

HAWAII

B&B & BIAS

Imagine booking a Hawaii trip and being turned away because you're lesbians.

It happened to Diane Cervelli and Taeko Buford, a California couple who were planning a trip to Honolulu to be near a friend who had just given birth. The friend suggested nearby lodging, the Aloha Bed & Breakfast. Cervelli called to make a reservation, and when she provided the names of who would be staying in the room, the business owner asked if they were lesbians. Cervelli answered truthfully, and the owner refused to rent the room.

"In my past experiences in Hawaii, people have been so friendly," Cervelli told the Associated Press. "It was just hurtful. It made me feel we weren't good enough."

Lambda Legal is suing Aloha Bed & Breakfast on the couple's behalf, claiming it violated Hawaii's public accommodation law, which prohibits discrimination based on sexual orientation. In addition, the Hawaii Civil Rights Commission has moved to join the lawsuit in order to protect and enforce the state antidiscrimination law. The B&B is represented by the antigay legal group Alliance Defense Fund.

"When you open the doors of your business to the public, Hawaii law absolutely forbids you from discriminating against your customers," said Lambda Legal Staff Attorney Peter Renn. "You can't roll up the welcome mat when you see a lesbian or gay couple, just as you can't refuse to do business with Jewish customers, African-American customers, or disabled customers."



Buford and Cervelli, rejected by a bed-and-breakfast owner, are fighting back.

Save the Date

FEBRUARY
12 Ladies & Lambda Legal Reception San Francisco, CA

MARCH
25 Lambda Legal in Fort Lauderdale Ft. Lauderdale, FL
26 Jeffrey Fashion Cares New York, NY

APRIL
20 Lambda Legal's San Francisco Soiree San Francisco, CA
25 Bon Foster Civil Rights Celebration Chicago, IL

MAY
7 Liberty Awards National Dinner New York, NY

JUNE
14 West Coast Liberty Awards Los Angeles, CA
22 Lawrence Celebration Breakfast Houston, TX

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MARYLAND

ROAD TO EQUALITY

A string of recent victories in Maryland is helping the state edge closer to full legal recognition of the marriages of same-sex couples.

Lambda Legal represented Margaret Selby and Juanika Ballard, two Baltimore County police officers who were denied health benefits for their same-sex spouses. In November, an arbitrator ruled that the county violated the terms of their union contract by denying benefits.

Previously, Lambda Legal had represented Stacy Pipkin, an administrator with Anne Arundel County Public Schools who sought health coverage for her wife and was turned down. Following a complaint on Pipkin's behalf to the Maryland Commission on Human Relations, the school system changed its policy last July and made spousal benefits available to same-sex couples.

On the heels of these victories, Baltimore County announced that beginning January 2012 it would extend spousal benefits to all married county employees on an equal basis.

"Sometimes, getting a fair deal for a couple of people opens the door to justice for many more," said Susan Sommer, Lambda Legal's Director of Constitutional Litigation.

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TREATMENT PLAN

As the U.S. Supreme Court prepares to hear challenges to the health care reform law, Lambda Legal weighed in by explaining to the Court how the legislation helps correct many of the failures in the current health care system for people living with HIV.

Congress enacted the Patient Protection and Affordable Care

Act (ACA) in 2010, bringing critical reforms to the private health insurance industry and expanding access to health insurance for millions of Americans. Challenges to this landmark law's constitutionality immediately were filed in federal courts.

Lambda Legal, with co-counsel Ropes & Gray, filed a friend-of-the-court brief on behalf of 16 national HIV advocacy organizations. The brief supports the Obama administration's position regarding what is perhaps the ACA's most contentious feature, the minimum coverage requirement (also known as the individual mandate). Lambda Legal attorneys have an answer for those who question whether the government can require people without health insurance to purchase it:

"The ACA's interconnected reforms—including expanded Medicaid coverage, elimination of pre-existing condition exclusions, and the minimum coverage requirement—are a proper exercise of Congress's power to address a broken national health care finance system," said Susan Sommer, Lambda Legal's Director of Constitutional Litigation.

Better access to care leads to higher levels of HIV testing and prevention. After Massachusetts enacted health care reform in 2006 similar to that subsequently enacted nationally, the HIV transmission rate dropped 37%, while the national rate rose 8%. In Florida, which is challenging the ACA, 21% are uninsured, compared with 5.6% in Massachusetts. And Florida's HIV infection rate is *five times* that of Massachusetts and the highest in the nation.

"The reforms of the ACA are a crucial bridge between the current state of the domestic epidemic and a future free from AIDS," said Lambda Legal HIV Project Director Scott Schoettes.

The Court is scheduled to hear oral argument in March.



More access to health care is needed in the fight against HIV.



Franke with daughter Sara Bowling Franke.

IN MEMORIAM

DR. ROBERT FRANKE (1933–2011)

Lambda Legal mourns the passing of Dr. Robert Franke, plaintiff in our 2009 lawsuit against an Arkansas assisted living facility that evicted him when staff found out he had HIV. The case was settled in 2010.

A Unitarian-Universalist minister and retired university provost, Dr. Franke was recognized for his contributions in the battle against HIV stigma and discrimination at a 2010 White House conference on HIV and aging.

"Dr. Franke was an educator through and through," said Scott Schoettes, Lambda Legal HIV

Project Director. "He never had any desire to draw attention to himself—or his medical condition—but he was willing to do whatever was necessary to make his terrible experience a 'teachable moment,' to help ensure that no other senior living with HIV suffered the kind of discrimination he did."



LAMBDA LEGAL HONORS AMERICAN AIRLINES

In recognition for their valued support and leadership in advancing LGBT rights, Lambda Legal is pleased to present American Airlines with a National Liberty Award at our annual gala dinner on May 7th, 2012 at New York City's Chelsea Piers. American Airlines, the official airline of Lambda Legal, has been a pioneer in progressive values regarding the LGBT community for nearly two decades. The first major airline to implement same-sex domestic partner benefits as well as the first to introduce protections for sexual orientation and gender identity to their workplace nondiscrimination policies, American Airlines is approaching their 9th anniversary as a National Sponsor of Lambda Legal.

Betty Young, Manager of Diversity Markets for American Airlines, said: "We are honored to receive the National Liberty Award from one of our nation's strongest advocates for equal rights. We will keep working every day to deserve this recognition."

For more information on American's commitment to diversity, visit AA.com/diversity