

HB

184

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184</SUBJECT><COMM>HJUD30</COMM></TARGET>

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

MEMORANDUM

Date: March 7th, 2018
To: Representative Matt Claman, Chair
House Judiciary Committee
From: Representative Josephson
Re: Hearing Request for House Bill 184

Please accept this hearing request for House Bill 184, entitled "*An Act adding to the powers and duties of the State Commission for Human Rights; and relating to and prohibiting discrimination based on sexual orientation or gender identity or expression.*" The purpose of this legislation is to amend Alaska civil rights statute to include, among existing protected classes, sexual orientation, gender identity and expression.

Find attached to this request the most recent version of the bill, fiscal note, supporting documents, and letters of support and opposition. Please feel free to contact my staff Megan Holland at 465-4939 with any questions and I urge you to support this legislation.

A handwritten signature in cursive script that reads "Andy Josephson".

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

SPONSOR STATEMENT

HB 184 – Prohibiting Discrimination Based on Sexual Orientation, Gender Identity and Expression

Historically, Alaska has been a forerunner for human rights. We passed our Civil Rights Act almost two decades before the national act of 1964. Yet, we don't protect the civil rights of LGBTQ Alaskans. This population continues to lack protection from discrimination in housing, financing, employment, and public accommodations—protections we afford to all other Alaskans.

House Bill 184 resembles laws passed in 21 other states that provide equal protection against discrimination. HB 184 adds "sexual orientation, gender identity and expression" to the list of classes protected under current Alaska law, which includes "race, religion, color, national ancestry, physical or mental disability, age, sex, marital status, changes in marital status, pregnancy, or parenthood."

In 2016, the Alaska State Commission on Human Rights passed a resolution urging the legislature to make the very change proposed by this legislation, given the commission lacks authority to address discrimination of this kind. We have yet to assist this vulnerable population.

All Alaskans should enjoy the right to participate in commerce and live active lives in our communities, free from restrictions based on their sexual orientation, gender identity, or gender expression. Such restrictions harm our state and harm the dignity of Alaskans.

Additionally, HB 184 includes a ministerial exemption to protect the constitutional right to free exercise of religious institutions in our state.

At no cost to the state, HB 184 will strengthen civil rights statutes to include one of the fastest growing communities in Alaska, make our state more attractive to workers, and shape Alaska, once again, into a shining model of human rights advocacy in the United States of America.

Please contact my office at 465-4939 with any questions or concerns.

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Sectional Analysis

HB 184 - *"An Act adding to the powers and duties of the State Commission for Human Rights; and relating to and prohibiting discrimination based on sexual orientation or gender identity or expression."*

Section 1: Amends AS 18.80.060 the powers and duties of the Human Rights Commission. The section adds "sexual orientation, gender identity or expression" to the list of protected categories that include race, religion, color, national ancestry, physical or mental disability, age, sex, marital status, changes in marital status, pregnancy, or parenthood.

Section 2: Amends AS 18.80.200 to add "sexual orientation, gender identity or expression" to the list of discriminations which are cause for public concern, and asserts the need for the state to prevent such discrimination in employment, credit and financing practices, public accommodations and sale, lease or rental of real property.

Section 3: Amends AS 18.80.210 to add "sexual orientation, gender identity or expression" to the categories of protected civil rights.

Section 4: Amends AS 18.80.220 to add "sexual orientation, gender identity or expression" to the prohibitions against unlawful employment practices.

Section 5: Creates a new section under AS 18.80.220 which provides a religious exemption for the prohibitions against discrimination under the area of employment, stating that section 4 does not apply to an employment relationship between a religious organization and a minister employed by the religious organization.

Section 6: Amends AS 18.80.230 to add "sexual orientation, gender identity or expression" to the prohibitions against unlawful practices in public accommodations.

Section 7: Amends AS 18.80.240 to add "sexual orientation, gender identity or expression" to the prohibitions against unlawful practices in the sale or rental of real property.

Section 8: Amends AS 18.80.250 to add "sexual orientation, gender identity, or expression" to the prohibitions against unlawful practices in financing and extending credit.

Section 9: Amends AS 18.80.255 to add "sexual orientation, gender identity, or expression" to the prohibitions against unlawful practices by the state or its political subdivisions.

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Section 10: Defines blockbusting, and amends AS 18.80.300 to add “sexual orientation, gender identity, or expression” to the prohibitions against unlawful practices in blockbusting, or practices by a real estate agents to close a transaction.

Section 11: Amends AS 18.80.300 to add definitions of “gender identity or expression,” and “sexual orientation” to Alaska statute.

STATE OF ALASKA

HUMAN RIGHTS COMMISSION

BILL WALKER, GOVERNOR

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ANCHORAGE, ALASKA 99501-3669
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RESOLUTION 2016-2

WHEREAS, Alaska's Human Rights Law, AS 18.80, currently prohibits discrimination based on race, religion, color, national origin, physical or mental disability, age, sex, marital status, changes in marital status, pregnancy or parenthood;

WHEREAS, the Municipality of Anchorage and the City & Borough of Juneau assemblies have both passed non-discrimination ordinances for Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) residents;

WHEREAS, the above referenced laws and orders are commendable progress in protecting the human rights of Alaska's LGBTQ residents, there is currently no holistic and comprehensive statewide regime for legal recourse concerning LGBTQ discrimination, resulting in inadequate enforcement and protection of LGBTQ residents;

WHEREAS, the Alaska State Commission for Human Rights recalls Resolution 83-01 (February 26, 1983) which reiterates the Commission's important charge to help "set policy and interpret Alaska's Human Rights Law" and to "direct the activities of the chief civil rights enforcement agency in the state";

WHEREAS, the Alaska State Commission for Human Rights is cognizant of these important and vital components of its mission and also maintains high awareness of other states' and national human and civil rights enforcement organizations, noting the Equal Employment Opportunity Commission's interpretation of Title VII of the 1964 Civil Rights Act as prohibiting employment discrimination on the basis of sexual orientation and/or gender identity or expression;

WHEREAS, the Alaska State Commission for Human Rights recalls Resolution 90-01 (February 27, 1990) to raise awareness of anti-LGBTQ discrimination and encourage efforts to provide equal protection for Alaska's LGBTQ citizens; and

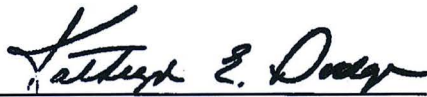
WHEREAS, the Alaska State Commission for Human Rights recalls and applauds recent efforts by state legislators of both parties with the introduction of HB139 (2013), HB19, HB42 and SB20 (2015) to revise the Alaska Human Rights Law, AS 18.80, to expressly prohibit discrimination on the basis of sexual orientation or gender identity and expression.

NOW, THEREFORE, BE IT RESOLVED, that the Alaska State Commission for Human Rights:

1. calls on the Alaska State Legislature to revise the Alaska Human Rights Law, AS. 18.80, to expressly prohibit discrimination on the basis of sexual orientation or gender identity and expression, and
2. requests that its staff work with the Department of Law to draft proposed regulations addressing the inclusion of prohibitions against discrimination on the basis of sexual orientation or gender identity and expression under the existing law prohibiting sex discrimination and to consider in that process the administrative application of the EEOC's interpretation of Title VII of the 1964 Civil Rights Act prohibiting employment discrimination on the basis of sexual orientation and/or gender identity or expression.

Copies of this resolution shall be forwarded to the Office of the Governor and all members of the Alaska State Legislature.

ADOPTED at Anchorage, Alaska, this 2nd day of November 2016.



Kathryn Dodge, Acting Chairperson
Alaska State Commission for Human Rights

STATE OF ALASKA

**Alaska State Commission for Human Rights
Roll Call Sheet
Vote on Resolution 2016-2**

ANCHORAGE, ALASKA

**COMMISSION MEETING
November 2, 2016**

<u>COMMISSIONER</u>	<u>YES/NO/NOT PRESENT</u>
<i>Chairperson Lester Lunceford</i>	<u>Not Present</u>
<i>Vice Chairperson Kathryn Dodge</i>	<u>YES</u>
<i>Commissioner Christa Bruce</i>	<u>YES</u>
<i>Commissioner Michele Christiansen</i>	<u>Not Present</u>
<i>Commissioner Jason Hart</i>	<u>YES</u>
<i>Commissioner Grace Merkes</i>	<u>NO</u>
<i>Commissioner Brandon Nakasato</i>	<u>YES</u>

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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Mail Stop 3101


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 28, 2017

SUBJECT: State Commission for Human Rights: Definition of term "sex"
(Work Order No. 30-LS0779)

TO: Senator Berta Gardner
Attn: Megan Holland

FROM: Linda M. Bruce 
Legislative Counsel

You requested an opinion on whether the term "sex" under AS 18.80 includes sexual orientation or gender identity. The short answer is that this issue is currently unresolved.¹

The human rights laws under AS 18.80.200 - 18.80.255 prohibit discrimination based on "sex" in certain places or for certain activities, but do not explicitly include sexual orientation and gender identity. There is no existing definition, in Alaska Statutes, for the term "sex." I was not able to find any Alaska Supreme Court decisions resolving claims of discrimination under AS 18.80.200 - 18.80.255 based specifically on sexual orientation or gender identity. However, in *Rodriguez v. Alaska State Commission for Human Rights*, the Supreme Court noted, in resolving a claim of racial discrimination, that AS 18.80.220(a) "does not include discrimination based on a complainant's sexual orientation."²

The State Human Rights Commission (commission) administers AS 18.80.200 - 18.80.255. According to its website, the commission frequently processes complaints alleging sex discrimination prohibited by AS 18.80.200 - 18.80.255. On November 2, 2016, the commission passed a resolution that would interpret sex discrimination to include gender identity and sexual orientation, which is the interpretation used by the U.S. Equal Employment Opportunity Commission under Title VII of the 1964 Civil

¹ Note that HB 139 and HB 19, introduced in the 28th Legislature and the 29th Legislature respectively, sought to resolve this issue by explicitly adding discrimination based on sexual orientation, gender identity, and expression to AS 18.80.200 - 18.80.255.

² 354 P.3d 380, 386 (Alaska 2015) (note that the court did not specifically analyze whether the term "sex" implicitly includes sexual orientation and gender identity).

Senator Berta Gardner
March 28, 2017
Page 2

Rights Act.³ The resolution also calls on the Alaska State Legislature to "prohibit discrimination on the basis of sexual orientation or gender identity and expression."⁴ I do not know if the commission has actually received or investigated complaints of discrimination based on sexual orientation or gender identity since the resolution passed.

It is unclear whether an Alaskan court would uphold the commission's interpretation of "sex" to include gender identity and sexual orientation. To resolve any doubt about whether the protections of AS 18.80 apply to a person's sexual orientation or gender identity, these classes should be explicitly included under AS 18.80.200 - 18.80.255.

If I may be of further assistance, please advise.

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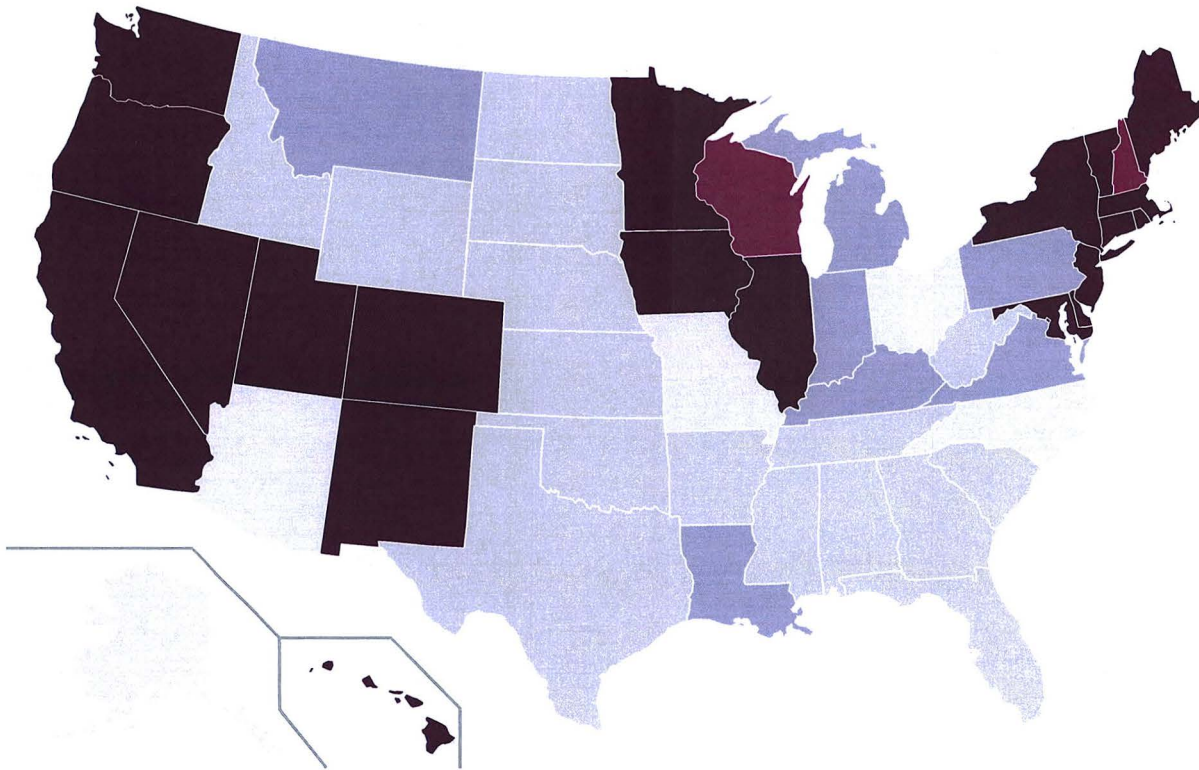
³ I have been unable to locate a copy of the resolution passed by the commission. See Anne Hillman, *Alaska Human Rights Commission proposes regulation changes to protect LGBTQ community*, ALASKA PUBLIC MEDIA (Nov. 7, 2016), <http://www.alaskapublic.org/2016/11/07/alaska-human-rights-commission-proposes-regulation-changes-to-protect-lgbtq-community/>

⁴ *Id.*



HUMAN
RIGHTS
CAMPAIGN

STATEWIDE EMPLOYMENT LAWS & POLICIES



Updated August 25, 2016

The Federal Equal Employment Opportunity Commission is currently accepting complaints of sexual orientation and gender identity discrimination in employment based on Title VII's prohibition against sex discrimination.

States that prohibit discrimination based on sexual orientation and gender identity (20 states & D.C.): California, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Rhode Island, Utah, Vermont, Washington

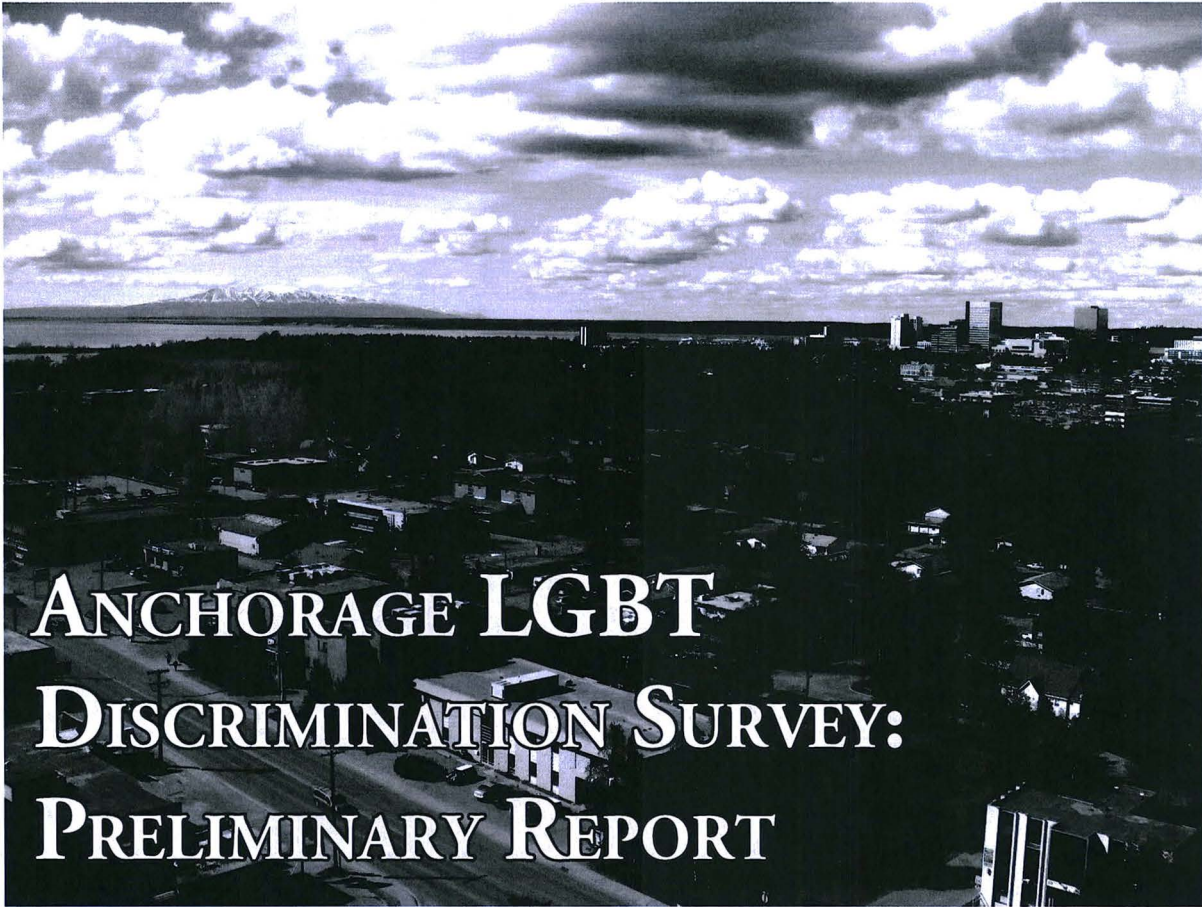
States that prohibit discrimination based on sexual orientation only (2 states): New Hampshire, Wisconsin

States that prohibit discrimination against public employees based on sexual orientation and gender identity (7 states): Indiana, Kentucky, Louisiana, Michigan, Montana, Pennsylvania, Virginia

States that prohibit discrimination against public employees based on sexual orientation only (5 states): Alaska, Arizona, Missouri, North Carolina, Ohio

*State courts, commissions, agencies, or attorney general have interpreted the existing law to include some protection against discrimination against transgender individuals in Florida and New York.

*North Carolina's executive order enumerates sexual orientation and gender identity. However, this order has a bathroom carve out for transgender employees making the executive order not fully-inclusive.



**ANCHORAGE LGBT
DISCRIMINATION SURVEY:
PRELIMINARY REPORT**

Melissa S. Green

NOVEMBER 2011

 **identity**

Anchorage LGBT Discrimination Survey

Principal investigator: Melissa S. Green

Project manager: Shelby Carpenter

Design and production: Melissa S. Green

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Identity, Inc.
P.O. Box 200070
Anchorage, AK 99520-0070

This report is available online at <http://www.identityinc.org/> or <http://alaskacommunity.org/>.

This study may be cited as:

Green, Melissa S. (2011). *Anchorage LGBT Discrimination Survey: Preliminary Report*. Anchorage, AK: Identity, Inc.



ANCHORAGE LGBT DISCRIMINATION SURVEY: PRELIMINARY REPORT

by
Melissa S. Green

Prepared for the Alaska LGBT Community Survey Task Force and its partner organizations:

Identity, Inc.
Alaskan AIDS Assistance Association (Four A's)
Alaskans Together for Equality
American Civil Liberties Union of Alaska
Equality Works

November 2011
Anchorage, Alaska



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CONTENTS

Background	1
Estimating the LGBT population of Anchorage	1
Methodology	2
Respondent population	3
Table 1. Gender Identity	3
Table 2. Sexual Orientation	3
Table 3. Residency in Anchorage	4
Key findings	5
Figure 1. Experience of Violence/Intimidation and Discrimination in Employment and Housing for All Respondents	5
Figure 2. Experience of Violence/Intimidation and Discrimination in Employment and Housing for Respondents Resident in Anchorage Less than Five Years	6
Recent discrimination	6
Violence, intimidation, harassment, and bullying	7
Employment	7
Housing/shelter	8
School/education	8
Figure 3. Experience of Discrimination in Education, Child Custody, and Public Services for All Respondents	9
Figure 4. Experience of Discrimination in Education, Child Custody, and Public Services for Respondents Resident in Anchorage Less than Five Years	10
Child custody/relationships	11
Public services	11
Relationship status	12
Figure 5. Comparison of Legal Marital Status and Actual Relationship Status	12
Previous research	13
Figure 6. Experience of Violence/Harassment and Discrimination in Alaska by <i>One in Ten</i> Respondents (1985)	14
Conclusion	15
References	16

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ANCHORAGE LGBT DISCRIMINATION SURVEY: PRELIMINARY REPORT

This report presents key findings from the Anchorage LGBT Discrimination Survey, which was conducted in the Municipality of Anchorage, Alaska, from January through March 2011. The final report (forthcoming) will present more comprehensive information from the study, including methodology, complete demographic data on survey respondents, detailed analysis of the findings, and comments from survey respondents.

Background

The Anchorage LGBT Discrimination Survey came about as a result of a perceived need for quantifiable data on the incidence of discrimination against lesbian, gay, bisexual, and transgender (LGBT) individuals in the Municipality of Anchorage. It represents the first effort since the late 1980s to compile rigorous data about the incidence of sexual orientation bias and discrimination in Anchorage — and the first effort ever to document Anchorage or Alaska-specific data about discrimination and bias on the basis of gender identity and expression.

The Anchorage LGBT Discrimination Survey is a collaborative project of the Alaska LGBT community and a coalition of Alaska organizations which serve the LGBT community, including Identity, Inc., the Alaskan AIDS Assistance Association (Four A's), Alaskans Together for Equality (ATE), Equality Works, and the American Civil Liberties Union (ACLU) of Alaska. The survey questionnaire and overall research project were designed by members of the Alaska LGBT Community Survey Task Force in consultation with Dr. Brad A. Myrstol and Khristy Parker of the Justice Center at the University of Alaska Anchorage. Shelby Carpenter, LGBT Public Policy Coordinator with the ACLU of Alaska during the first half of work on the survey, was project manager for survey distribution and data collection, assisted by Drew Phoenix. Dr. Myrstol conducted statistical analysis on the final dataset. The principal investigator for the study is Melissa S. Green, who prepared this report and is also writing the final report. Questions about the survey can be directed to her at alaskacommunity@gmail.com.

