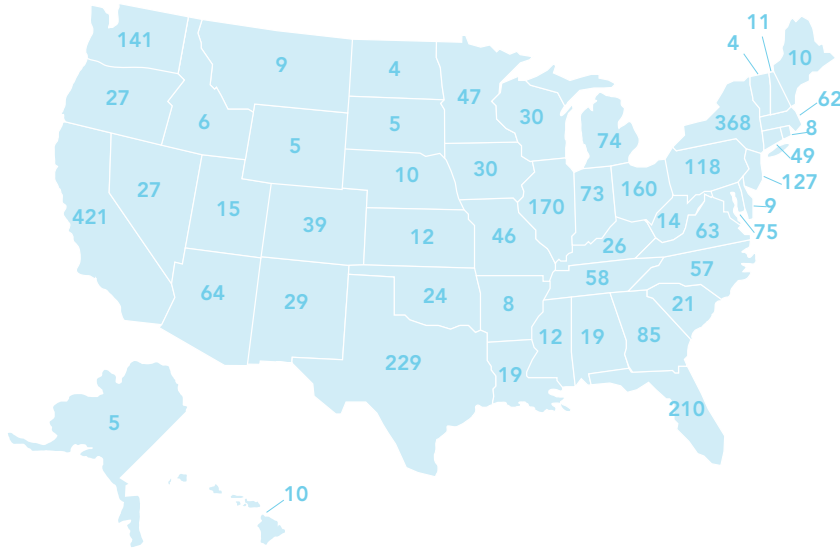


# LAMBDA LEGAL FINDINGS

## Clock In for Equality: 2008 *"I Signed the Pledge"*



Clock In for Equality 2008 was a rousing success! We had participants signing the pledge to fight workplace discrimination in every state in the nation! Clock In is a national day of action against workplace discrimination and inequality. On May 15th, activists, community leaders, allies, employers, and everyday individuals gathered together to discuss workplace fairness and what they can do to combat discrimination. Check out photos of people who've made the pledge to fight workplace discrimination at our Flickr site: <http://www.flickr.com/people/lambdalegal/>



Queer Eye for the Straight Guy's Carson Kressly (shown here at the Jeffrey Fashion Cares event) was one of many supporters who signed the pledge in our Clock In for Equality campaign.

### ON THE DOCKET

#### I HEART NY

In a series of victories, Lambda Legal has reaffirmed the legal standing of out-of-state marriages of same-sex couples in New York. Lambda Legal intervened in a lawsuit on behalf of Peri Rainbow and Tamela Sloan — two New York state employees who were married in Canada. Rainbow and Sloan relied on the health insurance benefits they received, much like their co-workers in different-sex marriages. Last year, the Department of Civil Service issued a policy recognizing out-of-state marriages of same-sex couples in order to provide these employees with the health insurance coverage they require. The Alliance Defense Fund, an antigay organization, represented a handful of taxpayers in a lawsuit arguing that this coverage was unconstitutional and an illegal spending of state funds. A New York State judge ruled against this claim and upheld the Department of Civil Service's policy.

**IMPACT:** New York's governor's office, attorney general, state comptroller and countless others have agreed to recognize the validity of out-of-state marriages of same-sex couples when providing benefits. Our work in the Empire State, along with our other relationship recognition work across the nation, brings us closer to a day when same-sex couples will be able to marry.



#### HATE CRIMES NEVER PAY

Lambda Legal has successfully reached a settlement on behalf of Brett Timmerman, an openly gay former University of Wisconsin student. While approaching a local sandwich shop with a friend, Timmerman was verbally and physically assaulted. He was called "faggot" numerous times, spat on, pushed, hit in the head, tackled to the ground and then falsely accused of starting the fight. He suffered a ruptured eardrum and was given a citation for disorderly conduct, which was later dismissed. Lambda Legal filed a lawsuit under the civil recovery provision of Wisconsin's hate crime law, which provides special compensation for victims of violence on the basis of sexual orientation.

**IMPACT:** This is the first time that Wisconsin's hate crime civil recovery law was used successfully in response to antigay violence. The case sends a clear message to the public, law enforcement and the courts that antigay violence will not go unpunished.



BRETT TIMMERMAN

## Involved, Invisible, Ignored.

A new study by the Gay, Lesbian and Straight Education Network, "Involved, Invisible, Ignored," finds LGBT parents more active in their children's education than the general parent population.

**94%** of LGBT parents attend parent-teacher conferences compared to **77%** of a national sample of parents.

**67%** of LGBT parents volunteer at their child's school, compared to **42%** of a national sample.

## TROUBLE IN PARADISE

Joseph O'Leary and Phi Ngo lived together in on-campus family housing at the University of Hawaii in Manoa during the 2006-2007 school year. After the couple reapplied for housing the following year, they were surprised when their request was denied. The University of Hawaii based this decision on the state of Hawaii's definition of marriage — as an option only available to different-sex couples. O'Leary and Ngo were forced to move off campus, which raised their living expenses considerably. Lambda Legal has filed a lawsuit on behalf of the couple.

**IMPACT:** Offering housing to couples on the basis of being married in a state where same-sex couples cannot marry is discriminatory. A win in this case would hold a large public institution, the University of Hawaii, accountable for unlawful and discriminatory policies.



## T FOR TEXAS

Izza Lopez was offered a job as a scheduler with River Oaks Imaging and Diagnostic, a medical imaging company in Houston. After accepting the offer, Lopez resigned from her position with her then-current employer. She then received a call from River Oaks informing her that her job offer was being rescinded. River Oaks believed that Lopez, a transgender woman, had "misrepresented" herself to the

company. Lambda Legal's lawsuit alleged that River Oaks is in clear violation of Title VII, a federal law that prohibits sex discrimination in employment. In April 2008, a federal judge in the Southern District of Texas ruled that Lopez presented evidence of sex discrimination. The case was set to go to trial but has since been settled to the satisfaction of all parties involved.

**IMPACT:** The judge's ruling confirmed that transgender employees who challenge sex stereotypes can make valid claims under existing sex discrimination laws. Secondly, it acknowledged that transgender people do not "misrepresent" themselves simply by expressing their authentic gender identity.



IZZA LOPEZ

## Join the Fight for Justice

By committing to support our work on a monthly basis, members of the Justice Fund provide vital financial security. And because Justice Fund gifts arrive without the expenses involved in other fundraising efforts, more of the contribution goes directly into making the case for equality. Become a member of the Justice Fund today at

<http://www.lambdalegal.org/take-action/donate/justice-fund.html>

and let us stretch your dollar even further!