

**Testimony in Support of the Maryland Religious Freedom
and Civil Marriage Protection Act, S.B. 116**

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Good afternoon. I am Director of Constitutional Litigation at Lambda Legal Defense & Education Fund, Inc., a national organization dedicated to achieving full civil rights for those who are lesbian, gay, bisexual, transgender or living with HIV. Thank you for this opportunity to testify on a subject that so deeply affects lesbian and gay couples and their children in this state. On behalf of Lambda Legal's many Maryland members, we urge enactment of the Maryland Religious Freedom and Civil Marriage Protection Act.

I want particularly to speak on behalf of several couples, Lambda Legal's clients, whose stories speak volumes about why same-sex couples need the security and protections that come with marriage. Each of these couples has entered into a valid marriage in a jurisdiction out of state – without the sky having fallen in those places but with stronger families instead — yet each still faces discrimination in Maryland. I also want to address why, for these and other couples, passing SB 116 is the one way to ensure they can fully protect their families.

First, there are Margaret Selby and Colette Hayward, a couple for nearly two decades, who together raised two children to adulthood and now enjoy several young grandchildren. Maggie is a Police Officer in Baltimore County, patrolling the streets of Baltimore to keep its residents safe from danger. Maggie's fellow officers threw a celebration for them before their marriage in Massachusetts in 2009. Maggie, though she is very humble and won't talk about it herself, is an extraordinary police officer, earning commendation after commendation for her dedication. For example, for the third time Maggie has been named her precinct's Officer of the Year, for such heroism as intervening to disarm a man who was ready to shoot a social worker. Yet despite their marriage, Maggie's dedication to her job, and the fear Colette lives with every time Maggie goes off on patrol, the County Police Department is refusing to respect their marriage and to allow Maggie to take care of Colette with spousal health insurance and other protections.

Then there are Juanika Ballard and Monica Williams, a couple for over six years, who met in church in Baltimore and later married in Connecticut. Juanika too is a Baltimore County police officer. In 2009 she was horribly injured when an out-of-control driver slammed into her patrol car. She had to be cut from her patrol car and airlifted with a broken back to the hospital. In the months it took to nurse Juanika back to health, Monica was by her side, so Juanika could resume her job protecting the people of Baltimore County. When Monica's father died just a few weeks ago, Juanika wanted to be by Monica's side, at the funeral and family gathering afterwards, yet was told by the Police Department that she could not take the same bereavement leave other married spouses on the force receive in the same circumstances. Juanika also is being told that she cannot have spousal health insurance for Monica, who has returned to school to get her degree in order to make a better life for the children they are raising together.

And you will be hearing today from the third couple, Stacy and Barbara Pipkin, who married in the District of Columbia and have recently adopted a baby together. They are being told by Stacy's employer, the Ann Arundel County Public Schools, that she cannot have the same spousal health coverage other married employees receive in order to insure Barbara, who works with developmentally disabled adults.

While each of these couples is entitled to have their marriages given legal recognition in Maryland, still they have to fight – with lawyers and anxiety and doing without in the meantime – just to be treated as other married couples are.

These three couples stand by one another through sickness and health, they raise children together, and they do all they can to contribute to their communities – some even risking their lives for the people of Maryland. Yet none of these couples could marry in Maryland; they had to travel somewhere else for their weddings. And even though they have tried to protect one another and their families in every way they could, including by marrying in jurisdictions that do have the freedom to marry, still they have to fight in Maryland just to be able to go to a beloved father-in-law's funeral.

There is no substitute for the security and protections that come to hardworking families through marriage. Sure, if you have the money you can hire a lawyer to draft a briefcase full of legal documents like wills, domestic partner affidavits, health care directives, and powers of attorney, and you can haul that briefcase around with you everywhere you go, but still that is no substitute for the hundreds of protections that come automatically with marriage. Those documents did not help another Lambda Legal client, Janice Langbehn, who couldn't be by her dying partner's side at a Florida hospital because they were not married.

The domestic partner protections Maryland provides to same-sex couples, though a step in the right direction, fall far, far short of what married couples can count on – no one could say they are any kind of substitute for marriage. And civil union is no answer either, as both Connecticut and Vermont learned, and moved from civil union to full marriage equality to ensure that same-sex couples and their families were not relegated to a lesser, unequal status. Finally, although same-sex couples are entitled in Maryland to have their out-of-state marriages recognized, for these three families that has not proven to be a simple proposition, and Lambda Legal is advocating for them to ensure their marriages are recognized. But you should not have to get a lawyer just to ensure that your marriage is recognized — just to make certain that basic protections other committed couples can rely on for their families are available to you, your spouse and children.

In ending discrimination in marriage for same-sex couples, this Legislature will make families like the Pipkins, the Selby-Haywards, and the Ballard-Williams that much stronger. It will make the communities these families so selflessly serve that much stronger. In ending discrimination in marriage, this Legislature will have one of its finest hours.