Estimating the LGBT population of Anchorage

The size of the LGBT population of the Municipality of Anchorage is difficult to estimate. Among the major obstacles in estimating LGBT populations in the U.S. is defining who should in the first place be identified as LGBT (Gates, 2011). Identifying the sexual orientation of a given survey's respondents as *lesbian*, *gay*, or *bisexual* may be based on self-identity, on same-sex sexual behavior or attraction, on relationships within a household, or on a combination of these. Identifying respondents as *transgender* is similarly complex — typically according to respondent self-identification as transgender, but the definition of *transgender* in a study may also depend upon various other aspects of gender expression or

gender nonconformity. Additionally, few surveys of general populations ask about sexual orientation or behavior; of those that do, few are representative of the population as a whole (Gates, 2008). The same can be said about surveys of general populations with reference to gender identity and expression.

Survey methodology can also have a bearing both on estimates of LGBT populations and upon LGBT respondents' willingness to report or respond honestly in surveys (Gates, 2011) due to stigmatization and fear of potential discrimination — issues which can also affect the ability of researchers to identify representative samples of LGBT populations (Sullivan & Losberg, 2003).

Gates (2011) estimates that 3.5 percent of adults in the United States self-identify as lesbian, gay, or bisexual (with substantially more who do not self-identify as LGB but nevertheless report having same-sex sexual experiences as adults), and that 0.3 percent self-identify as transgender. If these percentages hold true for the Municipality of Anchorage, of its 2010 population — estimated by the U.S. Census as 291,826 (including children under 18, about 26% of the population) — perhaps 10,214 Anchorage residents may (or may grow up to) self-identify as lesbian, gay, or bisexual, and another 875 may self-identify as transgender. Given the issues identified above, however, it is impossible to be certain.

Methodology

The Anchorage LGBT Discrimination Survey was conducted in Anchorage from January through March 2011. Survey respondents had an option to complete the survey questionnaire using either a paper copy of the questionnaire or online using Survey Monkey. In order to control against individuals completing more than one survey and to ensure that only members of the intended study population participated — i.e., persons who identified themselves as gay, lesbian, bisexual, and/or transgender — personal identification numbers (PINs) were used. Respondents could obtain a PIN in one of two ways: (1) pre-printed coupon booklets with randomly assigned PIN numbers were distributed to project volunteers, who made use of their existing social networks within the LGBT community to distribute individual PINs; or (2) persons wishing to participate in the study could obtain a PIN by calling and requesting one from the project manager. Paper copies of the survey questionnaire could be obtained from the same people, or respondents could visit the website for the Survey Monkey version of the survey instrument and complete the questionnaire electronically.

The study's website was widely publicized in Anchorage LGBT and mainstream media, making it possible for people who were not part of the study population to complete a questionnaire online with self-invented (invalid) PINs; however, only questionnaires with valid PINs were included in the final dataset. Data was also reviewed to remove the few non-LGBT respondents who had somehow obtained PINs, as well as respondents who had not answered one or more of the three essential questions necessary to determine that they were eligible participants in the study: (1) the sex assigned them on their original birth certificates; (2) their current gender identity; and (3) their sexual orientation.

A more thorough discussion of survey methodology will be included in the final report.

Respondent population

A total of 268 respondents was included in the final dataset, including 243 non-transgender respondent and 25 transgender respondents (Table 1). Of the non-transgender respondents, 136 were male and 107 were female. The transgender respondents included 14 male-to-female (MTF) respondents — individuals who had been designated male on their birth certificates, but who now identify and live as, or hope to live as, female; 10 female-to-male (FTM) respondents — individuals whose original birth certificates designated them as female, but who identified and/or lived as male; and one “other” respondent.

This last respondent marked both male and female on the survey questionnaire. There are at least three possible explanations for this: (1) the respondent might have made an error in completing the survey; (2) the respondent might have resisted being categorized by gender or sexual orientation (the same respondent also identified as transgender — do not identify as exclusively male or female and as bisexual in sexual orientation); or (3) the respondent might have been designated at birth as intersex — a term used for people who have differences of sex development, such as being born with external genitalia, chromosomes, or internal reproductive systems that are not general associated with usual medical definitions of male or female.

Findings on respondents’ sexual orientation are shown in Table 2. Nearly three-quarters of the respondents (N=193; 72.3%) described themselves as being gay or lesbian. About one in five respondents (N=52; 19.5%) were bisexual; 19 (7.1%) described themselves as queer — a term in increasing use within the LGBT community by individuals who do not feel they fit within binary gender categories of male/masculine or female/feminine, but which is still widely considered pejorative. Two respondents (0.7%) said they were asexual. Only one respondent (0.4%) — a male-to-female transgender respondent — described herself as heterosexual. (Non-transgender heterosexuals were, of course, excluded from the study, which is intended to gain information about the experience of discrimination by LGBT people in Anchorage.)

Table 1. Gender Identity
Column percentages.

	N	Percent
Non-transgender	243	90.7 %
Male	136	50.7
Female	107	39.9
Transgender	25	9.3 %
Transgender — male-to-female (MTF)	14	5.2
Transgender — female-to-male (FTM)	10	3.7
Other	1	0.4
Total	268	

Table 2. Sexual Orientation
Row percentages.

Gender identity	Sexual orientation										Total
	Gay or lesbian		Bisexual		Queer		Heterosexual		Asexual		
	N	Percent	N	Percent	N	Percent	N	Percent	N	Percent	
Male	117	80.1 %	19	13.0 %	10	6.8 %	—	—	—	—	146
Non-transgender	116	85.3	14	10.3	6	4.4	—	—	—	—	136
Transgender female-to-male (FTM)	1	10.0	5	50.0	4	40.0	—	—	—	—	10
Female	76	62.8	33	27.3	9	7.4	1	0.8 %	2	1.7 %	121
Non-transgender	72	67.3	26	24.3	8	7.5	—	—	1	0.9	107
Transgender male-to-female (MTF)	4	28.6	7	50.0	1	7.1	1	7.1	1	7.1	14
Other	—	—	1	100.0	—	—	—	—	—	—	1
Total	193	72.3 %	52	19.5 %	19	7.1 %	1	0.4 %	2	0.7 %	267

One of the important goals of this study was to obtain, for the first time, Anchorage-specific information on discrimination experienced by transgender people, including any differences in discrimination that transgender people experience in comparison with non-transgender LGB respondents. Thus, distinguishing the gender identity of respondents was deemed more crucial to analyzing the findings than distinguishing between their sexual orientation. Throughout this report, data is presented for the total sample of 268 respondents; by comparing non-transgender and transgender respondents; and, among non-transgender respondents, by comparing male and female respondents. (Data analysis did not indicate large differences between MTF and FTM transgender respondents, so they are grouped together for purposes of discussion.)

Another key demographic characteristic used in this (and the final) report is length of residency within the Municipality of Anchorage. Information on residency is presented in Table 3. The vast majority of respondents were Anchorage residents; the few who were not (N=19; 7.1% of valid responses) included some respondents who had previously lived in Anchorage for some period of time; nonresidents who were living in Anchorage temporarily for school, work, or other reasons; and others who, while not residents, spent time in Anchorage for various reasons — for example, residents of the Matanuska-Susitna Borough who commuted for school or work.

Respondents who were residents (N=248; 92.9%) were asked how long they had lived in Anchorage. Of particular interest were the 50 respondents (20.3% of the resident respondents) who had lived in Anchorage for less than five years. Responses from this subsample of respondents were

Table 3. Residency in Anchorage

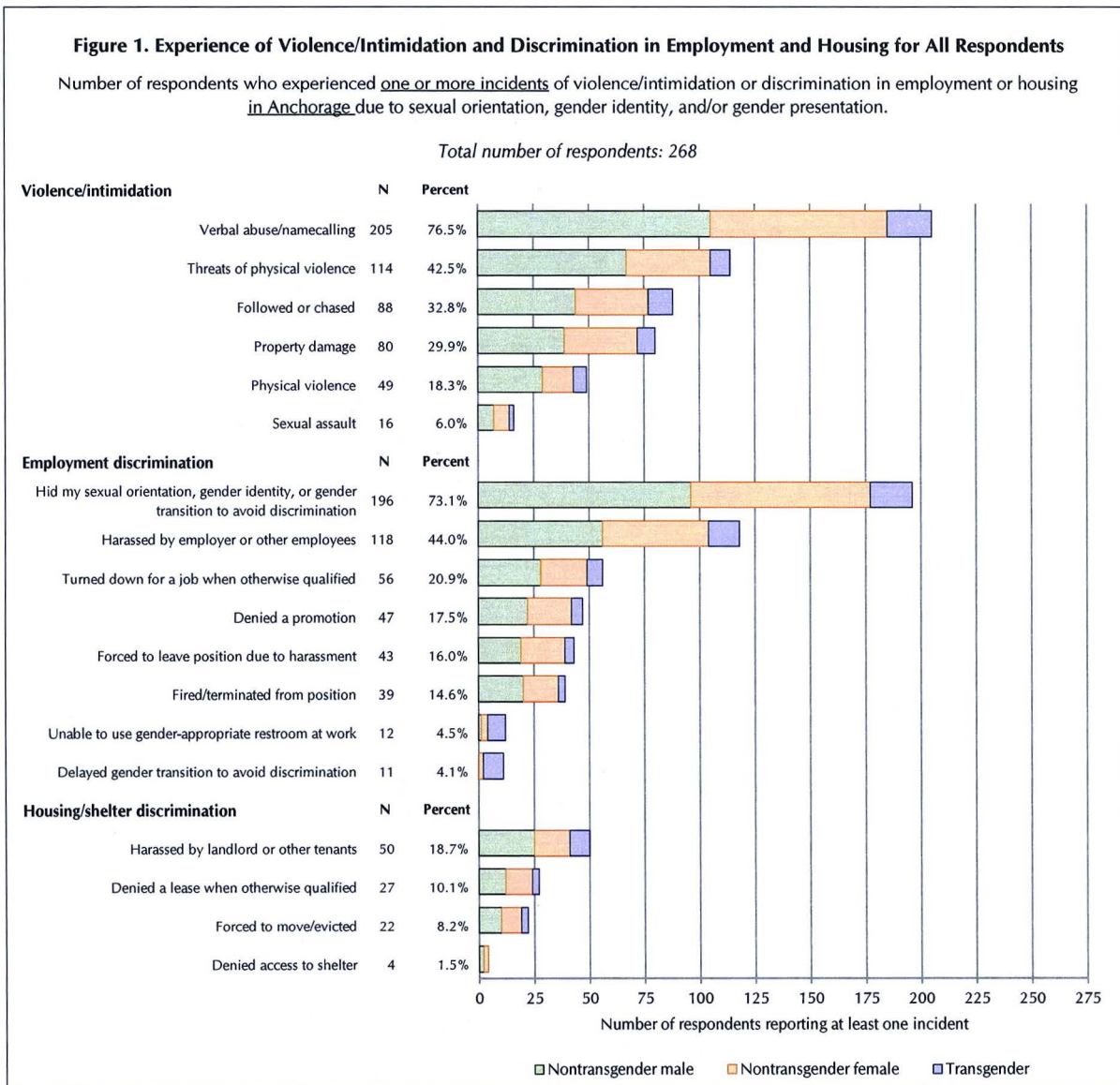
Column percentages.

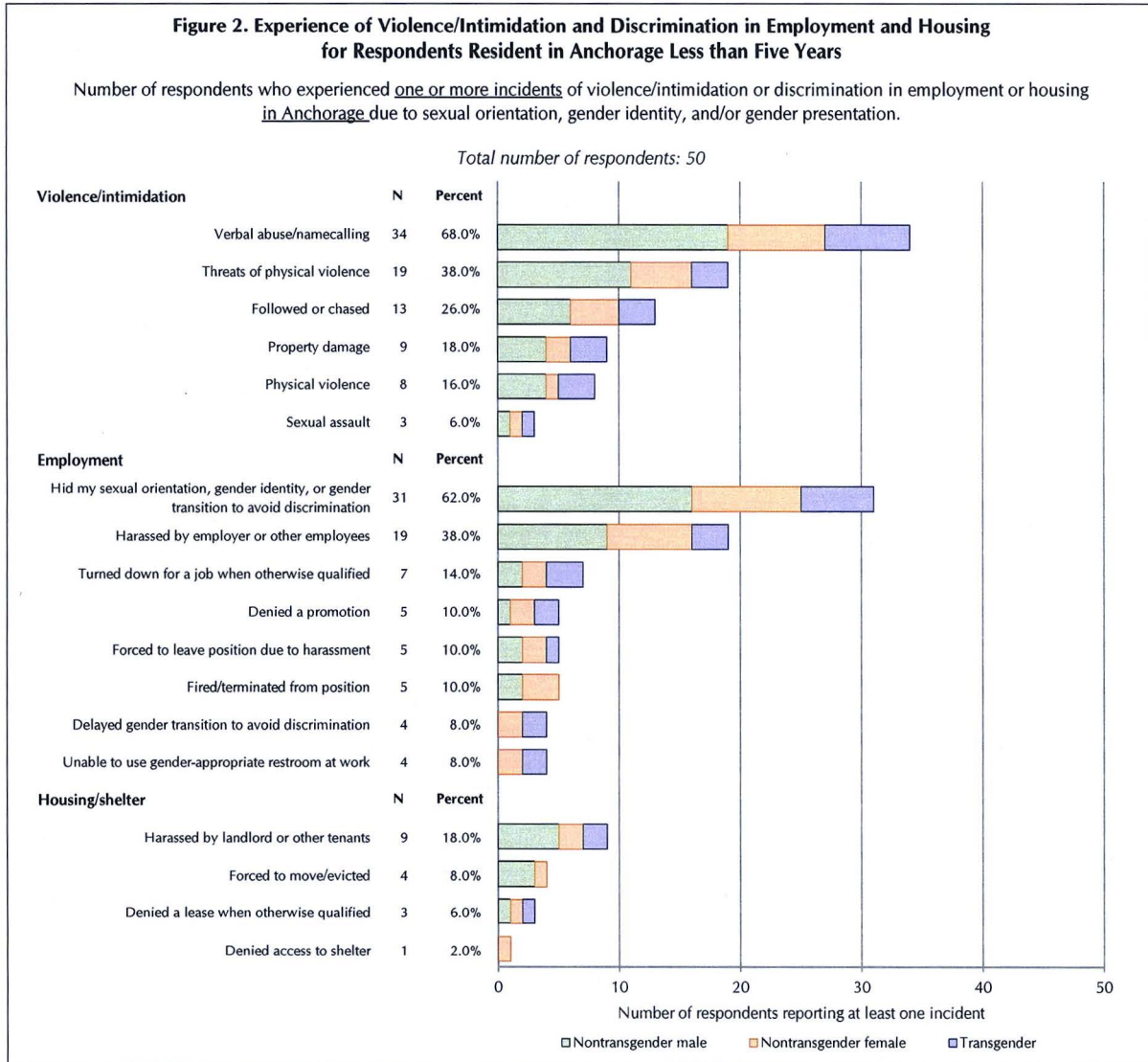
	Total (all)		Non-transgender						Transgender	
			Total		Male		Female			
	N	Percent	N	Percent	N	Percent	N	Percent	N	Percent
Residence										
Question 3. Are you <i>currently</i> a resident of the Municipality of Anchorage?										
Yes	248	92.9 %	226	93.4 %	127	93.4 %	99	93.4 %	22	88.0 %
No	19	7.1	16	6.6	9	6.6	7	6.6	3	12.0
Total valid	267		242		136		106		25	
Missing	1		1		0		1		0	
Total	268		243		136		107		25	
Years of residence										
[If yes to Question 3:] How long have you lived in Anchorage?										
Mean length of residence 17.5 years; range 0.4 to 62.2 years										
Less than 5 years	50	20.3 %	43	19.2 %	30	23.8 %	13	13.3 %	7	31.8 %
5 to less than 10	34	13.8	32	14.3	19	15.1	13	13.3	2	9.1
10 to less than 15	31	12.6	30	13.4	17	13.5	13	13.3	1	4.5
15 to less than 20	23	9.3	20	8.9	7	5.6	13	13.3	3	13.6
20 to less than 25	36	14.6	34	15.2	20	15.9	14	14.3	2	9.1
25 to less than 30	29	11.8	25	11.2	8	6.3	17	17.3	4	18.2
30 to less than 35	18	7.3	16	7.1	12	9.5	4	4.1	2	9.1
35 to less than 40	12	4.9	11	4.9	6	4.8	5	5.1	1	4.5
40 or more	13	5.3	13	5.8	7	5.6	6	6.1	0	0.0
Total valid	246		224		126		98		22	
Missing	2		2		1		1		0	
Total	248		226		127		99		22	

analyzed separately to obtain data on the experience of recent discrimination — within the past five years — by LGBT individuals in Anchorage.

Key findings

Figures 1 and 3 present summary data for discrimination and bias experienced in Anchorage reported by all 268 respondents in the study sample. Figures 2 and 4 present summary data on recent experience of discrimination and bias in Anchorage as reported by the subsample of 50 respondents who have lived in Anchorage for less than five years. All four figures use bar charts to show the number of respondents who had experienced one or more incidents *while in Anchorage* of each type of violence, intimidation, or discrimination asked about in the survey questionnaire. Frequency and percentages for the total sample in each table are also given; color coding within the bar charts gives a





visual indicator of the number of respondents from each population group — non-transgender male (green), non-transgender female (orange), and transgender (lavender) — who experienced each type of discrimination. (A complete breakdown of numbers and percentages for each population group will be included in the final report.)

In some instances, the discussion below includes numbers not shown in the figures. Complete tables will be included in the final report.

Recent discrimination

- The 50 respondents who have lived in Anchorage less than five years reported experiencing discrimination/bias in Anchorage at only slightly lower rates than the survey sample as a whole, in spite of a much shorter span of time in Anchorage within which to accumulate experiences of discrimination. There were only a few types of discrimination/bias that this population did not report having experienced while in Anchorage (and which are therefore not shown in Figures 2 and 4), such as discrimination in child custody proceedings.

Violence, intimidation, harassment, and bullying

- Verbal abuse/namecalling was by far the most frequently experienced form of anti-gay/anti-trans bias reported by respondents. 76.5% of the total study sample of 268 respondents and 68.0% of the subsample of 50 respondents who have lived in Anchorage for less than five years have experienced verbal abuse/namecalling at least once while in Anchorage.
- Experiences of various forms of harassment, intimidation, and bullying were fairly common. Of the total sample of 268 respondents, 42.5% had been threatened with physical violence, 32.8% had been followed or chased, and 29.9% had experienced property damage attributed to anti-LGBT bias. 18.3% had experienced actual physical violence in Anchorage because of their sexual orientation, gender identity, or gender presentation, and 6% had been sexually assaulted.
- Harassment and bullying were also common on the job and in rented housing. Of the total sample of 268 respondents, 44% had been harassed by their employer or other employees — 16% to the point of actually feeling forced to leave their jobs. 18.7% had been harassed by their landlord or other tenants.
- 41% of the total sample had been bullied or harassed by other students in Anchorage schools and educational institutions. 14.2% had been bullied or harassed by teachers, and 6.3% had been harassed to the point they were forced to leave school. These figures are especially remarkable given that many respondents had never attended school or college in Anchorage, indicating that rates at which LGBT students experience bullying and harassment in educational settings is probably higher.
- 13.4% of the total sample reported being harassed or verbally abused by medical providers. 8.6% of the total sample reported being harassed or verbally abused at least once by Anchorage police, and 7.5% said they had been stopped at least once by Anchorage police because of their sexual orientation or gender identity, without other justification for the stop.
- In general, non-transgender gay and bisexual men tended to report experiencing violence, intimidation, harassment, and bullying at higher rates than non-transgender lesbian and bisexual women.
- Transgender respondents reported higher rates of being followed or chased (44% for trans; 31.7% for non-trans) and of experiencing actual physical violence (24% for trans; 17.7% for non-trans).

Employment

- The second most common issue reported by respondents (after verbal abuse/harassment) was hiding their sexual orientation, gender identity, or gender transition in order to avoid job discrimination. 73.1% of the total sample and 62% of the respondents who had lived in Anchorage less than five years reported hiding in this way at least once to avoid job discrimination in Anchorage.
 - As previously noted, 44% of the total sample had been harassed by their employer or other employees — 16% to the point of actually feeling forced to leave their jobs.
 - 20.9% of the total sample said they had been turned down for a job when otherwise quali-
-

fired because of sexual orientation or gender identity/presentation, and 17.5% reported being denied a promotion at least one time.

- 14.6% reported being actually fired from a job at least once in Anchorage because of sexual orientation or gender identity/presentation.
- 4.5% of all respondents reported being unable to use gender-appropriate restrooms at work, and 4.1% said they delayed gender transition to avoid discrimination. These figures included about one third of all respondents who identified themselves as transgender.
- Non-transgender lesbian and bisexual women reported higher rates than non-transgender gay and bisexual men of having hidden their sexual orientation or gender identity/presentation at least once to avoid employment discrimination (75.7% for women; 70.6% for men); of being harassed on-the-job (44.9% for women; 41.2% for men); and of being actually forced to leave a position because of harassment (18.7% for women; 11.0% for men).
- Transgender respondents reported higher rates than non-transgender respondents of almost all types of employment discrimination evaluated in the survey. In particular, a higher percentage of transgender respondents experienced reported harassment by employers and coworkers (56.0% for trans; 42.8% for non-trans). Nearly a third of transgender respondents (32.%) were unable to use gender-appropriate bathrooms at work, and over a third (36.0%) said they had delayed gender transition to avoid job discrimination.

