

ANCHORAGE DAILY NEWS

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Women's shelter files suit over Anchorage's LGBT non-discrimination law

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A faith-based women's homeless shelter in Anchorage is suing to block the city from requiring it to accept transgender women, which it said would violate its religious beliefs.

Lawyers for Alliance Defending Freedom filed a motion in federal court Thursday seeking an injunction to stop the city from applying its law barring discrimination on sexual orientation or gender identity to the Hope Center shelter in Anchorage. The conservative Christian law firm based in Scottsdale, Arizona, says homeless shelters are exempt from the local law, yet the city has used the law to "investigate, harass, and pressure" the downtown shelter.

"The injunction would mean that Anchorage can't apply the ordinance to the Hope Center in order to force the Hope Center to allow men to come in the shelter and sleep and undress alongside these vulnerable homeless women," Denise Harle, an attorney with the alliance, said Thursday.

The shelter operators filed a federal lawsuit against the city and its Equal Rights Commission in August, months after a transgender woman complained to the commission that she was denied entry at the shelter.

[Discrimination complaint against downtown Anchorage women's shelter opens up political front]

Because the matter is not resolved, Thursday's filing is premature, and so is the request for injunctive relief, said Deputy Municipal Attorney Deitra Ennis, who represents the city and its Equal Rights Commission in the matter. The commission began an investigation after the transgender woman complained she was denied housing at the shelter.

The commission's investigation has not been concluded "due in large part to the noncooperation of the Hope Center," Ennis said in a statement provided to The Associated Press. She said the commission had reached no decision or enforcement action before Thursday's court motion.

"There is strong federal policy not to intervene in local agency proceedings prior to any enforcement action or state court review of local code interpretation," she wrote.

The plaintiffs said the individual identified only as "Jessie Doe" showed up inebriated after hours in January and was not turned away because of gender. The shelter officials even paid for a cab ride to a local hospital for the individual, who had a forehead wound from fighting at another shelter, to do "the loving thing" rather than involving police, Harle said. Center officials did not call for an ambulance because the wound did not appear to be an emergency, she said.

The same individual showed up the following day and again was denied entry, according to Thursday's motion.

Because the city continues to pursue the transgender issue, plaintiffs want the federal court to weigh in and make clear once and for all that nothing the shelter is doing is violating the law, Harle said.

Alliance Defending Freedom also represented a Colorado baker who refused to make a wedding cake for a same-sex couple. In a limited decision, the U.S. Supreme Court sided with the baker, but it did not rule on the larger issue of whether businesses can invoke religious objections to refuse service to gays and lesbians.

The Southern Poverty Law Center has identified the alliance as an LGBT hate group, one that seeks to push transgender people "back into the shadows."

Comments