four other women, she founded the Gathering Committee, an organization committed to creating social spaces outside of the bar scene for LGBT women in New York, and she joined the boards of directors of the National Gay and Lesbian Taskforce and the Fund for Human Dignity.

Lamkay, a Brooklyn native, has been a Lambda Legal donor since 1985.

Lamkay was honored for her community service in 1990 at Lambda Legal’s “Uncommon Women” reception. She was also in attendance during Supreme Court arguments in the landmark Lambda Legal case *Bowers v. Hardwick*.

Lamkay credits her ability to conquer her own internalized homophobia to organizations such as Lambda Legal, where she has been a donor since 1985 and a member of the Guardian Society since 2001. “We lesbians and gays have a responsibility to give to organizations that make our lives better,” says Lamkay. “That’s why I support Lambda Legal—it’s my life. It’s all of our lives.”

FOR MORE INFORMATION on joining the Guardian Society, contact Thai Pham, Director of Legacy Giving, at 212-809-8585 ext. 214 or tpham@lambdalegal.org.



HOLIDAYS ON ICE Lambda Legal members Tarek Uddin, David Hackett and Ty Matthews at The Downtown Bar & Lounge in Chicago, IL, on December 5, 2013.



PALM SPRINGS PRIDE Board member and District-level Liberty Circle member Roberta Conroy; Western Regional Director, former Board member and Liberty Circle member Shedrick Davis; Legal Director and Eden/Rushing Chair Jon Davidson; and Board member and District-level Liberty Circle member Elliott Sernel, at the Palm Springs Pride Parade, where Lambda Legal received an award for Advocate of the Year, in Palm Springs, CA, on November 9, 2013.



MORE HOLIDAYS ON ICE Lambda Legal member Dan Carmichael, Luis Roman-Garcia, Community Educator Crispin Torres and Kaaren Fehsenfeld at The Downtown Bar & Lounge in Chicago, IL, on December 5, 2013.



CONNECTICUT CARES Liberty Circle member and event co-chair Bryan Morris; Lambda Legal plaintiff and guest speaker Diane Marini; National Leadership Council member, Amicus-level Liberty Circle member and event co-chair John Stafstrom; and National Leadership Council member, Defender-level Liberty Circle member and event co-chair Andrew Mitchell-Namdar, at Mitchells of Westport in Westport, CT, on October 20, 2013.



NEW YORK YOUNG PROFESSIONALS FALL FOR EQUALITY EVENT Director of Strategic Partner Programs Drew Gully with Lambda Legal members Ivan Hernandez and Nestor Lara Baeza, who was a host committee member, at the Sky Room in New York City on November 14, 2013.



NEW YORK GUARDIAN SOCIETY RECEPTION Amicus-level Liberty Circle member Irwin Srob with Executive Director Kevin Cathcart at Humphrey in New York City on October 16, 2013.



NEW YORK GUARDIAN SOCIETY RECEPTION Board member Suzanne LeVan with her spouse Annette Cerbone, both Amicus-level Liberty Circle members, at Humphrey in New York City on October 16, 2013.



DC YOUNG PROFESSIONALS COCKTAIL RECEPTION Lambda Legal member Bishop Gene Robinson with Liberty Circle member Joel Simkins at Number Nine in Washington, DC, on November 20, 2013.

SAVE THE DATE LIBERTY AWARDS NATIONAL DINNER



May 5, 2014 | 6:00pm - 11:00pm
Chelsea Piers, New York, NY 10011

Enjoy the company of Lambda Legal staff, board and National Leadership Council members, as well as supporters from around the nation as we celebrate the march towards full equality and honor notable leaders who have made an impact in the lives of LGBT and HIV-affected Americans.



FOR MORE INFORMATION, VISIT: lambdalegal.org/libertyawards

NEW LAMBDA LEGAL RESOURCE!

FOR HOSPITALS, A TRANSGENDER HEALTH CARE HANDBOOK



Lambda Legal, the New York City Bar Association and the Human Rights Campaign (HRC) teamed up to produce a new hospital guide to improve care for transgender patients—just in time for the national rollout of the federal Affordable Care Act.

WHAT: *Creating Equal Access to Quality Health Care for Transgender Patients: Transgender-Affirming Hospital Policies* makes specific recommendations to medical personnel while also helping hospitals comply with legal and regulatory mandates. The guide answers common questions about transgender patients and provides tips for combating insensitivity and bias around issues such as bathroom access and registration procedures.

WHY: The need for such a guidebook was clear after Lambda Legal's "When Health Care Isn't Caring" national survey found that transgender and gender-nonconforming people are two to three times more likely to suffer from healthcare-related discrimination than lesbian, gay and bisexual people. The 2011 National Transgender Discrimination Survey painted an even bleaker picture—among more than 6,000 respondents, 19 percent reported having been refused health care because of their transgender status, while 28 percent reported postponing necessary care for fear of discrimination.



WHERE: lambdalegal.org/publications/fs_transgender-affirming-hospital-policies

LOOK INSIDE THIS ISSUE TO FIND OUT HOW LAMBDA LEGAL IS FIGHTING:

- >For marriage equality
- >For a strong, effective ENDA
- >Against anti-LGBT discrimination in housing, survivor benefits and the workplace

Contact Lambda Legal

NATIONAL HEADQUARTERS

120 Wall Street
19th Floor
New York, NY 10005-3904
tel 212-809-8585
fax 212-809-0055

WESTERN REGIONAL OFFICE

4221 Wilshire Boulevard
Suite 280
Los Angeles, CA 90010-3512
tel 213-382-7600
fax 213-351-6050

MIDWEST REGIONAL OFFICE

105 W. Adams
26th Floor
Chicago, IL 60603-6208
tel 312-663-4413
fax 312-663-4307

SOUTHERN REGIONAL OFFICE

730 Peachtree Street, NE
Suite 1070
Atlanta, GA 30308-1210
tel 404-897-1880
fax 404-897-1884

SOUTH CENTRAL REGIONAL OFFICE

3500 Oak Lawn Avenue
Suite 500
Dallas, TX 75219-6722
tel 214-219-8585
fax 214-219-4455

lambdalegal.org

HELP DESK: 1-866-542-8336

lambdalegal.org/help

Lambda Legal is a national organization committed to achieving full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and those with HIV through impact litigation, education and public policy work.

Impact Magazine *is published three times a year.*

COVER PHOTO: © MARISSA DE LA TORRE

 **Lambda Legal**
making the case for equality