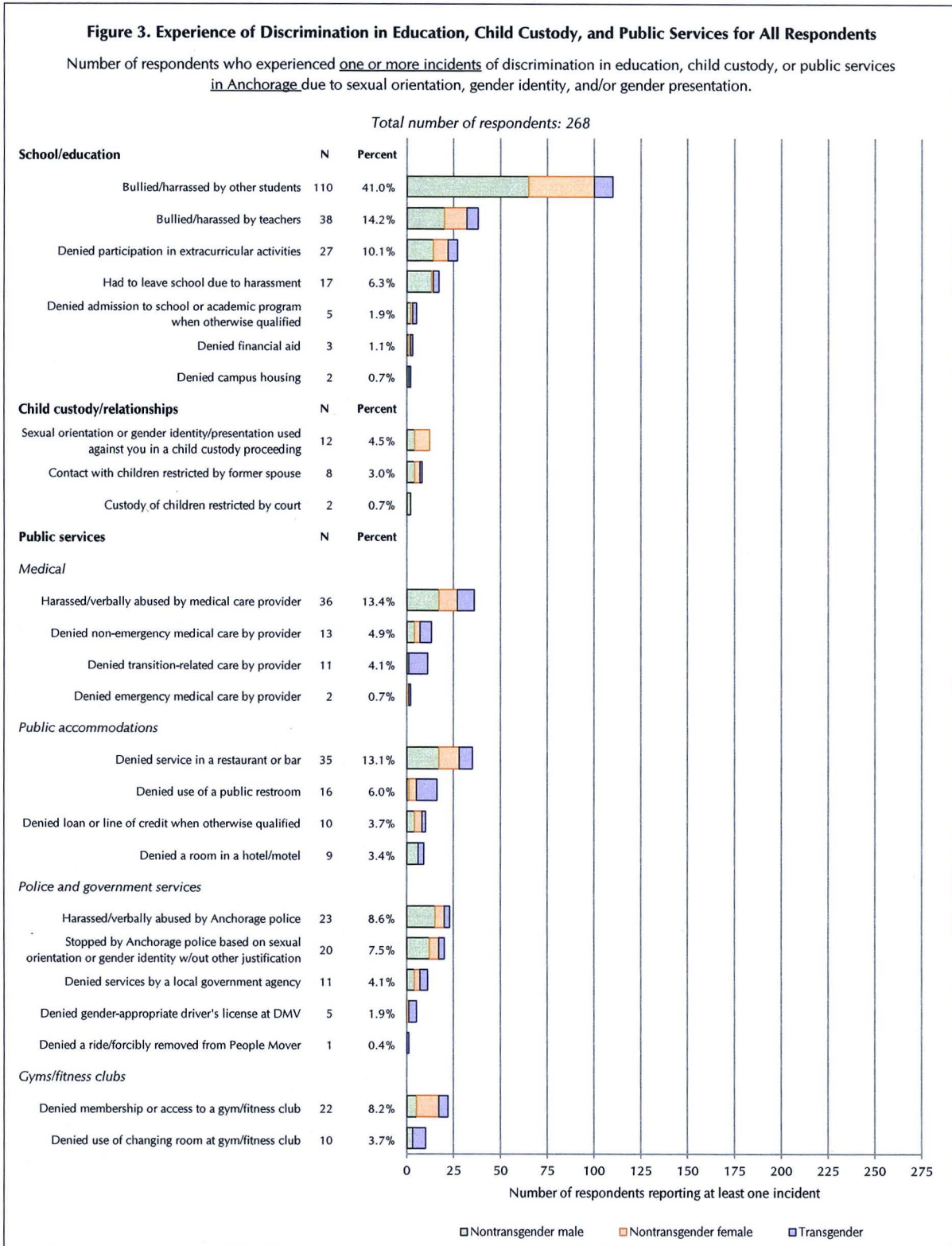
Housing/shelter

- As previously noted, 18.7% of the 268 respondents in the study reported having been harassed by Anchorage landlords or other tenants because of their sexual orientation or gender identity/presentation.
- Transgender respondents reported harassment from landlords and other tenants at a rate over twice that reported by non-transgender respondents (36.0% for trans; 16.9% for non-trans).
- 10.1% of the total sample said they had been denied a lease at least once when otherwise qualified. 8.2% of the total sample reported being evicted or forced to move at least once because of sexual orientation or gender identity/presentation.
- 1.5% of the total sample reported being denied access to shelter at least once.

School/education

- As previously noted, 41% of the total sample had been bullied or harassed by other students in an Anchorage educational setting. 14.2% had been bullied or harassed by teachers, and 6.3% had been harassed to the point they were forced to leave school.
 - 10.1% of the total sample said they had being denied participation in extracurricular activities because of sexual orientation or gender identity/presentation.
 - 1.9% reported being denied admission at least once to an Anchorage school or an academic program when otherwise qualified.
 - 1.1% were denied financial aid at least once. 0.7% reported being denied campus housing because of sexual orientation or gender identity/presentation.
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- Non-transgender gay and bisexual men reported higher rates of almost all types of school/education discrimination than non-transgender lesbians and bisexual women. In particular,



non-transgender males had a higher rate of reporting bullying and harassment from other students (47.0% of men; 32.7% of women) and of actually having to leave school because of harassment (9.6% for men; 0.9% for women).

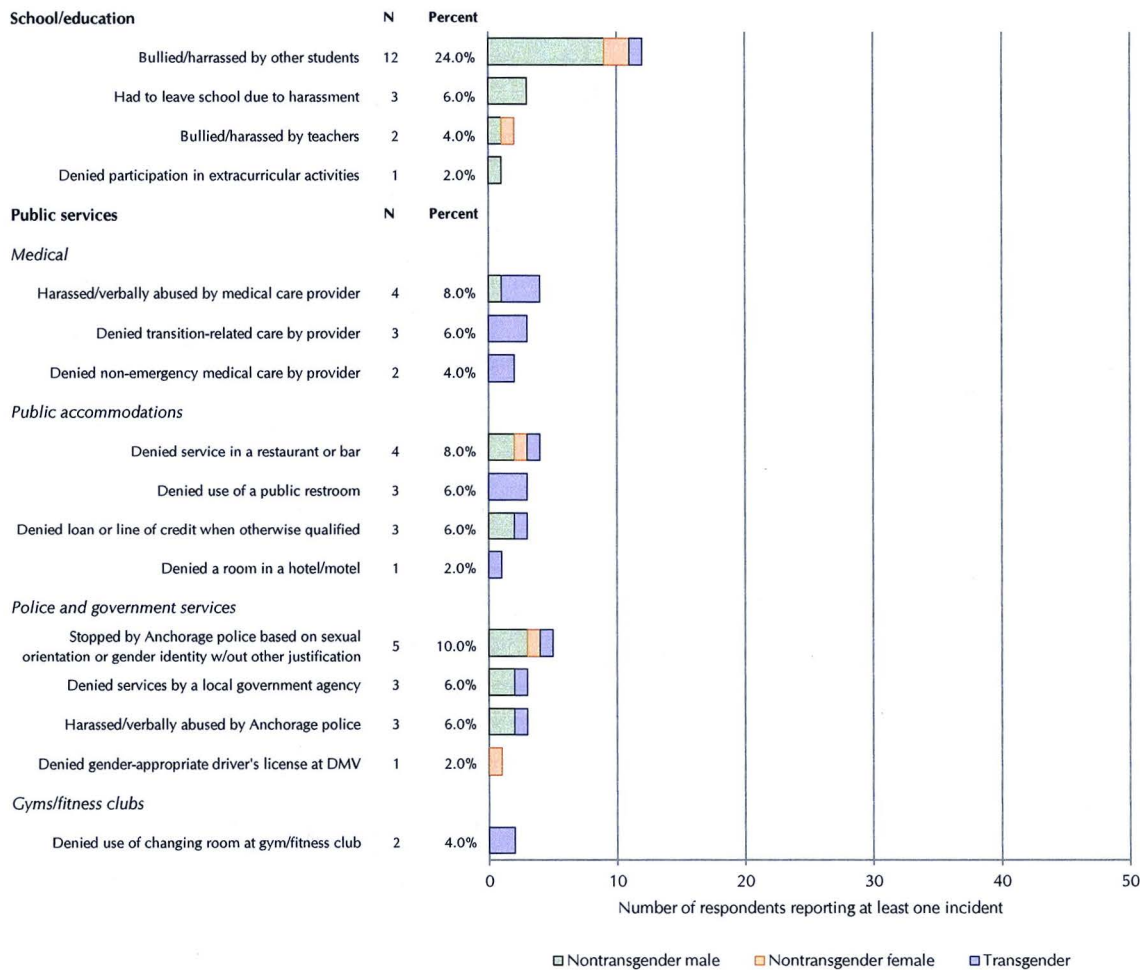
- Transgender and non-transgender respondents showed similar rates of being bullied or harassed by other students (40.0% of trans; 41.2% of non-trans); however, transgender respondents reported discrimination at higher rates than non-transgender respondents in all other categories of education discrimination evaluated in the survey. Nearly one-quarter (24.0%) of transgender respondents reported having been bullied or harassed at least once by Anchorage teachers, compared with 13.2 percent of non-transgender respondents; and this group reported over twice as high a rate of being denied participation in extracurricular activities (20.0% of trans; 9.1% of non-trans).

Figure 4. Experience of Discrimination in Education and Public Services for Respondents Resident in Anchorage Less than Five Years

Number of respondents who experienced one or more incidents of discrimination in education or public services in Anchorage due to sexual orientation, gender identity, and/or gender presentation.

Note: No respondents in this sample reported discrimination in child custody while in Anchorage.

Total number of respondents: 50



Child custody/relationships

- 4.5% of the total sample of 268 respondents reported that their sexual orientation or gender identity/presentation was used against them at least once in a child custody proceeding.
- 3.0% of all respondents had contact with their minor children restricted by a former spouse because of sexual orientation or gender identity/presentation.
- 0.7% of all respondents reported that custody of their children was restricted by a court because of sexual orientation or gender identity/presentation.
- Within the total sample of 268 respondents, a higher proportion of non-transgender lesbians and bisexual women than non-transgender gay or bisexual men reported that their sexual orientation or gender identity/presentation being used against them in a child custody proceeding (7.5% of women; 2.9% of men). Only one transgender respondent in the study (4.0%) reported an incident of discrimination in child custody/relationships while in Anchorage (contact with children restricted by a former spouse).
- These findings are based on the total study population of 268 respondents; but non-parents cannot, of course, experience issues related to child custody. A more accurate picture of child custody issues can be gained by noting that only 63 (23.7%) of the total study population reported having children, including 18 non-transgender male respondents, 26 non-transgender female respondents, and 9 transgender respondents. Thus, the rates at which LGBT respondents *who are actually parents* reported discrimination in child custody proceedings are higher. This issue will be discussed in greater depth in the final report.
- None of the 50 respondents who had lived less than five years in Anchorage reported having experienced issues with child custody proceedings while in Anchorage.

Public services

- As previously mentioned, 13.4% of the total sample reported being harassed or verbally abused by medical providers. This was the most frequently experienced form of public services discrimination reported. Respondents also reported three other forms of discrimination from Anchorage medical providers: 4.9% were denied non-emergency medical care; 4.1% were denied transition-related care; and 0.7% were denied emergency medical care at least once.
 - The second most frequently reported form of public services discrimination was being denied service in a restaurant or bar: 13.1% of the total sample reported experiencing this at least once in Anchorage because of their sexual orientation or gender identity/presentation. 3.4% were denied a room in an Anchorage hotel or motel at least once; 6.0% were denied use of a public restroom; 10 (3.7%) were denied a loan or line of credit when otherwise qualified
 - As previously noted, 8.6% of the total sample reported having been harassed or verbally abused by Anchorage police — the third most frequently reported form of public services discrimination. 7.5% reported being stopped by Anchorage police at least once because of their sexual orientation or gender identity, with no other justification for the stop — the fifth most frequently reported form of public services discrimination. In other government services, 1.9% of all respondents were denied gender-appropriate driver's licenses from the Alaska Division of
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Motor Vehicles; 4.1% were denied services by a local government agency; and 1 respondent (0.4%) was denied a ride or forcibly removed from a People Mover bus.

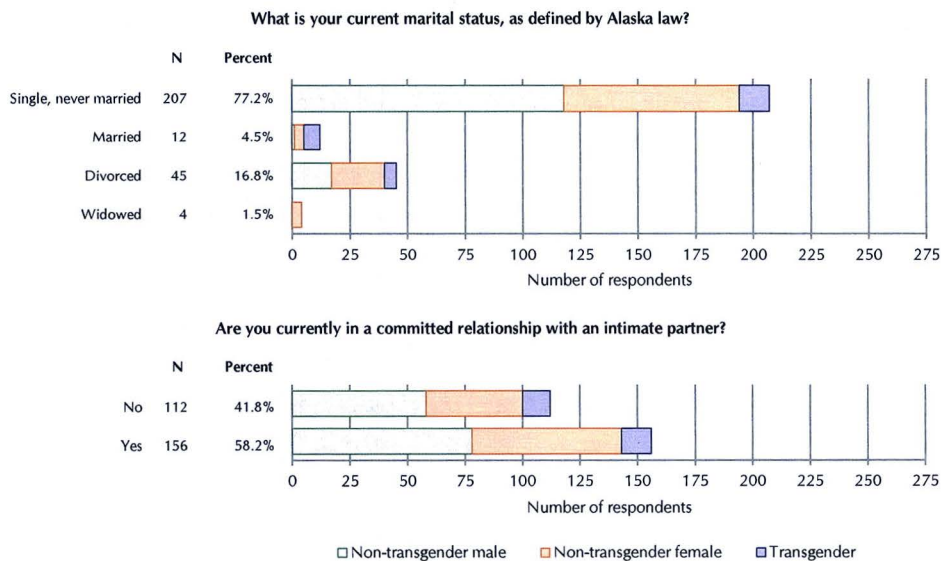
- The fourth most frequently reported form of public services discrimination was being denied membership or access to a gym or fitness club, with 8.2% of the total sample reporting having experienced this form of discrimination. 3.7% were denied use of a changing room at a gym or fitness club.
- For every type of public services discrimination included in the survey, without exception, a higher proportion of transgender respondents than non-transgender respondents reported experiencing discrimination. In particular, 44% of transgender respondents reported having at least once been denied use of a public restroom while in Anchorage, compared with just 2.1% of non-transgender respondents. Over one-third of transgender respondents — 36.0% — had been harassed or verbally abused by medical providers, more than three times the percentage reported by non-transgender respondents (11.1%). Over a quarter of transgender respondents — 28.0% — reported being denied use of a changing room at a gym or fitness club, compared with only 1.2 percent of non-transgender respondents.
- Two categories of public services discrimination are fairly specific to transgender persons: transition-related care and gender-appropriate driver’s licenses. 40% of transgender respondents reported being denied transition-related care by an Anchorage medical provider, and 16% had been denied the appropriate gender marker on their driver’s license.

Relationship status

One additional form of discrimination that can be evaluated from survey data comes from the comparison of responses to two demographic questions asked of study participants: marital status

Figure 5. Comparison of Legal Marital Status and Actual Relationship Status

Total number of respondents – 268



as defined by Alaska law, and actual relationship status. As shown in Figure 5, more than three-quarters of respondents (N=207; 77.2%) stated that their legal status under Alaska law was single, never married; only 12 respondents (4.5%) were legally married under Alaska law. In contrast, well over half of the study participants (N=156; 58.2%) said that they were in committed relationships with intimate partners — relationships which are unrecognized in law except in limited contexts, such as with domestic partner benefits for same-sex partners of State of Alaska employees or “financially interdependent partner” benefits in the University of Alaska system.

(The 1998 amendment to the Alaska Constitution defining marriage as being only between “one man and one woman” prohibits same-sex marriage; it must be remembered that bisexual participants who may be married to partners of the opposite sex are included in this study.)

Previous research

In the 1980s, Identity, Inc. conducted two major research efforts to document sexual orientation bias in Alaska. *One in 10: A Profile of Alaska's Lesbian & Gay Community* (Identity, 1986), reported the results of a statewide survey of 734 lesbian, gay, and bisexual Alaskans conducted in 1985. *Identity Reports: Sexual Orientation Bias in Alaska* (Green & Brause, 1989), included three papers, including “Closed Doors,” a survey of Anchorage employers and landlords; and “Prima Facie,” which presented case studies of 84 cases of violence, harassment, and discrimination in Alaska due to sexual orientation bias.

Of the 734 respondents to *One in 10* — 63% of whom were residents of the Municipality of Anchorage:

- 61% reported being victimized by violence and harassment while in Alaska because of their sexual orientation (ranging from verbal abuse/harassment, reported by 58%, to physical violence, 11%, and sexual assault, 5%);
- 39% reported discrimination in employment, housing, and loans/credit; and
- 33% reported discrimination from services and institutions.

From the “Closed Doors” component of *Identity Reports*:

- 31% of the 191 Anchorage employers in the survey said they would not hire or promote or would fire someone they had reason to believe was homosexual.
- 20% of the 178 Anchorage landlords in the survey said they would not rent to or would evict someone they had reason to believe was homosexual.

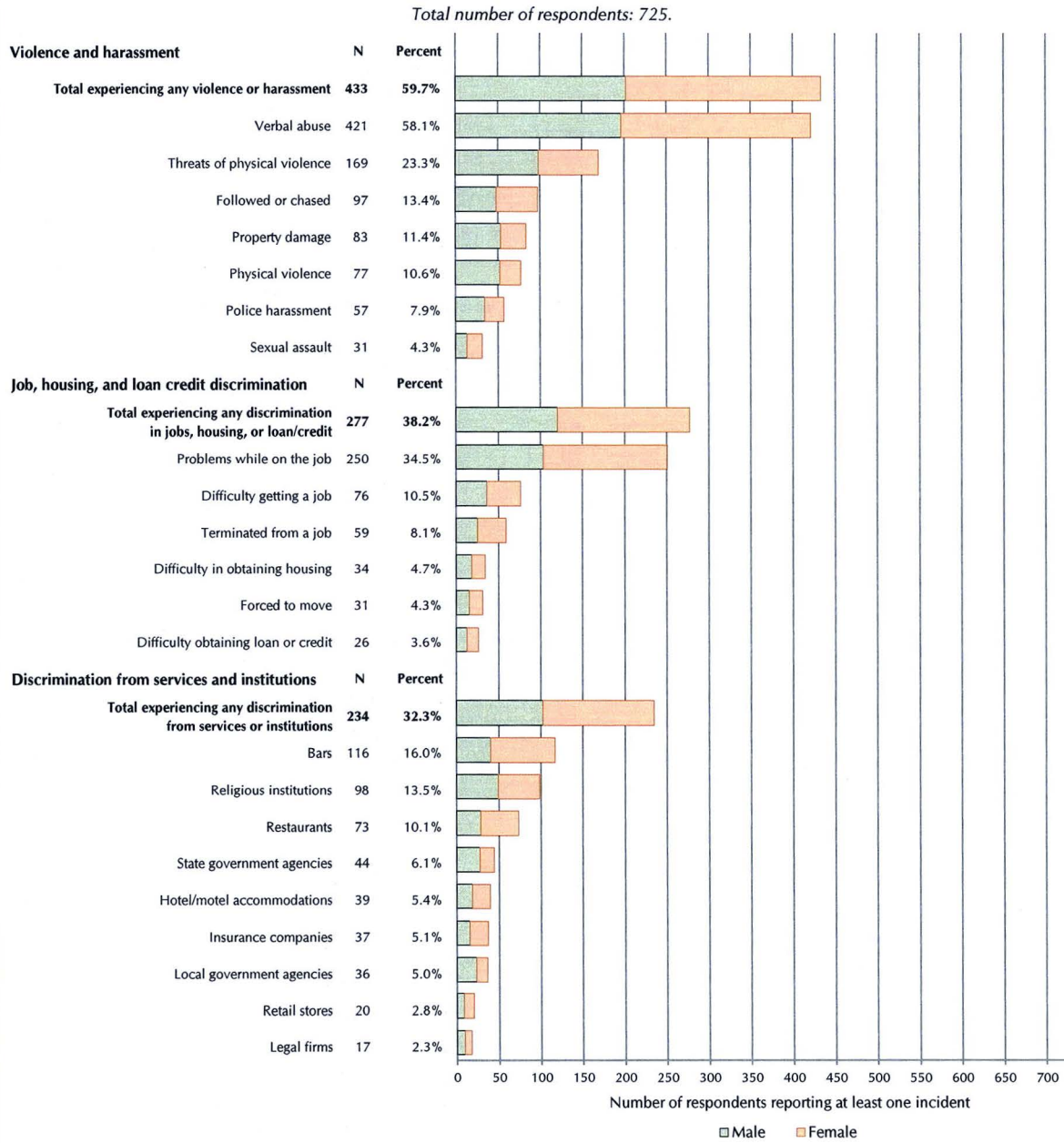
From the “Prima Facie” component of *Identity Reports*:

- 84 case histories of anti-gay bias, discrimination, harassment, or violence (including three murders) were documented involving 30 men and 21 women. 64 of these cases took place in Anchorage.

- A former intake investigator with the Alaska Human Rights Commission reviewed the 42 discrimination cases in “Prima Facie” that were based on personal testimony (as opposed to documentary accounts from newspapers or court records) and found that 32 of those cases would have been “definitely” jurisdictional under Alaska state human rights law — that is, the

Figure 6. Experience of Violence/Harassment and Discrimination in Alaska by One in Ten Respondents (1985)

Number of gay, lesbian, and bisexual respondents who experienced one or more incidents of violence/harassment or discrimination in Alaska due to sexual orientation. Data was collected in 1985.



Note: One in Ten did not collect data on transgender persons. 63% of the 725 respondents were residents of the Municipality of Anchorage.

Source of data: Identity, Inc., *One in Ten: A Profile of Alaska's Lesbian & Gay Community* (1986).

commission would investigate these cases if complaints were made — if the law had included protection from discrimination on the basis of sexual orientation.

- Victims were predominately gay men or lesbians, but also included heterosexuals who were erroneously assumed to be gay or lesbian.

Conclusion

On June 15, 2009, testimony about findings from *One in Ten* and *Identity Reports* was offered before the Anchorage Assembly during public hearings on Anchorage Ordinance 2009-64, which would have added *sexual orientation* and *gender identity* to Title 5, the Municipality of Anchorage's equal rights code.

In spite of this evidence, and in spite of testimony presented by several Anchorage citizens who recounted their own stories of recent discrimination in Anchorage, one of the chief arguments used by ordinance opponents was that there was no evidence of discrimination against lesbian, gay, bisexual, and transgender (LGBT) people in the Municipality of Anchorage. Mayor Dan Sullivan echoed those arguments when, less than a week after the Anchorage Assembly passed AO-64 by a vote of 7 to 4, he vetoed the measure, stating, "My review shows that there is clearly a lack of quantifiable evidence necessitating this ordinance."

The Anchorage LGBT Discrimination Survey is a response to those arguments, representing the first effort since the late 1980s to quantify the incidence of anti-LGBT discrimination in the Municipality of Anchorage.

Due to the inherent difficulties in estimating LGBT populations, discussed previously, it is impossible to know with any certainty what proportion of Anchorage's LGBT population responded to this survey or how representative the study population is of the LGBT community in the Municipality as a whole. What *is* certain is that discrimination, harassment, and bias are as commonly experienced by gay, lesbian, and bisexual residents of the Municipality of Anchorage now as was the case a quarter of a century ago, when data collection for *One in Ten* took place. Furthermore, for the first time there is quantitative evidence that discrimination, harassment, and bias are also commonly experienced by transgender residents of the Municipality.

More in-depth and comprehensive information from the study is forthcoming in the project's final report, to be released in December 2011.

In the meantime, on behalf of the Alaska LGBT Community Survey Task Force and all its individual and organizational members, I would like to thank all the respondents who took part in this survey and helped to bring quantifiable evidence of their experience of discrimination in the Municipality of Anchorage to public attention. May the public take note.

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- U.S. Census Bureau. (27 Oct 2011). "State and County QuickFacts: Anchorage Municipality, Alaska." Data derived from Population Estimates, American Community Survey, Census of Population and Housing, Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits, Consolidated Federal Funds Report. Last revised: Thursday, 27-Oct-2011 16:45:08 EDT. (<http://quickfacts.census.gov/qfd/states/02/02020.html>).
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The 2015 U.S. Transgender Survey (USTS) is the largest survey examining the experiences of transgender people in the United States, with 27,715 respondents nationwide. The USTS was conducted by the National Center for Transgender Equality in the summer of 2015. Of respondents in the USTS, 84 were Alaska residents.¹ This report discusses the experiences of respondents living in Alaska.

Income and Employment Status

- 18% of respondents in Alaska were unemployed.²
- 29% were living in poverty.³

Employment and the Workplace

- 14% of respondents who have ever been employed reported losing a job in their lifetime because of their gender identity or expression.
- In the past year, 17% of those who held or applied for a job during that year reported being fired, being denied a promotion, or not being hired for a job they applied for because of their gender identity or expression.
- 10% of respondents who had a job in the past year reported being verbally harassed at work because of their gender identity or expression.
- 25% of those who had a job in the past year reported other forms of mistreatment based on their gender identity or expression during that year, such as being forced to use a restroom that did not match their gender identity, being told to present in the wrong gender in order to keep their job, or having a boss or coworker share private information about their transgender status with others without their permission.

Education

- 85% of those who were out or perceived as transgender at some point between Kindergarten and Grade 12 (K–12) experienced some form of mistreatment, such as being verbally harassed, prohibited from dressing according to their gender identity, disciplined more harshly, or physically or sexually assaulted because people thought they were transgender.
 - 58% of those who were out or perceived as transgender in K–12 were verbally harassed, 30% were physically attacked, and 14% were sexually assaulted in K–12 because of being transgender.
 - 24% faced such severe mistreatment as a transgender person that they left a K–12 school.

Housing and Homelessness

- 32% of respondents experienced some form of housing discrimination in the past year, such as being evicted from their home or denied a home or apartment because of being transgender.
- 43% have experienced homelessness at some point in their lives.
- 23% experienced homelessness in the past year because of being transgender.

Public Accommodations

- Respondents reported being denied equal treatment or service, verbally harassed, or physically attacked at many places of public accommodation—places that provide services to the public, like retail stores, hotels, and government offices.
- Of respondents who visited a place of public accommodation where staff or employees thought or knew they were transgender, 39% experienced at least one type of mistreatment in the past year. This included 21% who were denied equal treatment or service and 20% who were verbally harassed because of being transgender.

Restrooms

- 10% of respondents reported that someone denied them access to a restroom in the past year.
- In the past year, 17% of respondents reported being verbally harassed when accessing a restroom.
- 57% of respondents avoided using a public restroom in the past year because they were afraid of confrontations or other problems they might experience.
- 24% of respondents limited the amount that they ate or drank to avoid using the restroom in the past year.

Police Interactions

- 47% of respondents said they would feel uncomfortable asking the police for help if they needed it.

Health

- 29% of respondents experienced a problem in the past year with their insurance related to being transgender, such as being denied coverage for care related to gender transition or being denied coverage for routine care because they were transgender.
- 44% of those who saw a health care provider in the past year reported having at least one negative experience related to being transgender. This included being refused treatment, verbally harassed, or physically or sexually assaulted, or having to teach the provider about transgender people in order to get appropriate care.

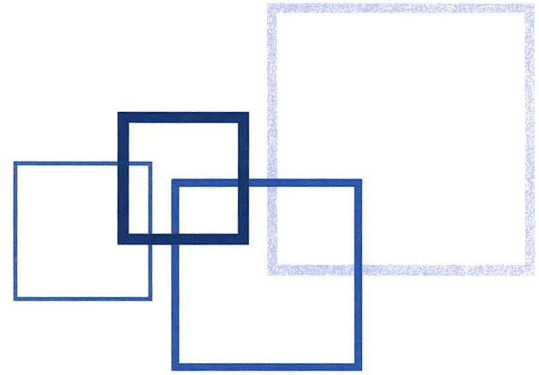
- In the past year, 28% of respondents did not see a doctor when they needed to because of fear of being mistreated as a transgender person, and 49% did not see a doctor when needed because they could not afford it.
- 30% of respondents experienced serious psychological distress in the month before completing the survey (based on the Kessler 6 Psychological Distress Scale).⁴
- 21% of respondents reported that a professional, such as a psychologist, counselor, or religious advisor, tried to stop them from being transgender.

Identity Documents

- Only 17% of respondents reported that *all* of their IDs had the name and gender they preferred, while 57% reported that *none* of their IDs had the name and gender they preferred.
- The cost of changing IDs was one of the main barriers respondents faced, with 28% of those who have not changed their legal name and 21% of those who have not updated the gender on their IDs reporting that it was because they could not afford it.
- 40% of respondents who have shown an ID with a name or gender that did not match their gender presentation were verbally harassed, denied benefits or service, asked to leave, or assaulted.

ENDNOTES | ALASKA STATE REPORT

1. The number of respondents in Alaska (n=84) is an unweighted value. All reported percentages are weighted. For more information on the weighting procedures used to report 2015 U.S. Transgender Survey data, see the full survey report, available at www.USTransSurvey.org.
2. The Alaska unemployment rate is presented with the standard survey weight applied to better reflect characteristics of Alaska respondents. For reference, the U.S. unemployment rate was 5% at the time of the survey, as reported by the Bureau of Labor Statistics. See the full report for more information about this calculation and the weighting procedure.
3. The Alaska poverty rate is presented with the standard survey weight applied to better reflect characteristics of Alaska respondents. For reference, the U.S. poverty rate was 12% at the time of the survey. The research team calculated the USTS poverty measure using the official poverty measure, as defined by the U.S. Census Bureau. USTS respondents were designated as living in poverty if their total family income fell under 125% of the official U.S. poverty line. See the full report for more information about this calculation and the weighting procedure.
4. For reference, 5% of the U.S. population reported experiencing serious psychological distress during the prior month as reported in the 2015 National Survey on Drug Use and Health. See the full report for more information about this calculation.



2015 U.S. Transgender Survey

Alaska State Report

August 2017



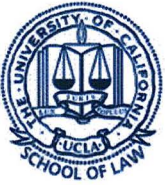
The full report and Executive Summary of the 2015 U.S. Transgender Survey are available at www.USTransSurvey.org.

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Recommended Citation: *2015 U.S. Transgender Survey: Alaska State Report*. (2017). Washington, DC: National Center for Transgender Equality.

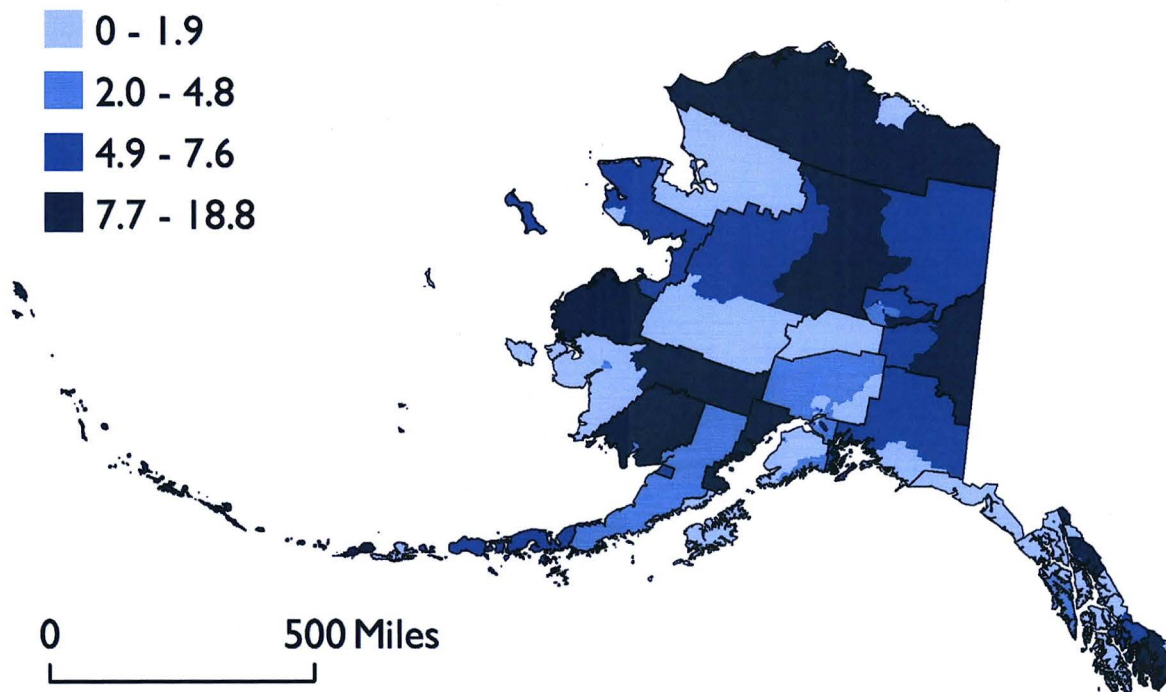
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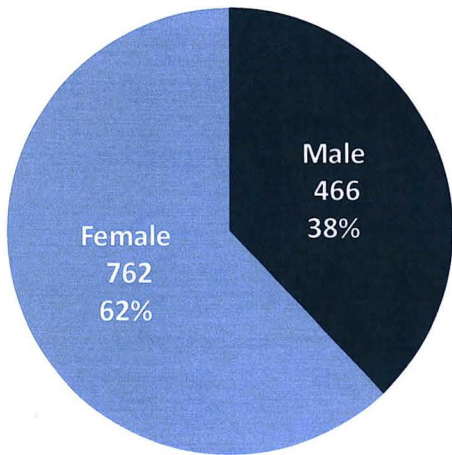


Same-sex couples	1,228	Same-sex couples per 1,000 households	4.8
Husband/wife	278	Same-sex "husband/wife" couples per 1,000 "husband/wife" couples	2.2
Unmarried partner	950	Same-sex "unmarried partner" couples per 1,000 "unmarried partner" couples	44.8

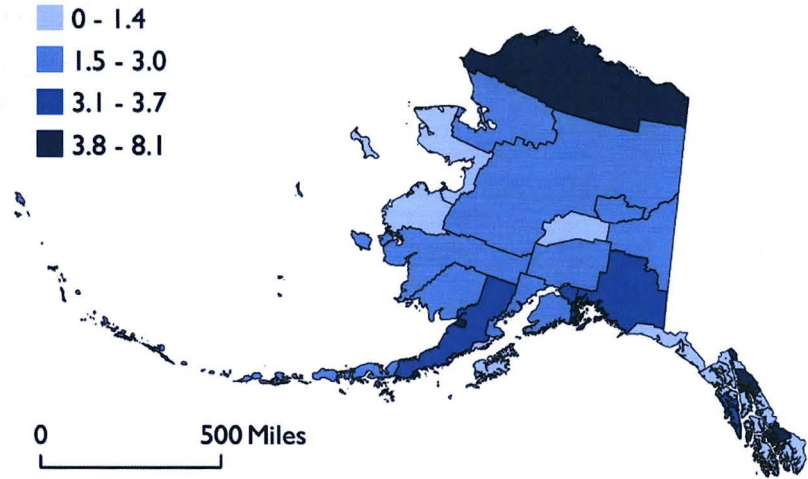
Same-sex couples per 1,000 households
by Census tract (adjusted)



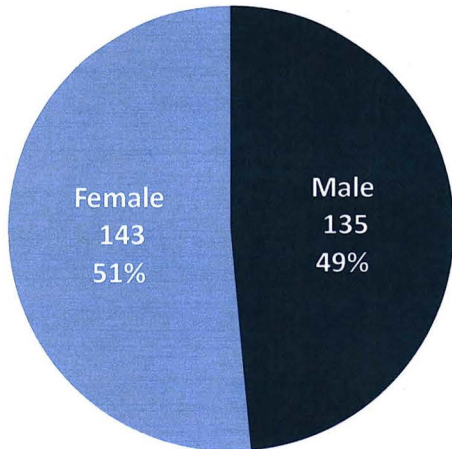
All Same-sex Couples



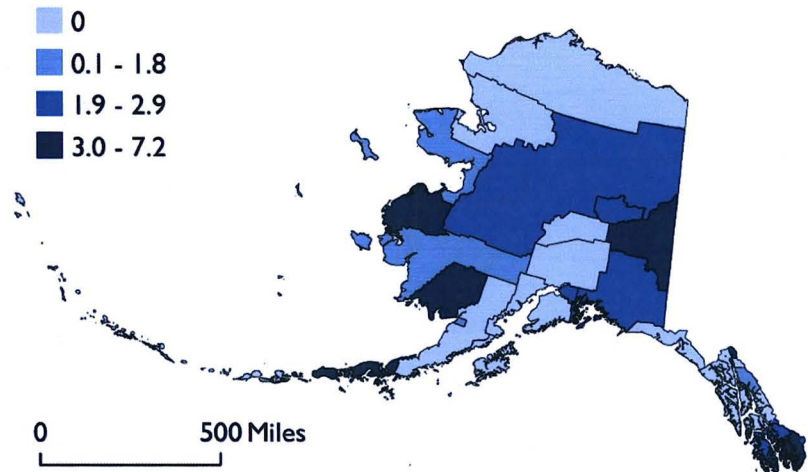
Same-sex female couples per 1,000 households by county (adjusted)



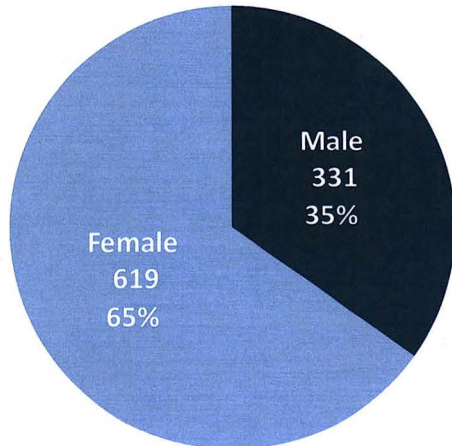
Same-sex couples who identify as spouses



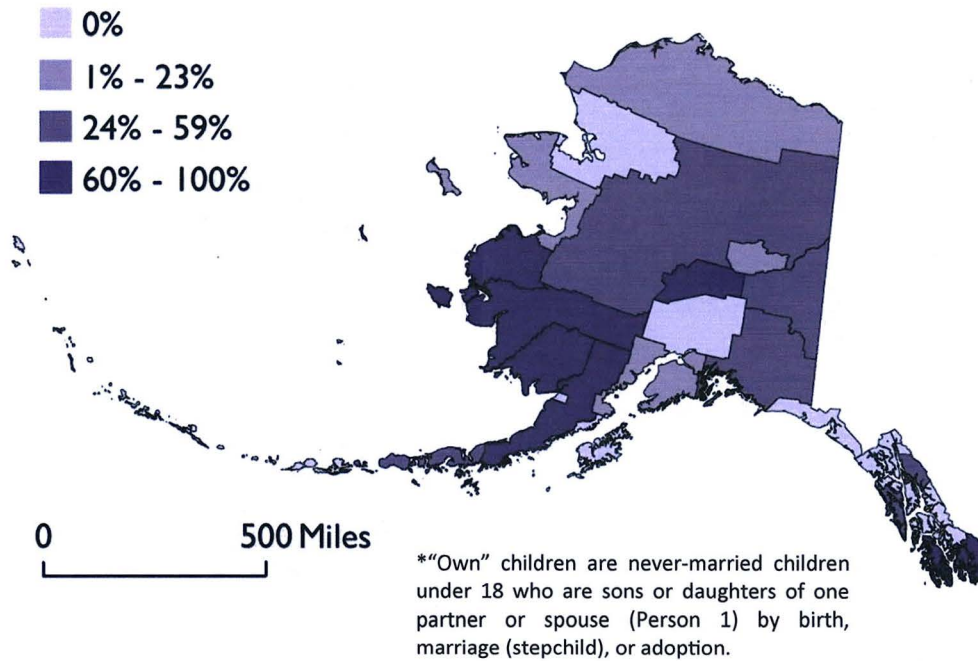
Same-sex male couples per 1,000 households by county (adjusted)



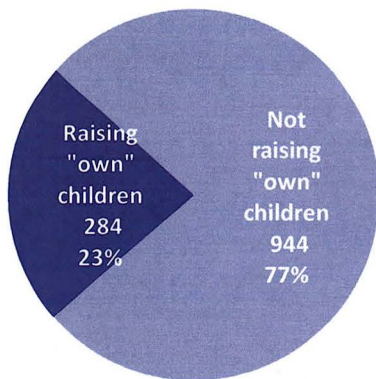
Same-sex couples who identify as unmarried partners



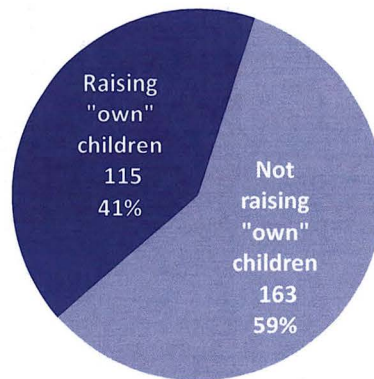
Percent of same-sex couples raising "own" children* by county (adjusted)



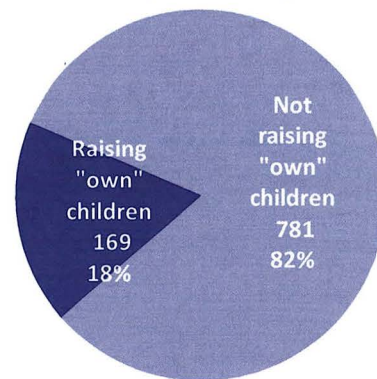
All Same-sex Couples



Same-sex couples who identify as spouses



Same-sex couples who identify as unmarried partners



Data and methodology

Data are compiled using the US Census Bureau's state-level preferred estimates for same-sex couples found [here](#). Same-sex couples are identified in households where Person 1 describes his or her relationship with another adult of the same sex as either a "husband/wife" or "unmarried partner". The Census Bureau preferred estimates adjust original Census tabulations reported in the Census 2010 SF-1, PCT15 to account for the likelihood that a small portion of different-sex couples miscode the sex of a spouse or partner and are incorrectly counted as a same-sex couple.

Adjusted data

The Census Bureau only released preferred estimates for states. County, city, and tract data used in this report are adjusted by the authors and do not represent official Census Bureau tabulations. Like the Census Bureau preferred estimates, the adjustment procedure accounts for the likelihood that a small portion of different-sex couples miscode the sex of a spouse or partner and are incorrectly counted as a same-sex couple.

Undercount

The adjusted figures do not take into account the possibility that some same-sex couples may not be counted in Census tabulations due to concerns about confidentiality or because neither partner was Person 1 in the household.

Go [here](#) for a complete description of the adjustment procedure.

Counties with 50+ same-sex couples ranked by same-sex couples per 1,000 households

State rank	US rank among 1,142 counties with 50+ same-sex couples	County	Same-sex couples (adjusted)	Same-sex couples per 1,000 households (adjusted)	Same-sex male couples (adjusted)	Same-sex female couples (adjusted)	% Raising "own" children among same-sex couples (adjusted)
1	44	Juneau	117	9.61	18	99	35%
2	218	Anchorage	628	5.85	280	348	21%
3	330	Fairbanks North Star	186	5.09	79	106	19%
4	1098	Matanuska-Susitna	74	2.33	0	74	0%

Counties with <50 same-sex couples

		Aleutians East	4	6.35	3	1	45%
		Aleutians West	2	1.89	0	2	0%
		Bethel	14	2.98	3	11	63%
		Bristol Bay	2	5.28	1	2	0%
		Denali	1	0.91	0	1	100%
		Dillingham	9	5.69	6	3	76%
		Haines	1	0.72	0	1	0%
		Hoonah-Angoon	0	0.00	0	0	0%
		Kenai Peninsula	49	2.20	0	49	23%
		Ketchikan Gateway	24	4.52	17	7	70%
		Kodiak Island	5	1.03	0	5	0%
		Lake and Peninsula	2	3.16	0	2	100%
		Nome	7	2.66	4	3	6%
		North Slope	8	4.15	0	8	6%
		Northwest Arctic	4	2.12	0	4	0%
		Petersburg	1	0.43	0	1	0%
		Prince of Wales-Hyder	5	2.26	4	1	59%
		Sitka	11	3.08	0	11	53%
		Skagway	5	11.64	2	3	0%
		Southeast Fairbanks	15	5.70	9	6	33%
		Valdez-Cordova	22	5.67	11	12	27%
		Wade Hampton	15	8.41	12	2	85%
		Wrangell	6	5.82	2	4	0%
		Yakutat	0	0.00	0	0	0%
		Yukon-Koyukuk	12	5.38	6	6	38%

**Cities with 50+ same-sex couples
ranked by same-sex couples per 1,000 households**

State rank	US rank among 1,415 cities with 50+ same-sex couples	City	Same-sex couples (adjusted)	Same-sex couples per 1,000 households (adjusted)
1	211	Juneau	118	9.67
2	698	Anchorage	633	5.89
3	708	Fairbanks	67	5.83

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Acknowledgments

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For more information

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The Commerce of Diversity

In this issue of Advancing Anchorage Magazine, the Anchorage Chamber will explore the steps members of the business community are taking to ensure the city moves to be the No. 1 place to live, work and play in a two part series entitled "The Commerce of Diversity." In January, we will look at more emerging cultures that are changing Anchorage's economic landscape.

One Anchorage, One Economy

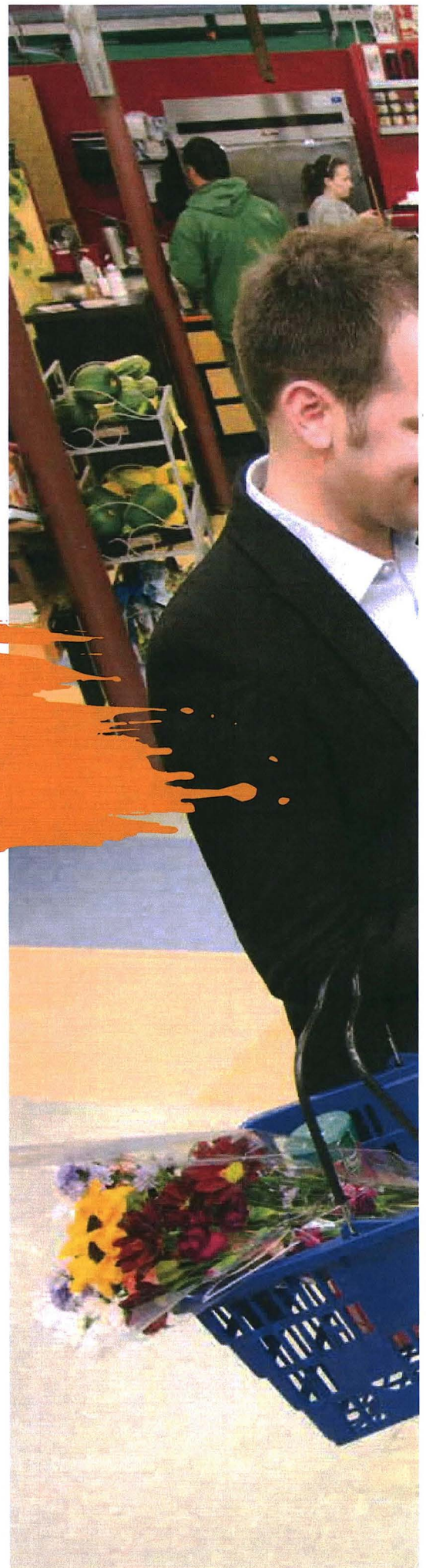
As a young city entering its centennial in 2015, Anchorage's nearly 300,000 residents know this is a community where you can live close to work, enjoy vast economic opportunities and have a plethora of options for entertainment and outdoor activities. However, to grow and develop Anchorage's economy into the future, we need a greater understanding of what comprises our economy today.

Resources, jobs, adventure and discovery are all interwoven with the fabric of

the city's cultural and social backgrounds, and over the last twenty years, Anchorage has become an urban melting pot. But could it be more?

Live. Work. Play., a grassroots effort put forward by the Anchorage Economic Development Corporation's (AEDC) board of directors, is focusing on just that – sustainable community improvement and engagement for the people living in Anchorage, with a hefty goal: to make Anchorage the No. 1 city in America to live, work and play by 2025.

"In 2008, the available workforce in Anchorage was tight," said Bill Popp, president and CEO of AEDC. "Many of our investors were finding it difficult to hire skilled, qualified and experienced workers in the city. Because of this, many businesses were looking outside of Anchorage to hire young professionals in the Lower 48 and bring them up to Alaska."





Victoria Green, Department of Veteran Affairs, has frosty fun at New Sagaya's City Market.

The challenge for these businesses, Popp said, was dispelling the “cold and dark” myth of Alaska. As a recruiting tool, AEDC partnered with the Alaska Channel and a handful of businesses in Anchorage to create a video showcasing why Anchorage is such a great place to live, work and play.

“That video is where the seed for the Live. Work. Play. grassroots initiative was planted,” he said.

Six areas of focus were developed as a starting point for Live. Work. Play. action phases: housing, education, community safety, creative place making, big wild trails and workplace well-being. To date, representatives from 58 private,

nonprofit and public sectors have signed on to participate in the project.

The Three T's

One group involved in Live. Work. Play. is a collection of government and business leaders called “One Anchorage, One Economy,” which is an effort to build a more robust economy by promoting inclusivity—the commerce of diversity.

“Anchorage has one economy and it's becoming more and more diverse every year,” said Andrew Halcro, president of the Anchorage Chamber of Commerce. “The new companies that are joining the Anchorage Chamber are small businesses, many of whom represent the emerging

cultures comprising Anchorage's new economy.”

Halcro points to all three of the Anchorage Chamber's priorities on how to grow the local economy: advocacy, education and networking. “An economy grows stronger when constructive dialogue, understanding and input is exchanged between our emerging cultures, nonprofits and business owners.”

According to Richard Florida, American economist and social scientist at the University of Toronto, America's “Creative Class” (today's younger workforce demographic) will be the leading force of growth in the future economy, expected to grow by more than 10 million



Photos © Frank Flavin

Shalem Mathew and Mitch Kitter, partners and owners of TrefT.Punkt Studios shopping local at New Sagaya.

jobs in the next decade. This Creative Class includes almost 40 percent of the current population.

For a city to attract the Creative Class, Florida argues, it must possess “the three T’s”: Talent (a highly talented/educated/skilled population), Tolerance (a diverse community, which respects human and economic rights), and Technology (the technological infrastructure necessary to fuel an entrepreneurial culture).

With Anchorage’s unemployment rate at a low 4.7 percent, many Anchorage Chamber members have found themselves looking outside for talent.

In a January keynote address during the 2013 AEDC Annual Economic Forecast

Luncheon, Florida stated that members of the Creative Class value meritocracy, diversity and individuality, and look for these characteristics when they relocate to a city.

One piece of Anchorage’s changing economic puzzle being examined by One Anchorage, One Economy is the gay, lesbian, bisexual and transgendered (GLBT) community, and for good reason.

According to the 2010 U.S. Census, the number of GLBT households in Alaska grew by about 57 percent over the last decade to nearly 1,900 with a majority living in Anchorage. The Williams Institute estimated Alaska’s GLBT adult population in 2012 to be roughly 25,000

individuals, or 3.5 percent of the state’s total population.

It’s Showtime

For thirty years, many of the best events in Anchorage have been produced with the help of one man, Darl Schaaff. As the owner of Art Services North, Schaaff has had a heavy influence on some of Anchorage’s most celebrated yearly extravaganzas. From the city’s Fourth of July celebration to the Alaska Pacific University annual fundraiser, Schaaff is considered one of Anchorage’s favorite sons. He is also arguably the best in his field. He is also one of many gay business owners in Anchorage.



Photo © Frank Flavin

Phyllis Rhodes (left) and Victoria Green try on threads at Kaladi Bros. Coffee

Schaaff believes the commerce of diversity is critical and believes Anchorage has already become a more welcoming and encouraging place for the GLBT community to live, regardless of the equal rights initiative that was voted down on last year's municipal ballot.

"The recent loss of Prop One was more about a vocal minority on the wrong side of history than a city of repression," he said. "Business in Anchorage has worked because we include our best, encourage the new, and support our ongoing business community. My faith in this community assures me that we will continue to grow and evolve because we genuinely care about all of the people."

According to the National Gay & Lesbian Chamber of Commerce, there are an estimated 1.4 million (NGLCC) busi-

ness owners in the U.S. with a consumer impact of more than \$800 billion in 2010.

"Ten years ago, the GLBT business community did not have a national voice," Justin Nelson, president and co-founder of the NGLCC based in Washington D.C. said. "As a community, we had strong local chambers, but we weren't working together. In just ten years, our community has really come together and realized that we are stronger when we unite our voices."

The NGLCC has fostered relationships with more than 140 global corporations, including companies in Alaska's business hub, like Wells Fargo, Verizon and Chevron, through the NGLCC Supplier Diversity Initiative.

"Our work with the federal government has been truly trailblazing," said Nelson.

"We work closely with the Department of Labor, Department of Commerce, and the U.S. Small Business Administration. Last year, we hosted the first-ever LGBT Federal Procurement Fair at the Department of Commerce."

In July, at the annual NGLCC Conference in Dallas, Texas, more than 600 business professionals, suppliers, chamber executives and corporate leaders, converged to do business with each other, gather best practice tools, and showcase the recent trends that commerce is more diversified than ever.

According to Nelson, the organization uses a variety of programs to reach GLBT business owners where they live, work and play. One program offers access to more than 140 corporate partner procurement and supply chains. Through this benefit,

the opportunities to enrich leadership and executive business development skills through education, scholarship and mentoring programs, are growing.

One Anchorage, One Economy

"The GLBT population is an important part of our community and an important contributor to our economy, present and future," said Glenn Cravez, a local Anchorage attorney and member of One Anchorage, One Economy.

Cravez said the feeling has been building over the last year, as business leaders recognized that the defeat of last year's ballot proposition on equal rights unfairly dragged the business community into the debate.

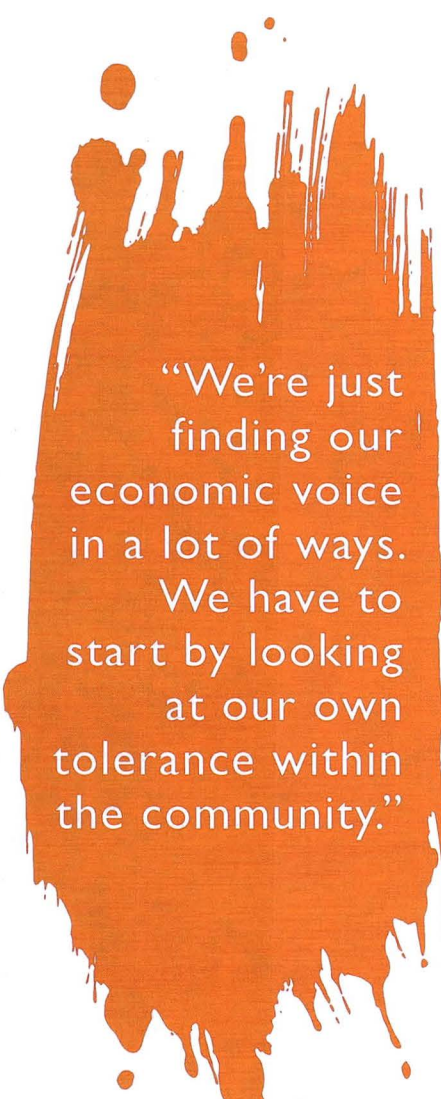
"Some of the opposition to the ballot initiative was based on threats that if passed, the new laws would be 'bad for business,'" Cravez said. "This simply wasn't true," he added. One Anchorage, One Economy's goal is to reframe the focus on where it needs to be, the positive economic impacts of inclusivity.

More and more local Anchorage's businesses are seeing economic returns from partnering with GLBT events. This past June, thousands of Anchorage residents partook in the annual PrideFest Week with numerous events held throughout Anchorage. The week culminated with a celebration at the Delaney Park Strip, showcasing more than 70 local allied businesses, such as Humpy's Great Alaskan Alehouse, Kaladi Brothers Coffee, Wells Fargo and Alaska Airlines. These Anchorage Chamber members came out to show their support for the GLBT community and their contribution to the economy.

Behind the Numbers

Anchorage's Mary Elizabeth Rider of Rider Consulting, is co-editor of the Grrlzlist, a virtual women's community in Southcentral Alaska comprised of more than 1,600 subscribers and contributors.

Rider has been compiling her own data that shows not only who the GLBT business owners and consumers are in



"We're just finding our economic voice in a lot of ways. We have to start by looking at our own tolerance within the community."

Anchorage, but where they shop, what health providers they trust and what business are GLBT friendly. Her data collection from Grrlzlist is extensive and exclusive.

She said its important for the GLBT community to feel inclusive within its community, but that there's a long road ahead. "We're just finding our economic voice in a lot of ways," Rider said. "We have to start by looking at our own tolerance within the community."

Rider said that while the business community is doing the best it can, many who support the GLBT community are reluctant to show public support, fearing a backlash. "In a lot of ways, we're invisible, not fully integrated," she said. "We provide valuable services and generate millions of dollars to the local economy, but there's

still a gap. Over the course of time, all of our efforts will come together, but we have to gain a little more traction first.

Attracting and Retaining

Mitch Kitter and Shalem Mathew of Treft.Punkt Studio are young, innovative and widely sought after wedding photographers in Anchorage. Both have traveled the world to photograph weddings and experienced a wide scope of economic inclusivity.

"As a gay business owner, sometimes there can be a reluctance to open yourself up to a community that isn't outspoken in its inclusion of all backgrounds. This creates unnecessary economic barriers," Kitter said. Many large businesses in Anchorage have already stated their support of GLBT employees.

Kitter and Mathew believe that in order for Anchorage to continue to attract and retain qualified professionals, the trend towards more inclusivity bodes well. "When people feel accepted in their community, they are more likely to support that community with their dollars."

Victoria Green works for the Department of Veteran Affairs. She moved to Alaska in 1998 and lived in Bethel for four years. She was activated with the Alaska Air National Guard for a tour at Eielson Air Force Base and spent a year up in Fairbanks. At the end of her tour, she moved to Anchorage and has been here ever since.

Green was recently appointed as the as the program manager to the Alaska veteran's Affairs Agency of an LGBT Special Emphasis Program, a collaborative effort with local community members to ensure all local veterans feel welcome, are treated with dignity and have economic opportunities. Her involvement with the One Anchorage, One Economy initiative is to help promote to the business community the economic benefits of inclusion and workplace equality.

"This initiative is an exciting one and one that I believe could be successful by encouraging cooperation with the business community and by organizing



Photo © Frank Flavin

Darl Schaaff (left) and Phyllis Rhodes examine the catch of the day at City Market

our community to come together,” Green said.

An Inclusive Economic Power

Another voice to the One Anchorage, One Economy initiative and the understanding of the relation between the GLBT community and the local economy is Phyllis Rhodes, executive director of Identity, Inc., a nonprofit organization that provides programs supporting equality for the GLBT community and its allies.

“Equal and economic rights go hand in hand,” Rhodes said. A resident of Anchorage since 1967, Rhodes noted that while tolerance and economic opportunities have increased over the years, there is still work to do.

“Thanks to our many allies, our voice is being heard in every aspect—in businesses, in organizations and in government services. It is important for the members of the GLBT community to take advantage of every opportunity to engage in dialogue about how we truly become One

Anchorage, One Economy.”

Rhodes said in order to grow the commerce of diversity in Anchorage, more businesses, especially the younger generation, need to take the lead.

At this year’s PrideFest Conference, held on Oct. 12 and hosted by Identity, Inc., the focus will be on Alaska’s next generation of business and community leaders with educational workshops and national speakers themed around entrepreneurship and economic opportunities. Helping deliver the message will be repre-



sentatives from the NGLCC.

For the first time, the conference will give attendants from across the state deliverable tools and information on how they can better develop their business or community into an inclusive economic power. The conference organizers expect record attendance this year.

When you consider the shifting demographics of Anchorage, the greying of the work force and the diverse cultures that are following, the more it becomes evident that we must become One Anchorage,

One Economy. With Anchorage already boasting three of the five most diverse population tracks in the country, beginning to understand the local consumer trends of emerging cultures will be critical, both socially and economically.

"No one entity or organization is going to make Anchorage the number one city in America to Live Work and Play," Popp said. "We need to work together to make Anchorage the best city in America."

GET INVOLVED

The One Anchorage, One Economy committee is asking for your feedback in the area of cultural diversity and economic opportunities by emailing jj@anchoragechamber.org.

Identity, Inc. PrideFest Conference will be held all day on Saturday, Oct. 12 at the University of Alaska Anchorage. For a list of conference seminars, visit Alaskapride.org.

Justin Nelson, president and co-founder of the NGLCC, U.S. will be discussing the commerce of diversity at a special "Make it Monday" forum, held at noon on Oct. 14 at the Dena'ina Center. RSVP before Oct. 11 at Anchoragechamber.org.

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

MEMORANDUM

HB 184 – Non-Discrimination Based on Sexual Orientation, Gender Identity or Expression:

Ministerial Exemption and other Religious Exemptions

May 9th, 2017

During our first hearing for HB 184 in State Affairs last week, a significant amount of confusion arose regarding the religious exemption. I would like to clarify this part of the legislation so that there is no question among members.

I would like to make clear, that the religious exemption in existing law which applies to this legislation is much broader than previously noted in the first hearing, in which we focused on the ministerial exemption in section 5.

Attached is a summary of the **Hosanna-Tabor** case, which explains the interpretation of the ministerial exemption in detail. As explained in committee, the ministerial exemption is a recognized interpretation of the First Amendment by the U.S. Federal Courts. It is because of this that the inclusion, (or lack thereof), of this language does not affect the implementation of this legislation, as the federal interpretation would apply regardless. That being said, the question arose as to under which circumstances this particular exemption applies.

During the hearing it was explained that this exemption applies to the “employment relationship between a religious institution and its minister.” However, as stated in the attached description, what qualifies an employee as a “minister” is not clearly defined. In the specific case of Hosanna-Tabor, this exemption was applied to a teacher, who taught not only religious courses but secular courses as well. It was found that “her job duties reflected a role in conveying the Church’s message and carrying out its mission: As a source of religious instruction, Perich [the teacher] played an important part in transmitting the Lutheran faith.” In summary, the explanation provided in committee was sufficient, in that this exemption applies to positions which “shape its own faith and mission through its appointments.” The example of a teacher vs. a janitor hold true, as this exemption would not apply to positions which do not have purview of the internal governance of a church, or the personification of its beliefs.

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

The executive director of the Alaska State Human Rights Commission, Marti Buscaglia, mentioned an additional religious exemption in Alaska's Administrative Code, under 6 AAC 30.985. This code states that, "Any organization operated for charitable or educational purposes and supervised or controlled by or in connection with a religious organization is not prohibited from limiting admission to or giving preference to persons of the same religion or denomination or otherwise making a hiring decision that will promote the religious principles for which it is established or maintained."

However, what is even more pertinent than this code is the exemption asserted in surrounding state statute under title 18.

Title 18.80.300 (5), defines the term "employer" as, "a person, including the state and a political subdivision of the state, who has one or more employees in the state but does not include a club that is exclusively social, or a fraternal, charitable, educational, or religious association or corporation, if the club, association, or corporation is not organized for private profit." Given this definition, the entire section of HB 184 which addresses employers does not apply to not for profit religious associations or corporations. Given this state statute, the religious exemption for employers is much broader than that provided by the ministerial exemption.

Using the context of HB 184, which adds "sexual orientation, gender identity or expression" to the prohibitions on discriminatory practices, the ministerial exemption allows religious institutions to discriminate on this basis in specific positions which play an important role in shaping its faith and mission, however, the definition of employer under state statute exempts non-profit religious associations from this prohibition *in all positions*. Essentially, religious organizations are largely exempt from the employment section of this legislation.

Additionally, given the exemption in state statute HB 184 fully allows "the freedom of association", meaning that prohibitions on discrimination cannot apply to a religious associations clubs, social groups, charitable organizations and/or educational organizations.

I hope that this dispels any remaining confusion in regards to religious exemptions which would be applied to HB 184.

If you have any further questions please contact my staffer, Megan Holland at 465-4967



Economic Motives for Adopting LGBT-Related Workplace Policies

Introduction

This study evaluates the economic impact of corporate non-discrimination and benefits policies by analyzing the extent to which economic reasons motivate corporations to adopt such policies. The past decade has seen a large increase in the number of corporations adopting LGBT-related workplace policies. In 1999, 72% of Fortune 500 companies included sexual orientation in their non-discrimination policies, and only a handful included gender identity.¹ By 2009, 87% of such companies included sexual orientation and 41% included gender identity in their non-discrimination policies.² Over the same time period, the percentage of Fortune 500 companies offering domestic partner benefits increased from 14% to 59%.³ This study reviews statements issued when adopting such policies by the top 50 Fortune 500 companies and the top 50 federal government contractors.

Since companies began to adopt these policies, and state and local governments began to amend their laws to prohibit sexual orientation and gender identity discrimination, arguments have been made that the requirements are costly and burdensome for private businesses. As recently as May 2011, the Tennessee legislature repealed an ordinance passed by the city of Nashville requiring city contractors to include sexual orientation and gender identity in their non-discrimination policies.⁴ The Tennessee Chamber of Commerce initially supported the state bill, stating that “employment standards...should not create an additional burden on companies that are endeavoring to become competitive”.⁵ The Chamber later withdrew its support.⁶

In contrast to these arguments, many private companies have supported these policies for the opposite reason—because they make good business sense. In 2009 and 2010, during the consideration of the Employment Non-Discrimination Act (ENDA),⁷ a statute that would prohibit sexual orientation and gender identity discrimination in the workplace, a number of private sector employers reported to Congress that these policies are good for the corporate bottom line.⁸

Overall, we find that almost all of top 50 Fortune 500 companies and the top 50 federal government contractors (92%) state that, in general, diversity policies and generous benefit packages are good for their business. In addition, the majority (53%) have specifically linked policies prohibiting sexual orientation and gender identity discrimination, and extending domestic partner benefits to their employees, to improving their bottom line.

Key Findings

- The majority of these companies prohibit sexual orientation and gender identity discrimination.
 - All but two (96%) of the top 50 Fortune 500 companies include sexual orientation in their non-discrimination policies and 70% include gender identity.
 - 81% of the top 50 federal contractors include sexual orientation in their non-discrimination policies and 44% include gender identity.
- The majority of these companies already provide benefits to the same-sex domestic partners of employees.
 - 88% of the top 50 Fortune 500 companies extend domestic partner benefits, including health insurance, to the same-sex domestic partners of employees.
 - At least 52% of the top 50 federal contractors extend domestic partner benefits, including health insurance, to the same-sex domestic partners of employees.
- Based on a review of corporate statements issued to announce a policy, almost all of the companies (92%) that prohibit these forms of discrimination or extend domestic partner benefits to their employees state that policies promoting employee diversity in general are good for their bottom line (36 of 41 contractors and 46 of 48 Fortune 500 companies).
- The majority of the companies (53%) that prohibit these forms of discrimination or extend domestic partner benefits have expressly linked either these specific policies, or diversity that specifically includes LGBT people, to a positive impact on business (17 of 41 contractors and 30 of 48 Fortune 500 companies).
- When companies adopt LGBT-related workplace policies, the most frequently mentioned economic benefits include:
 - **Recruitment and Retention.** Recruiting and retaining the best talent, which in turn makes the company more competitive.
 - **Ideas and Innovation.** Generating the best ideas and innovations by drawing on a workforce with a wide range of characteristics and experiences.
 - **Customer Service.** Attracting and better serving a diverse customer base through a diverse workforce.
 - **Employee Productivity.** Increasing productivity among employees by making them feel valued and comfortable at work.
 - **Public Sector Clients.** Securing business by responding favorably to specific policy requests or contracting requirements from public sector clients.

- **Employee Relations and Morale.** Maintaining positive employee morale and relations by responding favorably to specific policy requests from employees and unions.

While most of the large companies in this study did tie policies related to diversity in general, and LGBT employees more specifically, to the corporate bottom line, many also expressed that doing so was consistent with corporate values such as treating employees with respect and fairness and because it is “the right thing to do.” However, no company stated that the policies would be costly, but enacted them anyway only because it was the “right” or fair thing to do.

Methodology


The research presented in this memo is based on a review of the non-discrimination and diversity policies and benefits policies of the top 50 Fortune 500 companies (2010) and the top 50 federal government contractors (2009) (collectively “companies” or “employers”).

The top 50 federal contractors were determined by the dollar amount of their combined federal contracts. Due to partnerships involving two or more companies contracting under one name, and to separate awards to subsidiaries of the same company, the top 50 contractors consist of 48 unique entities. The percentages reported in this study are based on the number of companies represented, but for simplicity, they will be referred to as “the top 50 contractors”.

For each company in the two groups, we began by ascertaining whether its non-discrimination policy includes sexual orientation and/or gender identity and whether it extends domestic partner benefits to its employees with same-sex partners. This information was gathered primarily through the HRC Corporate Employer Database, and supplemented with additional information gathered from the companies’ websites and online job postings.

Using these sources, we could not identify whether eight contractors and one Fortune 500 company prohibit discrimination based on sexual orientation and gender identity or provide domestic partnership benefits. We attempted to contact these nine companies by email or by phone on March 31, 2011 with a follow-up contact on April 12, 2011 to ascertain whether they provide these protections. However, eight of these companies have not yet responded to our inquiries.

We have made several assumptions in order to categorize these eight companies for purposes of this study. If a company had a non-discrimination policy that included characteristics other than sexual orientation and gender identity, we assumed that the company does not prohibit discrimination based on sexual orientation or gender identity. If we were unable to find a non-discrimination policy that included sexual



orientation or gender identity, and found no evidence that the company offer domestic partner benefits, we assumed that the company does not extend domestic partner benefits. For two companies, we could not find any information on non-discrimination or benefits policies, so we assumed that the companies do not have sexual orientation and gender identity non-discrimination policies, and do not extend domestic partner benefits.

Further, many companies, including those with sexual orientation and gender identity non-discrimination policies, do not publicly indicate whether they extend domestic partner benefits. If a company did not document that it offers domestic partner benefits in publicly available corporate materials, or was not profiled on the HRC Corporate Employer Database, we assumed that the company does not extend domestic partner benefits. For this reason, our determination that 48% of companies do not offer domestic partnership benefits may be higher than the actual percentage.

For those companies that include sexual orientation and/or gender identity in their non-discrimination policies or extend domestic partner benefits, we thoroughly reviewed company issued-documents, news articles, and other sources to find company statements expressing why these policies were implemented and why the company supports a diverse workforce that includes LGBT people. We then consulted these same sources to find more general statements on diversity within the company or the benefits programs offered by the company. Finally, the companies were contacted twice in April 2011 with a request to provide any information addressing the decision to include sexual orientation or gender identity in the non-discrimination policy or the decision to extend domestic partner benefits. None of the companies have yet responded to the requests for information, so all information in this study is based on written documents described above.

If a company expressed a reason for enacting the policies that was related to corporate competitiveness or success, we coded the motive as economic. We then identified the most commonly mentioned benefits resulting from these policies:

- Recruitment and Retention.
- Ideas and Innovation.
- Customer Service.
- Employee Productivity.
- Public Sector Clients.
- Employee Relations and Morale.

The findings below provide examples of statements that express how these economic benefits accrue from enacting these polices.

Findings

Statements on Sexual Orientation and Gender Identity Non-Discrimination Policies and Domestic Partner Benefits

The majority of companies (53%) that prohibit sexual orientation and gender identity discrimination or extend domestic partner benefits have expressly linked either these specific policies, or diversity that specifically includes LGBT people, to a positive impact on business. Sixty-three percent of the top 50 Fortune 500 companies with these policies have justified them with a business rationale. Similarly, 41% of contractors with such policies have expressly linked these particular policies, or the creation of a diverse workforce that includes LGBT people, to a positive impact on business.

Recruitment and Retention

The most commonly cited economic benefit of sexual orientation and gender identity inclusive non-discrimination policies and/or a diverse workforce that includes LGBT people is that by promoting inclusiveness and equal opportunity, employers are able to recruit and retain the best talent, which in turn makes the company more competitive. For example, a Senior Vice President of top 50 Fortune 500 company, and top 50 federal contractor, Lockheed Martin said of these policies, “Ensuring a positive and respectful workplace and robust set of benefits for everyone is critical to retaining employees.”⁹ Similarly, the chairman and CEO of top 50 Fortune 500 company, and top 50 federal contractor, Hewlett-Packard said that the company decided to extend domestic partner benefits in part to “enhance competitiveness as a great place to work so [the company] can attract and retain top talent.”¹⁰ Making a similar point, Provost Robert Holub of the University of Tennessee, a top 50 federal contractor, said of the omission of sexual orientation from the university’s prior employment non-discrimination policy, “We fool ourselves if we believe that the absence of a direct statement regarding discrimination against gays and lesbians does not harm our institution...We are probably hurt not only by gay and lesbian candidates preferring to go elsewhere, but by heterosexuals who are as horrified as I am that we will not pledge to treat gay and lesbian applicants without prejudice.”¹¹ The university’s policy now includes sexual orientation and gender identity.

Ideas and Innovation

Several of the companies identified the link between these policies and promoting their business success in the variety of ideas and innovations that result from fostering a workforce with a wide range of characteristics and experiences. For example, top 5 federal contractor General Dynamics “recognizes that the best ideas and solutions are developed by gathering input from people who have different perspectives as well as tangible differences...such as age, gender, ethnicity, national origin, physical ability, military experience, and sexual orientation, among others.”¹² Federal contractor Raytheon’s Chief Diversity Officer said that these policies “reflect the strides the company has made to build a culture that recognizes, respects, and leverages individual and cultural differences. Our commitment to diversity and inclusion is our undeniable

pathway to success for individuals and the company.”¹³ And Vice President of Global Workforce Diversity at IBM, a top 50 Fortune 500 company and a federal contractor, said that “at [IBM], we are creating an environment that allows employees to operate in the marketplace and the workplace where they can personally influence client success, foster innovation, as well as exhibit trust and personal responsibility in achieving IBM's business goals... Our goal is to assemble the most talented workforce in our industry, and to use the skills of that diverse team to respond to the needs of our clients. The contributions that are made by GLBT IBMers accrue directly to our bottom line and ensure the success of our business.”¹⁴

Customer Service

Some companies find that they are better able to serve a diverse customer base when they have a diverse workforce that includes LGBT people. For example, Marcela Perez de Alonso, Executive Vice President of Human Resources of Hewlett-Packard, said that the company “is strongly committed to attracting, developing, promoting and retaining a diverse workforce to better serve our increasingly diverse customers.”¹⁵ Rod Gillum, Vice President for Corporate Diversity and Responsibility at Fortune 500 company General Motors said that “non-discrimination policies and practices... [are the company's] way of showing GLBT customers that we support the community and appreciate their business.”¹⁶ And Geri Thomas, Diversity and Inclusion Executive of Fortune 500 company Bank of America stated that a diverse workplace that “respect[s] and valu[es] nationalities, cultures, sexual orientation, religions, economic and social backgrounds and disabilities...gives [the company] the advantage of understanding and meeting the needs of diverse customers, clients, and shareholders.”¹⁷

Employee Productivity

Other employers state that these policies increase productivity by LGBT employees who feel valued and comfortable at work. The Director of Diversity at federal contractor Booz Allen has said that the company is committed to “valuing people from all backgrounds, across all cultures, and regardless of sexual orientation or gender identity. We recognize that...our people can serve our clients best when they can be authentic in the workplace.”¹⁸ And an employee of federal contractor Boeing said of the decision to include gender identity in the company's non-discrimination policy that it would help to create a “fully engaged workforce” that was part of the company's “core business strategy.”¹⁹

Public Sector Clients

Some of these companies added these policies in response to requirements of public sector clients. For example, federal contractor Bechtel Group added sexual orientation to its non-discrimination policy and extended domestic partner benefits in order to bid for a contract with San Francisco after the city passed an ordinance requiring that all city contractors have a sexual orientation non-discrimination policy and extend equal benefits.²⁰ Fortune 500 company Chevron extended domestic partner benefits for the same reason.²¹

Employee Relations

Some of these companies added these policies in response to requests from clients or employees. For example, federal contractor California Institute of Technology said that it extended domestic partner benefits to respond to the requests of employees and because doing so was consistent with the university's policy of non-discrimination.²² The "Big 3" auto companies (Ford, General Motors, and DaimlerChrysler), two of which are top 50 Fortune 500 companies, agreed to offer domestic partner benefits in response to union requests.²³

General Diversity and Benefits Statements

Nearly all of the top 50 contractors and the top 50 Fortune 500 companies state in company-issued documents that diversity is good for business. Of these companies that include sexual orientation and/or gender identity in their non-discrimination policies or extend domestic partner benefits, 92% have linked diversity to corporate success (88% of contractors and 96% of Fortune companies), suggesting that these employers treat LGBT employees equally to serve diversity goals. These employers provide similar business-related explanations as the companies above offer in support of non-discrimination policies specific to sexual orientation and gender identity and domestic partner benefits.

Recruitment and Retention

The ability to recruit and retain top talent is also frequently cited by these companies to support diversity more generally. For example, federal contractor Raytheon recognizes "the importance of retaining, attracting and developing a diverse range of world-class talent in employee ranks to maximize the potential of the company, and to bring the most value to the shareholders."²⁴ Fortune 500 company Procter & Gamble states that diversity "enables [it] to be the 'employer of choice' that hires, engages, and retains the best talent."²⁵ And federal contractor Creative Associates International "celebrates and is committed to a vibrant and diverse workforce...[and] know[s] that recruiting and retaining the best talent in [the] field is critical to success."²⁶

Several companies have also recognized that generous benefits programs also help to attract and retain talented employees. For example, federal contractor United Technologies Corporation states that it "will attract, motivate and retain competent, dedicated people by designing compensation and benefits programs that are competitive in our worldwide marketplace."²⁷ And federal contractor Textron states that its "benefits and compensation programs are designed to reflect our commitment to attracting and retaining talented and motivated people."²⁸

Ideas and Innovation

Commonly, contractors and Fortune companies locate the link between diversity and corporate success in the variety of ideas that result from employing a workforce with a

broad spectrum of backgrounds and experiences. For example, Ford Motor Company (ranked 8 on the Fortune 500 list, and also a federal contractor) states, “Our diversity makes us a better company, a stronger company, by bringing fresh perspectives, experiences and life responsibilities, and by fostering a truly collaborative workplace.”²⁹ Similarly, top 5 federal contractor Northrop Grumman takes “pride in creating a working environment where diversity and inclusion is valued and leveraged to foster creativity and innovation, thereby allowing us to meet the business challenges of tomorrow.”³⁰ And federal contractor ITT is “committed to building a workforce that mirrors the world in which we do business” because it “will lead to improved creativity, innovation, decision-making, and customer service and is essential to achieving premier status.”³¹

Customer Service

Several employers find that diversity lends to corporate success by allowing the workforce to connect with a diverse customer base. For example, federal contractor HealthNet stated that “the best way to serve [its] diverse member base is by maintaining a diverse workforce.”³² For federal contractor UTC, “diversity is a competitive asset that enables [it] to more closely reflect and respond to the diverse needs of [its] markets, customers and communities.”³³ And Fortune 500 company CVS believes that “having a broad range of ideas and viewpoints through a diverse workforce increases chances of success with the customer.”³⁴

Employee Productivity

Other employers tie diversity in general to corporate success by focusing on an increase in productivity among employees who feel valued and comfortable at work. For example, federal contractor Boeing promotes diversity to “provide a work environment for all employees that is welcoming, respectful, and engaging...[which] in turn increases productivity, quality, creativity and innovation.”³⁵ And federal contractor L-3 Communications, “to compete and win in the industry[,] continually strives to create an environment where everyone is a valued member of the team with the opportunity to maximize his or her personal contribution.”³⁶ And Fortune 500 company SuperValu’s “goal is to create an environment of diversity and inclusion for people of all backgrounds. ...[W]e’ll have an atmosphere where each person feels comfortable and eager to contribute fully.”³⁷

Public Sector Clients

Some employers mention all of these ties between diversity and profitability, along with meeting public sector contract requirements. For example, top 50 federal contractor and top 50 Fortune 500 company McKesson states that “diversity and inclusion are good for business” because these values allow the company to “reflect and respond to a diverse customer base; keep pace with changing demographics; improve productivity, creativity and quality; improve teamwork and decision-making; demonstrate corporate citizenship; and support government contracts.”³⁸



Corporate Values

In addition to stating that diversity is good for the bottom line, several of the top 50 contractors and the top 50 Fortune 500 companies value diversity for reasons not directly related to corporate financial success. Among these reasons, fairness and respect for employees appeared the most often. For example, federal contractor Oshkosh Truck supports diversity in the company because it believes in treating employees “with dignity, respect, and fairness.”³⁹ Fortune 500 company Chevron states that diversity is “good business practice,” but also that it is “the right thing to do.”⁴⁰ Similarly, Fortune 500 company CVS Caremark states that “diversity is consistent with our values of respect and openness, and we believe it is the right thing to do.”⁴¹

Conclusion

Nearly all federal contractors and Fortune 500 companies reviewed in this study have stated that diversity is good for the bottom line. Most of these companies explicitly include sexual orientation and gender identity in their non-discrimination policies, and many explicitly state that differences in sexual orientation and gender identity contribute to the diversity of a workforce. In addition to showing that policies that promote diversity in general make good business sense, a number of employers have also expressly linked the inclusion of sexual orientation and/or gender identity, or the extension of domestic partner benefits, to positive business outcomes.

Endnotes

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- ⁸ Companies include: Alcoa Inc., The Bank of New York Mellon Corp., Bingham McCutchen LLP, Boehringer Ingelheim Pharmaceuticals, Inc., Bristol-Myers Squibb Co., Clear Channel Communications, Inc., Dow Chemical Co., Eli Lilly and Company, Hanover Direct Inc., IBM Corp., KeyCorp, Kimpton Hotels & Restaurant Group, Marriot International Inc., Morgan Stanley, Motorola Inc., Nationwide Mutual Insurance Co., Replacements Ltd., & Whirlpool Corp. These statements are available at: http://www.hrc.org/issues/business_coalition_workplace_fairness.htm.
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May 3, 2017

Rep. Andy Josephson
State Capitol, Room 102
Juneau, AK 99801

Re: HB 184 – An act prohibiting discrimination based on sexual orientation or gender identity or expression

Dear Rep. Josephson,

AARP Alaska offers our appreciation to you, Rep. Josephson, for your sponsorship, and to the members of the House State Affairs Committee for consideration of HB 184. AARP's policy is that it is the fundamental right of all people to be free from discrimination, including discrimination based on a person's sexual orientation or gender identity/expression.

Discrimination toward LGBT individuals is historically well documented, and ranges from mild harassment to violence and hate crimes. But, I wish to provide yet another aspect of the importance of non-discrimination protections for LGBT individuals. AARP, nationally, has undertaken a partnership with SAGE USA (Services and Advocacy for GLBT Elders) to help shine a light on the little understood situation LGBT individuals face as they grow old.

In short, the very unfortunate choice older LGBT individuals must face is whether they must go "back in the closet." As people age, we typically experience a series of losses which create varying degrees of dependency on others, and a consequent sense of vulnerability. The need to feel safe (including the need for respect and dignity) increases when having to depend on persons or systems other than one's self. While research on the experience of older LGBT individuals is only now beginning to describe their situation, results show some patterns that underscore the need for increased protection. We know, for instance, that LGBT older adults are:

- Five times less likely to access senior services
- Experience higher poverty rates than senior heterosexual counterparts
- Significantly more likely to delay or not seek needed medical care
- More likely to have problems with substance abuse
- At higher risk for cancer and other serious health conditions (including depression)
- Half as likely as heterosexual elders to have family members to call for help, and are three times less likely to have children.
- Hesitant to disclose sexual orientation to their primary care provider

Many of these disparities can be attributed to the effects of historical prejudice, including disruption to families (who are so necessary to our long term care system), and diminished opportunities to earn a living and save for retirement (often due to lifelong employment discrimination). Ongoing stigma often interferes with full participation in community and society, leaving a significant number of LGBT older adults reluctant to seek needed services and support from potentially hostile aging and health service

providers. Almost a third of gay and lesbian Baby Boomers identify discrimination as their greatest concern about aging....as if aging weren't concerning enough!

The experience of discrimination over a lifetime (remembering today's LGBT elders could have been a victim of violence, or seen their expressions of love labeled a psychiatric disorder, a criminal activity, anti-family, immoral, and a security risk) takes a toll and predisposes to being highly vigilant and cautious. When faced with the vulnerabilities of long term care, one might have to "sweep the house" of all evidence if a home health aide is due to pay a visit; or if living in an assisted living home or nursing home, one would have to make continuous decisions about whether this person or that one, whether staff or other residents, might be safe enough with whom to share the stories of one's life. For all persons coming to the end of life, the story of that life is among the most precious things a person has. It is hard to imagine the sense of loss and grief if that story had to be kept secret or denied. Furthermore, to live in a dependent care situation might have implications about who the LGBT elder is able to have in to visit, or whether those friends would themselves feel comfortable coming into that environment to visit...all of which has the potential to increase an unnecessary sense of loneliness and isolation.

The protections most people take for granted are urgently needed for LGBT older adults, especially with regard to public accommodations, which would include senior centers, health care facilities, assisted living homes, and skilled nursing facilities. No one should have to feel unsafe when they are old and vulnerable, and when so few choices may remain. Nor should anyone have to hide their own life out of fear of what others might say or do. HB 184 is a long-needed and crucial part of Alaska's proud history of self-determination and respect for individual human beings.

AARP Alaska offers our thanks to you and the House State Affairs Committee, and we furthermore offer our strong support for the passage of HB 184 out of committee. Please feel free to contact us if we can be helpful with any further information.

Respectfully,



Ken Helander
Advocacy Director
762-3314
khelander@aarp.org

CC: Rep. Jonathan Kreiss-Tompkins, Chair House State Affairs Committee
Rep. Gabriel LeDoux
Rep. Chris Tuck
Rep. Chris Birch
Rep. DeLena Johnson
Rep. Gary Knopp



HUMAN
RIGHTS
CAMPAIGN®

April 25, 2017

Honorable Representative Jonathan Kreiss-Tomkins, Chair
House State Affairs Committee
Alaska State Legislature
State Capital
Juneau, Alaska 99801

Dear Chairperson Kreiss-Tomkins and Members of the Committee,

My name is Sarah Warbelow, and I am the Legal Director for the Human Rights Campaign (HRC), America's largest civil rights organization working to achieve lesbian, gay, bisexual, transgender, and queer (LGBTQ) equality. By inspiring and engaging all Americans, HRC strives to end discrimination against LGBTQ citizens and realize a nation that achieves fundamental fairness and equality for all. On behalf of our nearly 2,000,000 members and supporters nationwide, I am writing you today in support of House Bill (HB) 184, which would extend nondiscrimination protections to LGBTQ Alaskans in employment, housing, and public accommodations.

America has a proud history of valuing liberty, freedom, and hard work. Anti-discrimination laws put those values into practice. By expanding the state's civil rights laws to include LGBTQ people, Alaska will send a strong message that all of its residents matter. It is time to ensure that discrimination does not trump merit or basic fairness by extending protections to include sexual orientation and gender identity.

Discrimination against LGBTQ people continues to be a very real problem. Far too often, LGBTQ Americans have lost their livelihoods simply because of an employer's fear, lack of understanding, or intolerance. Some are highly skilled professionals who, though seemingly irreplaceable in their positions, suddenly become expendable when they wish to live openly in their communities or are outed by colleagues. Others are people forced into whatever jobs they can find, some scraping together money for the tremendous medical costs of gender transition, which are rarely covered by health insurance. They are people in every walk of life—doctors and lawyers, plumbers and bus drivers. Many are parents and spouses, whose efforts to find secure, fulfilling employment are also a struggle to provide for their families. And for these Americans, the threat of discrimination does not end once they leave the workplace. It is well-documented that LGBTQ people are shown less desirable properties for purchase or rent, receive less favorable customer service, or encounter outright refusal of service. The time has long since passed when we as a nation ought to tolerate arbitrary discrimination against any group of people, in any aspect of life.

I cannot overstate the real-life implications this bill would have for Alaska. It would extend vital protections in the most fundamental aspects of life to all Alaskans. Now that marriage equality is a reality nationwide, this bill would eliminate the untenable possibility of an individual marrying the person they love, only to be fired from work, evicted, or denied access to public places for doing so.

Moreover, this bill would send an unequivocal message to businesses that Alaska is a place where they can find the best and brightest; where their employees can live, grow, and thrive without fear of discrimination.

Finally, passing the HB 184 will place the state in good company. Beginning with an ordinance passed in Minneapolis in 1975, 19 states, the District of Columbia, and more than 100 cities and counties have enacted fully-inclusive, comprehensive laws prohibiting discrimination based on sexual orientation and gender identity. Additionally, more than 600 private businesses across the United States, including 66% of Fortune 500 companies, have voluntarily adopted policies that prohibit discrimination based on sexual orientation and gender identity. It is clear that employers and governments nationwide agree that they are at their best—their most competitive and most productive—when they do the right thing and affirm that they're open to everyone.

It has never been more important for Alaska to act and ensure that discrimination has no place in this great state. Please vote in favor of HB 184.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Warbelow". The signature is written in black ink and is positioned centrally below the word "Sincerely,".

Sarah Warbelow



Municipality of Anchorage

April 6, 2017

The Honorable Jonathan Kreiss-Tomkins
Alaska State House
State Capitol, Room 411
Juneau, AK 99801

Dear Representative Kreiss-Tomkins:

I am thankful that Representative Josephson introduced HB184 which prohibits discrimination based on sexual orientation or gender identity or expression because I have always advocated for and believed that everyone deserves equal rights. After many, many years attempting to provide this right to our LGBTQ citizens within our community, I was honored to be one of nine Assembly Members who approved AO 2015-96(S-1) on September 29, 2015.

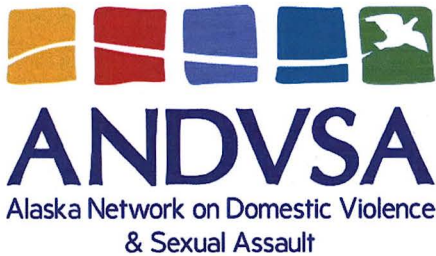
There are some who truly believe that this is a lifestyle choice. This mentality could not be further from the truth. You see, when I was 14 years old, my sister's son was three years old. Even at that early age, we both knew he was gay. Unfortunately, at the age of 21 years, my sister died from birth control pills which caused a brain hemorrhage and heart failure. She was my idol and died in my arms on the way to the hospital. Before she died, I promised her that I would emotionally take care of Darren as he grew older in a world of hate because of his identity. Darren is now an adult, has been in a relationship with Keith for 19 years, and they married just last year.

I, personally, know what it is like to experience discrimination. I have been a victim more than once because of the color of my skin. I will always be grateful to Dr. Martin Luther King, Jr. for making a difference in my life and the lives of many. This behavior is simply unacceptable.

I am hopeful that you and your colleagues will support this proposed legislation because it is not just the right thing to do, but the "only thing" to do. Please make this human right a reality.

Sincerely,


Elvi Gray-Jackson
Chair



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May 4, 2017

Dear Legislators:

The Alaska Network on Domestic Violence and Sexual Assault strongly supports HB 184 ('Discrimination: Gender Identity and Sexual Orientation'). We urge you to also support it and ensure that it passes. This important legislation needs to be a priority – it cannot wait.

Even with important policy gains, and gradual socio-cultural shifts towards understanding and tolerance, the LGBTQ community continuously faces very real discrimination and inequality. **This discrimination and inequality perpetuates high levels of violence against people who are LGBTQ. Responding to and preventing such discrimination and violence is a civil rights and human rights issue.**

The transgender community in particular, and specifically trans youth and trans women of color, [face the threat of violence on a daily basis](#) and need laws in place to protect them from discrimination. This vulnerability can be related to a lack of resources due to deeply imbedded disenfranchisement and discrimination--in school, housing, employment, and access to health care.

To highlight just a few statistics

- **Statistics documenting transgender people's experience of sexual violence indicate horrific levels of sexual abuse and assault. One in two transgender individuals are sexually abused or assaulted at some point in their lives.¹ More than half experienced some form of intimate partner violence.** (2010 report by National Center for Victims of Crime and the National Coalition of Anti-Violence Programs, 2015 US Transgender Survey)ⁱ
- **Some reports estimate that transgender survivors may experience rates of sexual assault up to 66 percent, often coupled with physical assaults or abuse.² This indicates that the majority of transgender individuals are living with the aftermath of trauma and the fear of possible repeat victimization** (2010 report by National Center for Victims of Crime and the National Coalition of Anti-Violence Programs)
- **12 percent of transgender youth report being sexually assaulted in K–12 settings by peers or educational staff; 13 percent of African-American transgender people surveyed were sexually assaulted in the workplace; and 22 percent of homeless transgender individuals were assaulted while staying in shelters.³** (2011 *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*)ⁱⁱ
- **There was an 11% increase in anti-LGBTQ homicides in 2014. Looking at broad category of homicide victims, 50% were trans women of color** (2014 National Report on Hate Violence Against LGBTQ and HIV-Affected Communities, National Coalition of Anti-Violence Programs)ⁱⁱⁱ

As service providers, we encourage any legislative frameworks to support us as we continuously expand our LGBTQ cultural competence.

Discrimination compounds economic, health, and other disparities and is a root cause of violence that perpetuates the culture of violence against people who are LGBTQ; and the social acceptance of this violence. We join our colleagues who are victim advocates all around the country in saying: to create a social, political, and economic environment in which violence against women no longer exists, we must support equality and safety for all.

Member Programs

Anchorage AWAIC, STAR Bethel TWC Cordova CFRC Dillingham SAFE Fairbanks IAC Homer SPHH Juneau AWARE
Kenai LeeShore Center Ketchikan WISH Kodiak KWRCC Kotzebue MFCC Nome BSWG Petersburg WAVE
Seward SeaView Community Services Sitka SAFV Unalaska USAFV Utqiagvik AWIC Valdez AVV



ANDVSA
Alaska Network on Domestic Violence
& Sexual Assault

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Phone: (907) 297-2860
Fax: (907) 279-2451

Let's make sure that Alaska is on the right side of this issue. Please take a stand and show that Alaskans do not support discrimination and violence, and do support tolerance and peace. Support HB 184. Thank you.

Sincerely,

Carmen Lowry
Executive Director

ⁱ <http://www.transequality.org/sites/default/files/docs/usts/Executive%20Summary%20-%20FINAL%201.6.17.pdf>

ⁱⁱⁱ http://www.avp.org/storage/documents/Reports/MEDIARELEASE_2014_NCAVP_HVREPORT.pdf

Member Programs

Anchorage AWAIC, STAR Bethel TWC Cordova CFRC Dillingham SAFE Fairbanks IAC Homer SPHH Juneau AWARE
Kenai LeeShore Center Ketchikan WISH Kodiak KWRCC Kotzebue MFCC Nome BSWG Petersburg WAVE
Seward SeaView Community Services Sitka SAFV Unalaska USAFV Utqiagvik AWIC Valdez AVV

From: [Judy Andree](#)
To: [Megan Holland](#); [Rep. Andy Josephson](#); [Rep. Jonathan Kreiss-Tomkins](#); [Rep. Gabrielle LeDoux](#); [Rep. Chris Tuck](#); [Rep. Adam Wool](#); [Rep. Chris Birch](#); [Rep. DeLena Johnson](#); [Rep. Gary Knopp](#)
Subject: HB 184: Support Letter from the League of Women Voters Alaska
Date: Friday, April 28, 2017 9:27:28 PM
Attachments: [image.png](#)



The League of Women Voters
A Voice For Citizens, A Force For Change

P. O. Box 22048, Juneau, Alaska 99802

April 28, 2017

Dear Representative Andy Josephson, Sponsor; Representative Kreiss-Tomkins, Chair of the House State Affairs Committee; and Members of the State Affairs Committee:

The League of Women Voters of the United States believes in equality in education, housing, and employment for all persons regardless of their race, color, gender, religion, national origin, age, sexual orientation or disability. In addition, the League supports the equalization of legal rights, obligations, and benefits available to same-gender couples with those available to heterosexual couples, including the right to marry under civil law. The League believes that one of government's responsibilities is to protect the rights of all its citizens. Therefore, the League of Women Voters of Alaska strongly supports HB 184, a bill to protect the rights of persons regardless of sexual orientation, gender identity, or expression.

The 1992 LWVUS Convention added language to their Equality of Opportunity position, making it clear that this position referred to "all persons, regardless of their race, color, gender, religion, national origin, age, sexual orientation or disability." The League position focuses particularly on equal opportunity for education, housing, and employment, three important requirements for inclusion and survival in society. In late March, public testimony in the Senate on the companion bill to HB 184, SB 72, gave evidence that the problem of discrimination is very real for citizens who identify as members of the LGBTQ community. The loss of jobs and/or housing and the threat of violence were just a few of the potential problems mentioned in the testimony.

Although the League was formed initially to fight for women's suffrage, today the League's work has widened to include all citizens and the guarantee of equal opportunity and civil rights for all. A society is weakened when it excludes some of its citizens from full participation in the rights and opportunities afforded to only certain citizens. We urge the members of the House State Affairs Committee to consider the rights of all your constituents and pass HB 184 out of committee. Thank you.

Sincerely,

Judith Andree, President LWVAK

Phyllis Tugman-Alexander, Vice-President



Planned Parenthood Votes Northwest and Hawaii

Representative Josephson
Alaska State Capitol
Juneau, AK 99801

Re: House Bill 184

March 22th, 2017

Dear Representative Josephson,

On behalf of Planned Parenthood Votes Northwest and Hawaii, I write today to thank you for sponsoring House Bill 184, which would add the words “sexual orientation, gender identity or expression” to Alaska’s non-discrimination statutes. Our state already prohibits discrimination based on race, religion, color, national origin, age, sex, disability, and marital status in the areas of employment, housing, public accommodation, and financing practices. However, these important protections do not extend to lesbian, gay, bisexual or transgender (LGBT) people.

Everyday Alaskans across the state live in fear of being fired or denied housing, public service, or other opportunities because they are gay or transgender. It doesn’t have to be this way. Each of us should be free to build loving adult relationships and to create families without discrimination based on our personal, private lives.

As a health care provider and employer, Planned Parenthood knows that this legislation is good for public health and good for business. Because of discrimination, and fear of discrimination, many LGBT employees hide their identities, are paid less, and have fewer employment opportunities than their non-LGBT counterparts. This prejudice puts LGBT people at increased risk for poor physical and mental health. Businesses that support anti-discrimination measures for LGBT people recognize that having a corporate culture that embraces diversity improves worker productivity and helps recruit the best talent. Sexual orientation and gender identity have no relationship to workplace performance, and hardworking Alaskans shouldn’t be fired because of who they love or who they are.

Access to stable and secure housing is also essential for successful and healthy families, but LGBT people often experience housing discrimination and are denied the security of one of life’s most basic necessities. Like everyone else, they just want to contribute to the economic health of our state, earn a living, and be able to provide for their families.

Equality is everyone’s concern and it’s time that our state catches up. Thank you for your leadership on this issue. We look forward to supporting your efforts.

Sincerely,

A handwritten signature in black ink that reads 'Alyson Currey'. The signature is fluid and cursive, with the first name 'Alyson' and the last name 'Currey' clearly distinguishable.

Alyson Currey
Regional Field Organizer and Legislative Liaison

Planned Parenthood Votes Northwest and Hawaii
3231 Glacier Hwy, Juneau, AK 99801
907.957.8708 | Alyson.Currey@ppvnh.org



May 2, 2017

Honorable Jonathan Kreiss-Tomkins, Chair
House State Affairs Committee

PFLAG of Fairbanks is in support of HB 184. Our chapter promotes the health and well-being of gay, lesbian, bisexual and transgendered persons, their families, and friends. Please add the six words and a comma: "sexual orientation, gender identity or expression" to the Alaskan Human Rights Law.

Alaska is blessed with a diverse populace yet attacks against LGBTQ individuals is well documented. A discrimination Survey released in November of 2011 by Green and the organization Identity provides evidence of unequal treatment of LGBTQ individuals in employment, housing, education and public services. Violence and discrimination against these citizens exists in all parts of Alaska but the data thereof needs to be organized and presented. This task is perfectly suited to the Alaska State Commission for Human Rights.

We have a human rights law in this state to secure peace, order, health, safety, and the general welfare of the state and its inhabitants. End the bullying of the non-binary. Allow for the vast expression of gender that exist in the human realm.

When a culture-scape does not include a place for Queer citizens they are murdered, attacked, humiliated and forced to exist in the face of stagnation, isolation and systemic erasure. We look forward to a time when labels are removed from humans and all can flourish regardless of their status at birth.

Add the six words and a comma: "sexual orientation, gender identity or expression" to the mission of the Alaska Human rights Commission. Embrace, protect and include the documented and undocumented Alaskan citizens that express themselves as LGBTQ. Pass HB 184 into law.

Thank-you,
PFLAG Fairbanks Chapter

Pat Redmond, Past-President

Gail Knobf, Secretary

Cheryl Jebe, Treasurer

Hetty Barthel, Director

Karen Griffin, Director

Mary Lee Guthrie, Director

Mariann Mills, Director

Diane Mathisen, Director

(Emailed by
Judy Andree
5985 Lund Street
Juneau, Alaska 99801
907-780-6767 (home)
907-321-1559 (cell)i



May 1, 2017

Honorable Jonathan Kreiss-Tomkins, Chairperson
House State Affairs Committee
Alaska State Legislature
State Capital
Juneau, Alaska 99801

Re: Support for House Bill 184 – Prohibiting discrimination based on sexual orientation or gender identity or expression.

Dear Chairperson Kreiss-Tomkins and Committee Members,

Alaskans Together for Equality (ATE) fully supports making all Alaskans equal and protected from discrimination through passing House Bill (HB) 184: "An act adding to the powers and duties of the State Commission for Human Rights; and relating to and prohibiting discrimination based on sexual orientation or gender identity or expression."

ATE represents hundreds of members across the state of Alaska. We are a statewide, nonpartisan, civil rights organization whose mission is to advance civil equality for all Alaskans through grassroots organizing and advocacy, with a primary focus on lesbian, gay, bisexual, and transgender (LGBT) Alaskans. We advocate for all Alaskans because the stronger the foundation of equal civil rights across institutions and practices makes for a better Alaska. All Alaskans will be enabled to take advantage of opportunities to create healthy lives and produce income that allows for a stronger state.

ATE believes that HB184 is imperative to securing the rights and opportunities of all Alaskans and provides the tools to pursue these opportunities. HB184 positively impacts all Alaskans by strengthening the foundation of equality and protecting civil rights.

As Alaska continues to weather economic challenges, it is imperative that the State do all that it can do to attract and retain a skilled and diverse labor force. When the United States Congress Joint Economic Committee examined the economic consequences of discrimination

based on Sexual Orientation and Gender Identity in November of 2013¹, it found that discrimination results in detrimental economic impacts including: lower profits; higher turnover costing business more to train and retain employees; reduced wages and underemployment; reduced economic growth through lost productivity, inefficiencies in the economy and an overall misallocation of crucial human capital.

We urge you to support the justice, fairness and equality for all Alaskans by supporting HB184. With this bill's passage, the Alaska legislature ensures the right for individual Alaskans to work, innovate, and contribute to our state. HB184 is integral to meeting Alaska's economic challenges and will send a strong message to Alaska's LGBT community and those talented LGBT individuals and their families who are considering making Alaska their home, that our state is a welcoming state to all.

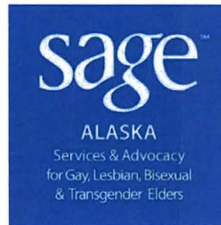
Thank you for hearing this bill and after years of waiting for a vote, we hope you pass this bill through this committee but also encourage your fellow legislators to move this bill to the House floor and pass it. Not only is it the right thing to do but it also aligns with our Alaskan values of fairness and equality for all.

On behalf of the ATE Board and our members,



Elias Rojas
Board President
Alaskan Together for Equality

¹ http://www.jec.senate.gov/public/_cache/files/42dc59a0-6071-46d0-8ff2-9bd7a6b0077f/enda---final-11.5.13.pdf



May 1, 2017

Representative Andy Josephson
State Capitol Room 102
Juneau, AK. 99801

Re: HB 184

Dear Representative Josephson,

SAGE Alaska would like to thank you for sponsoring HB 184 and to thank the members of the Committee for considering this bill. As our name states, SAGE (Services and Advocacy for Gay Elders) Alaska is committed to addressing the needs of older LGBT people and to advocating for policy changes that affect those needs. We want to ensure that the older LGBT community can age with a sense of security, dignity, confidence and well-being.

While the struggle for equality has advanced over the last few decades, it is far from over. For older LGBT individuals, there are still memories of times of hiding, fear for safety, and the heartbreak of rejection by family, friends, workplaces, and even their church. For many, the scars of struggle will remain and affect many aspects of their later life experience. Some will remain "in the closet" forever, regardless of laws protecting specific status, as laws do not dictate personal beliefs nor attitudes, as only time and relationships can work open hearts and minds.

National studies estimate the population of LGBT seniors will double by the year 2030 and unfortunately, many in that population deal with poverty and reduced economic security as well as significant health disparities related to physical and mental health issues. Our lack of nondiscrimination protections for all LGBT peoples, raises risk factors for social isolation in disproportionate ways. Older LGBT people are twice as likely to live alone, and 3-4 times less likely to have children, and many are estranged from their biological families. Many mainstream providers do not account for the unique realities and needs of older adults, leaving them at risk for isolation, neglect and further discrimination.

Aging is stressful enough without the additional stress that discrimination can cause. No one should have to live their life in fear of being denied services or housing because of who they are. It is time for all Alaskans to be treated fairly and we strongly support HB 184 and hope to see it become reality in the near future.

Respectfully,
Julie Schmidt
Program Director
529-6725

P.O. Box 200070 Anchorage, AK 99520 EIN 92-0091087

Southeast Alaska Gay & Lesbian Alliance
P.O. Box 21542 Juneau, AK 99802
Tel 907-723-5795
webmaster@seagla.org
Seagla.org



MAY 1, 2017

Members of the House State Affairs Committee: Rep. Jonathan Kreiss-Tomkins, Chair; Rep. Gabrielle LeDoux, Vice Chair; Rep. Chris Tuck; Rep. Adam Wool; Rep. Chris Birch; Rep. DeLena Johnson; Rep. Gary Knopp; Rep. Andy Josephson, Alternate; Rep. Chuck Kopp, Alternate
Alaska State Capitol, Juneau Alaska, 99801

Dear Members,

On behalf of the Board of Directors of the Southeast Alaska LGBTQ Alliance I wish to express our strong support for HB 184; a bill that adds sexual orientation and gender identity and expression into legislation, to continue furtherance of equal rights within our state.

Last year, the City and Borough of Juneau passed an ordinance that prohibits discrimination based on sexual orientation, gender identity and gender expression. Dozens of Juneau residents testified before the Juneau Assembly in support of an ordinance that protects LGBTQ+ people of our community in the areas of housing, employment, and public accommodations. This ordinance passed without much opposition while including a ministerial exception which allows the constitutional right to free speech of religious institutions to discriminate in their hiring practices when hiring religious leaders to lead their church. People of our community debated, discussed, shared, and decided that equal protections in this area should be granted to all who choose to be a part of our community.

We believe there are many LGBTQ people outside of Juneau who are not currently protected in the area of private economic opportunities. We acknowledge that Alaskans hide who they are every day out of fear of losing their job, being refused services in their community, or losing the most basic of needs like housing. It is morally untenable to allow bigotry and fear to persist in our great state, a state which lead the way, not so long ago, against discrimination. Please, support HB 184 with your vote. In doing so, you may provide protection for your neighbors, family, and friends, those too young and too fearful, against discrimination.

Respectfully,

Brandon Demery, Chair

SEAGLA

**Additional Letters of Support, House State Affairs
May 1 – 8**

**HB 184: DISCRIMINATION: GENDER ID.;SEXUAL ORIENT.
*Rep. Andy Josephson***

- | | |
|-------------------------|--------------------------|
| 1. Victor Carlson | 18. Felix Rivera |
| 2. Cindy Lelake | 19. Christopher Constant |
| 3. Laurie Walton | 20. Tristan Walsh |
| 4. Gayle Schuh | 21. Deborah Tennyson |
| 5. Jean Craciun | 22. Debbie Corral |
| 6. Chelsea Vukovich | 23. Marsha Buck |
| 7. Nora Gecan | 24. Paige R. Hodson |
| 8. Anna Nelson | 25. Alexander Bergman |
| 9. William Earnest | 26. Susan Halvor |
| 10. Jeff Walters | 27. Anne Green |
| 11. Bhree Rhoumagoux | 28. Pam Cravez |
| 12. Candace Bell | 29. Eli Michael |
| 13. Christopher Salerno | 30. Glenn Cravez |
| 14. Fred Traber | 31. Sherry Eckrich |
| 15. Cheryl Lovegreen | 32. Lin Davis |
| 16. Pam Cravez | 33. Mallory Story |
| 17. Michelle Wozniak | |

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Dear Chairman and Members:

I support a statewide protection of all persons in Alaska with regard to sexual orientation, gender identity, etc. in order that each person may achieve her or his full potential.

Victor D. Carlson,
Anchorage

--

Dear Members of the House State Affairs Committee:

Please extend the crucial protections of State of Alaska non-discrimination statutes to lesbian, gay, bisexual and transgendered Alaskans. All Alaskans deserve fair treatment in the areas of employment, housing, financing and public accommodation.

It's important to realize that HB184 does not seek to create new law. Rather, it attempts to broaden the scope of existing non-discriminatory language.

I would greatly appreciate your wholehearted support of HB184.

Very truly yours,

Cindy Lelake
Anchorage

--

Dear House State Affairs Committee,

I am a white 58 year old women. I urge you to pass House Bill 184. Alaska has a long history of promoting civil rights. It is essential that protections against discrimination based on sexual orientation and gender identity be added to state non discrimination regulations.

This is a very vulnerable population, especially with the changes that are being rolled back by the Federal level. It is important to me that my LGBTQ friends and neighbors are protected in the great State Alaska.

Thank you for you work and consideration.

Laurie Walton
Fairbanks, AK 99701

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HB 184 is so important to Alaskans as the first inclusive statewide non-discrimination law, granting protections we have long fought for in Alaska and across the region. Prohibiting discrimination on the basis of sexual orientation and gender identify in housing, employment, and places of public accommodation only makes sense in light of the push by some to compromise these protections.

When asked if I have ever been discriminated against I frequently forget how often I ignore what others take for granted. Should I have to ask when I enter a bakery to buy a cupcake if they sell to lesbians or is my money good enough as long as I keep my sexual orientation to myself and I don't want a wedding cake. If I wear my "Big Wild Lesbian" T shirt into a store can I be denied service? Can I ask that my taxes not pay for the sidewalk or the street lights, or the snow removal from outside of any business that discriminates?

Thank you for HB 184. Please vote to formalize protections for all citizens in Alaska. Discrimination must be eliminated.

Gayle Schuh
18631 Gibens Cir.
Eagle River, AK 99577

--

I have owned an Alaskan based Corporation for 30 years in Alaska. I have never denied my identity as a Lesbian and I married a woman and have 2 beautiful children with her. Her concerns for discrimination required we step out of Alaska. Where did we chose but a city with a Gay Mayor. While we have felt discrimination that was always insidious and never blatant. We did not want that life for our children.

Alaska has a strong individual rights philosophy in its constitution and so I trust it will see its way clear to do the right thing...eventually.

I am in Washington DC today and Roosevelt's words are important for your discussion. "We must scrupulously guard the civil rights and civil liberties of all its citizens. We must remember any oppression, any injustice, any hatred, is a wedge designed to attack our civilization".

Sincerely, Jean Craciun

Jean Craciun
President/CEO Craciun Research

--

I am writing to voice my support for HB 184 which would add "sexual orientation, gender identity and gender expression" to our existing state's anti-discrimination law.

The LGBT+ community is one of our most vulnerable and discriminated against and these protections are much needed. All people are deserving of the same rights under the law, regardless of sexual orientation.

Sexual orientation and gender identity have no relationship to workplace performance. However, in a national survey 44% of LGBTQ respondents reported facing discrimination at work. An overwhelming 97% of transgender people report having been harassed on the job, and 26% have been fired because of their gender identity. Because of discrimination, and fear of discrimination, many LGBTQ employees hide their identities, are paid less and have fewer employment opportunities than their non-LGBT counterparts. This prejudice puts LGBTQ people at increased risk for poor physical and mental health.

I urge you to support this bill and show that Alaska is a state that values every citizen and protects the rights of every citizen. By passing this bill you can have a great impact for good for those whose only wish is to live their lives without harassment or discrimination.

Thank you,
Chelsea Vukovich
99516

--

To the House State Affairs Committee,

I am emailing to lend my support to HB 184.

As a gay woman living here in Alaska, I've has the good fortune not to experience discrimination at in employment or in housing situations. However, many members of my community have not been so lucky. Many queer friends and acquaintances of mine have had to hide their sexual or gender identity at work or risk losing their jobs. A dear friend of mine who is a gifted music teacher was made to scale back their interaction with young students when they decided to transition from female to male. The impacts of a lack of protection from discrimination are real and have negative influence over many Alaskan citizens. Beyond missing out on job opportunities and housing, the mental and emotional cost of hiding one's identity is steep.

Opponents to the bill will tell you that this discrimination and these negative impacts don't exist - that they just don't see it. But I and my friends and broader LGBTQ2 community see and experience them constantly. Saying a problem doesn't exist doesn't solve it, so let's solve it instead - starting with this piece of legislation.

These protections would only make our state stronger. I am lucky enough to work for a company that embraces diversity of all kinds, and working in an environment where I know I am supported makes me a better, more dedicated employee. The same can be true for every queer Alaskan.

Sincerely,

Nora Gecan
Anchorage, Alaska

--

Dear Alaskan Representatives,

“Bill (HB) 184 would prohibit discrimination on the basis of sexual orientation and gender identity in housing, employment, and places of public accommodation.”

I hope that you all come down on the right side of history on this issue. It used to be okay to discriminate against women and African Americans. No one is saying that gender or sexual

orientation confers any "preferential treatment." It is time to stop treating some people as less than human.

Thanks for your consideration.

Anna Nelson
Executive Director
Interior AIDS Association

--

I'm writing to express my support for HB 184.

William Earnest
Fairbanks, AK 99701

--

To Members of the House State Affairs Committee,

I am writing to support HB 184, which would add "sexual orientation" and "gender identity" to Alaska's non-discrimination statutes. I am a recently-retired high school counselor in Fairbanks. Over the years, I saw many gay/lesbian/transgender students struggle to "come out" to their families and friends. (Fortunately, in most cases, the students' families were supportive after the student gained the courage to be honest with their loved ones. But I know of at least one gay student who committed suicide shortly after graduating from high school.) It saddens me that, in this day and age, our society still makes it uncomfortable and painful for many people to "come out" and be honest about their identities. Passing HB 184 would show that the state of Alaska does not tolerate discrimination in this area.

Alaska should be welcoming and respectful of ALL its citizens, and this bill helps move this message forward.

Please support HB 184.

Thank you,
Jeff Walters
Fairbanks, AK

--

Dear Representatives:

I am writing in strong and passionate support of HB 184. Thank you for working to make LGBTQIA people protected under the law. No one should be discriminated against, and LGBTQIA deserve the same protections as other classes of citizens who have historically suffered discrimination just for being.

Who you love, how you look, how you are born should never be a cause for discrimination. Yet, people discriminate against LGBTQIA all the time. Some even use religious freedom as an argument to try to support their actions. Treating people with basic human kindness and dignity should be common in our society. But when it isn't, it is the role of government to ensure our community has legal protections.

Thank you for your time and consideration.

Bhree Roumagoux
Anchorage, AK 99502

--

Distinguished Committee Members:

My name is Candace Bell and I am writing in my capacity as President of the Alaska Christian Conference to support HB 184. We can no longer continue to discriminate against our friends and neighbors, brothers and sisters, because of their sexual orientation, gender identity or expression. It is simply immoral. Discrimination assaults the basic human dignity of the people targeted and demeans the dignity of those who allow it. So many of the arguments against equal rights are based on ignorance and irrational fear; that we are somehow less safe in the bathroom, that most Christians oppose equality, that being LGBTQ is "disordered" etc. This kind of ignorance and irrational fear has allowed us to marginalize an entire segment of society for decades and it is unjust. When we stand in the face of injustice and do nothing we become less than our best selves. Alaskan's are better than that, so, please, do the right thing. Support equality for all Alaskan's. Support HB 184. It's time.

Candace Bell
President
Alaska Christian Conference

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To Whom It May Concern: Discrimination is alive and well in Alaska and has been since 1983 when I first arrived in the State. Major religious entities still discriminate against the LBGT community. These "deeply held religious beliefs" translate into discrimination for even the basic right of marriage. People should not have to worry or hide who they are at work or in their homes for fear of losing a security that all others are afforded. I encourage the State to

take the leadership role and include sexual orientation as a protected status. Thank you for your efforts to make Alaska a safer and more inclusive place to live.

Christopher Salerno
Air Quality Specialist II
Municipality of Anchorage
Dept of Health and Human Services
Anchorage, AK 99519

--

I am writing in support of House Bill 184.

The provision of equal rights to LGBT persons in Alaska continues to be a lengthy and painful process. HB 184 is an important and positive action to continue this process.

Members of our LGBT community are faced with continuing affronts from "religious" hate groups like the Alaska Family Council and Family Research Council; many lawmakers at the local, state and federal level; many organized religions; and homophobes of every stripe.

We have a President who has shown through actions in Texas and other states by his Department of Justice that LGBT rights will not be defended at the federal level.

There is "religious liberty" legislation pending at the federal level and in a number of states which would permit persons to discriminate against individual members of the LGBT community based on religious grounds.

Those of us in favor of LGBT equality will need to defend themselves against efforts in states, including Alaska, to ban the use of restrooms and to embrace so-called religious-liberty bills. The fight is now our own. We won't be able to look to the Trump administration for help.

The following Supreme Court ruling was an important and life-changing ruling for many of us who are members of the Alaska LGBT community. The 2005 ruling allowed my same-sex spouse to receive the same health benefits that the opposite-sex spouses of other Municipal employees receive.

The reliance on Article 1 Section 1 by the Supreme Court and their explanation in the Introduction of their opinion in that matter also demonstrated how it can also apply to HB 184. This is not a *new* concept. It has been used by the Alaska Supreme Court.

Article I, Section 1 of the Alaska Constitution, states in part: "*This constitution is dedicated to the principle[] ... that all persons are equal and entitled to equal rights, opportunities, and protection under the law.*"

The Alaska Supreme Court relied on this Section when they deliberated:

ALASKA CIVIL LIBERTIES UNION, Dan Carter and Al Incontro, Lin Davis and Maureen Longworth, Shirley Dean and Carla Timpone, Darla Madden and Karen Wood, Aimee Olejasz and Fabienne Peter-Contesse, Karen Sturnick and Elizabeth Andrews, Theresa Tavel and Karen Walter, Corin Whittimore and Gani Ruthellen, and Estra Bensussen and Carol Rose Gackowski, Appellants, v. STATE of Alaska and Municipality of Anchorage, Appellees. No. S-10459.

The Supreme Court found *in favor* of the same-sex couple Appellants and *against* Defendants State of Alaska and Municipality of Anchorage: "We conclude that the public employers' spousal limitations violate the Alaska Constitution's equal protection clause."

<http://law.justia.com/cases/alaska/supreme-court/2005/s-10459-1.html>

October 28, 2005

OPINION

EASTAUGH, Justice.

I. INTRODUCTION

The State of Alaska and the Municipality of Anchorage offer valuable benefits to their employees' spouses that they do not offer to their unmarried employees' domestic partners. Essentially all opposite-sex adult couples may marry and thus become eligible for these benefits. But no same-sex couple can ever become eligible for these benefits because same-sex couples may not marry in Alaska.[1] The spousal limitations in the benefits programs therefore affect public employees with same-sex domestic partners differently than public employees who are married. This case requires us to determine if it is reasonable to pay public employees who are in committed domestic relationships with same-sex partners less in terms of employee benefits than their co-workers who are married. In making this determination, we must decide whether the spousal limitations in the benefits programs violate the rights of public employees with same-sex domestic partners to "equal rights, opportunities, and protection under the law." [2]

The Alaska Constitution dictates the answer to that constitutional question. Irrelevant to our analysis must be personal, moral, or religious beliefs held deeply by many about whether persons should enter into intimate same-sex relationships or whether same-sex domestic partners should be permitted to marry. It is the duty of courts "to define the liberty of all, not to mandate [their] own moral code." [3] Our duty here is to decide whether the eligibility restrictions satisfy established standards for resolving equal protection challenges to governmental action.

We do not need to decide whether heightened scrutiny should be applied here because the benefits programs cannot withstand minimum scrutiny. Although the governmental objectives are presumably legitimate, the difference in treatment is not substantially related to those objectives. We accordingly hold that the spousal limitations are unconstitutional as applied to public employees with same-sex domestic partners, and we vacate the judgment below. We ask the parties to file supplemental memoranda addressing the issue of remedy.

NOTES

[1] Alaska Const. art. I, § 25.

[2] Alaska Const. art. I, § 1. As the issue is framed in this case, we need not reach any separate question of the independent right to benefits of a same-sex domestic partner of a public employee.

[3] *Lawrence v. Texas*, [539 U.S. 558](#), 559, 123 S. Ct. 2472, 156 L. Ed. 2d 508 (2003) (citing *Planned Parenthood of Southeastern Pa. v. Casey*, [505 U.S. 833](#), 850, 112 S. Ct. 2791, 120 L. Ed. 2d 674 (1992)).

Again, my (legally married) husband and I support House Bill 184 and strongly urge our elected representatives to do the very same.

Fred Traber
Anchorage, AK

--

Please support HB 184 and encourage your colleagues to do so. It is past time to acknowledge that everyone has equal rights and is welcome to work and live here in Alaska. Not only is it the moral thing to do, but it will also help us economically if employers and employees see Alaska and a safe, friendly place to be.

Thanks for your time,

Cheryl Lovegreen

--

Dear members of the Alaska House State Affairs Committee,

I am writing to let you know how important it is for our state to protect and strengthen the rights of all individuals. As a state that has one of the most diverse populations in the country, it is vital that we take steps to make certain that all Alaskans are afforded protections against

discrimination, including discrimination based on sexual orientation and gender identity. Your support of HB 184 is important and vital to this goal.

Thank you for your work to make Alaska a place that does not tolerate discrimination.

Sincerely,

Pam Cravez
Anchorage, Alaska
99502

--

Dear House State Affairs Committee,

I am emailing to write my support for the statewide non-discrimination bill HB184. I have included Rep. Millet so she understands that one of her constituents supports this bill.

I cannot overstate how important this language is to LGBTQ Alaskans. It is imperative to support all Alaskans in their right to pursue happiness.

We do not live in a perfect world and we are not immune to history. Until 1974, being gay was considered a mental illness. We just recently won marriage equality, giving us the ability to protect our families and secure generational capital for our children. Despite these advances, there are groups and organizations in this state that actively pursue agendas to suppress the rights of LGBTQ Alaskans/Americans. They've filed an initiative called "Protect Our Privacy," in Anchorage that seeks to strip discrimination protections from LGBTQ Alaskans. They state that it is because they want to protect religious freedom. However, religious freedom is already protected in the First Amendment in the United States Constitution. What they desire is the right to refuse to provide services to other Alaskans based on sexual orientation. That is terrifying to me.

I have personally experienced the negative impacts of bias and discrimination based on the fact that I am a lesbian. I've been denied housing and I was also told not to discuss my private life at work. The fear, anger, humiliation and despair of these experiences stays with me. I don't know if any of you have ever been intentionally humiliated, but it is a gut-wrenching experience to be made to feel less than. Discrimination allows those who wish to feel superior to attempt to shame others by denying them the basic rights enjoyed by the majority for arbitrary reasons.

No one should be made to feel inferior, especially in Alaska - a place where hard work, individual contribution to community, and the personal freedom to make something of yourself are valued. The language of HB184 supports those values.

My wife and I have been together for 17 years. We've raised two children in this state. Like

many other Alaska parents, we hope they come back home after having their adventures around the world. They are watching to see how our state deals with fiscal and social issues. They want to live, work, and contribute to a state that values the same things as their generation. They are well-educated and have many choices. If policies are regressive, they won't bring their time and talents home, and our state will continue to experience the brain drain of a generation that can help us secure our fiscal future.

I know that my wife and I want to stay here. She is from here and I've lived here for 22 years. We've been able to make a good life in Alaska despite those who work to ensure we're not included. **We've been able to make a good life because good people have stood up next to us and fought with us for our rights.** Rights are basically another word for inclusion in the American dream.

There may come a day when the rights of minority groups don't have to be articulated so clearly to be ensured. There may come a day when the better angels of our collective nature allow us to see the humanity in each other more clearly. We aren't there yet, but I believe we can get there together.

Please support this bill. It is important to me and it is important to Alaska.

Thank you all for your time. I very much appreciate it.

Michelle Wozniak
Anchorage, Alaska

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Dear Chair Kreiss-Tomkins and Members of the State Affairs Committee,

I am writing this email to urge members of this committee to support HB 184, which will codify similar protections as we have in Anchorage, Juneau, and several other municipalities throughout Alaska, to include sexual orientation and gender identity into our state's non-discrimination laws.

As you craft policies in these economically difficult times, I urge this body to consider the potential financial impacts to our state.

We are sending a signal, by moving this legislation forward, that Alaska is a welcoming place that protects all of its residents in housing, employment, and public accommodations.

This is particularly critical as my generation, which will lead the economy of Alaska's future, decide whether to invest in this state or move to a place that already provides these protections.

As you consider this public policy, I hope you will take into account that this legislation will help put an end to discriminatory practices that have existed in Alaska for decades. I have heard unacceptable stories of discrimination -- whether its the employee that brought their girlfriend to the Christmas party and was subsequently fired, or the renter looking for a home and denied housing because their gender identity didn't match their documentation -- so I ask this committee to open its eyes to the needs of Alaskans.

I am proud of our Alaskan tradition of being on the forefront of many movements to provide equity for our diverse population.

I hope the legislature can continue the leadership provided by Anchorage, Juneau, and other municipalities.

Thank you for your time.

Felix Rivera
House District 25
Midtown Assembly Member

--

Dear members of the State Affairs committee,
Please support HB184. LGBT people suffer from lack of protection across much of Alaska. It's time to provide for the equal protection of this community, of which I am a member. Thankfully, Anchorage led the way and passed protections. It's time for the State to do the same.

Respectfully,
Christopher Constant

--

Hello, my name is Tristan Walsh.

Thank you, Representative Josephson, for sponsoring this bill. Thank you to the Committee for taking the time for this testimony.

I am a lifelong Alaskan born and raised in Fairbanks. I now live and work here in Anchorage, in Representative Spohnholz' District 16. I am also a member of the board of Alaskans Together for Equality.

I am here to express my support for House Bill 184. As a gay man and an Alaskan, I appreciate the protections offered in this bill.

As previous folks have no doubt told you, this bill is supported by evidence gathered by Get Equal and Identity Inc. 44% of LGBT Alaskans report discrimination in their workplaces.

In my own work experience, I have had coworkers question me on the religious consequences of my sexual orientation after I was outed to them.

I can tell you, that experience made me question the protections of my workplace and the safety of my own job in an at-will state. Alaskans should be able to live and work without fear of discrimination based on sexual orientation and gender identity. It is an even more acute fear when it comes to housing for LGBTQ Alaskans. Transgender Alaskans face even more discrimination in housing and employment than most. I have had multiple friends harassed or physically attacked because of their gender identity or expression.

Other states have already taken action and passed bills similar to the one you see before you. Over 20 other states and numerous cities offer these protections to the benefits of their residents, economies, and families.

This is a good bill. It protects all Alaskans, makes Alaska a more attractive place to do business, and brings all Alaskans under the protections that Anchorage has already extended to its residents. I can tell you, as an gay Alaskan, it is one of the reasons I appreciate living and working here.

In closing, I strongly urge you to pass this bill. It makes Alaska more equal, more competitive, and a better place to live, work, and play.

Thank you for your time, your careful consideration, and your support.

-Tristan

--

All Alaskans should have equal access to jobs, housing, financing, etc. Sexual orientation, gender identify or expression should never be grounds for discrimination and it's about time Alaska adds these categories to our anti- discrimination legislation. I fully support HB184 and hope you will to.

Kind regards,
Debby
Deborah Tennyson

--

Please support HB 184 to promote fairness & justice for all Alaskans.

Debbie Corral

--

House State Affairs Committee – May 3, 2017

My name is Marsha Buck and I am the treasurer of PFLAG Juneau. I would like to testify in strong support of House Bill 184. PFLAG, as you may know, stands for Parents, Families and Friends of Lesbians and Gays as well as people who are transgender, bisexual, intersex, queer, and questioning.

PFLAG Juneau strongly supports House Bill 184 as well as Senate Bill 72 because they are needed here in Alaska. Discrimination based on sexual orientation and gender identity and gender expression are sadly still alive and active in our great state where we think of ourselves as independent and strong and delightfully different than people in the Lower 48. But I've noticed in my 49 years here in Alaska that we still manage to harbor discrimination.

Two examples come to mind. I will never forget the night my phone rang in the middle of the night and I answered to find a friend sobbing. My friend was a lesbian who lived here in Juneau at the time and her landlord had just evicted her from her house because she was a lesbian living peacefully with her partner. When she asked me through her tears if the landlord could do that, all I could give her was a place to stay but not any legal recourse.

Another conversation I will never forget was with a transgender woman in Anchorage who was told by a bus driver that she could not board a city bus because of the way she looked. Apparently she looked "too trans." Again, I could not assure this woman that she had any place to turn legally.

Please pass HB 184 out of committee with your full committee support, because you are Alaskans who care about other Alaskans and you care about ending discrimination against your constituents.

*Marsha Buck
Juneau, AK 99801*

--

Dear Chairman Kreiss-Tompkins and committee members:

I am a resident within Representative Kopp's district.

I am fully in support of this bill and feel it is long overdue.

I was very disheartened to learn of one committee members recent response to a constituent claiming that based on his experience such a bill isn't needed in Alaska.

I might suggest that it is important to step outside of one's one sphere and walk a mile in others shoes to truly have an understanding of your citizens lives.

The very willful blindness to discrimination is even more cause to enact a bill that protects those injustices some refuse to acknowledge.

There has been ample testimony about discrimination against LBGTO persons to the legislature as well as in past years when Anchorage was mulling a similar city ordinance.

My own son has experienced harassment at school and in his workplace in Alaska.

He is currently attending college out of state.

His experiences in the state affected his choices for where to attend college and are now a major factor in his decision-making as to where to seek employment in his field of study.

This young man graduated third in his class and would have been an asset and a wonderful representative of the best of Alaska's citizens.

We stand to lose another bright mind and innovative thinker to another state because of the perception that this is not a LGBTQ-friendly place to live.

Everyone deserves protection from harassment and discrimination. This should be a no-brainer.

It is not only the right thing to do in terms of civil and human rights, but it is the right thing to do to maintain our standing as a vibrant economy and welcoming state.

Please pass this important legislation.

Paige R. Hodson, SRA
Anchorage, AK 99503

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Hello all,

I would like to show my support for House Bill 184.

As someone who "passes" as masculine despite performing a wider range of social roles and identifying as transgender, but more importantly as the friend of many others who are not afforded the same luxury of "passing" or even being accepted in their chosen social roles, I applaud your efforts to reduce the number of inconsequential reasons by which a given demographic can be unfairly discriminated against. If the goal of discrimination is to prevent unwanted behaviors, what more efficient way to do so than by leaving harmless people alone: far superior means exist than policing gender performance. Thank you for all that you do.

Most sincerely,

Alexander Bergman

--

Greetings --

I am writing as Lutheran pastor and hospital chaplain to ask that you **support House Bill 184**.

I am deeply committed to the respect and care of all people, and in particular, am passionate that we care especially for our most vulnerable. While for me these values are rooted in my Christian faith, I hope these are values that as citizens of Alaska, we can all share.

In particular, I have heard stories from transgender friends and colleagues about applying for housing, initially receiving an extremely positive response, and then, most likely after a credit check has revealed that a person's biological gender doesn't match their gender presentation, been denied housing.

Our society tends to operate with a norm that people are white, heterosexual, cisgender, often married and with children -- for those of us who don't fit those molds (and I say this also speaking as a lesbian), we often feel extremely vulnerable and the world can be a very unsafe place. I hope that we will be clear as Alaskans that we are diverse people, committed to caring for one another, not discriminating against each other, and that we hope to see communities where all people can thrive, especially the poor and vulnerable.

Thank you very much.

Rev. Susan M. Halvor
Anchorage, Alaska 99517

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My name is Anne Green and I live in Anchorage, Alaska. I'm writing this to urge support for HB 184, preventing discrimination against members of the LGBTQ+ community.

In Anchorage we've had laws on the books for a couple of years now, protecting the rights of residents against the worst forms of discrimination based on sexual preference and gender

identity. These have had NO ILL EFFECTS to our community. Rather, now all residents can rent homes, be employed, and make banking transactions without fear of rejection based on who they are and who they love.

These are basic human rights. Recognizing these rights neither "picks your pocket" nor "breaks your leg" (to use Thomas Jefferson's basis for evaluating such bills). You, in fact, lose nothing. But the people of Alaska gain. We gain more LIBERTY, more RESPECT, more EQUALITY. Aren't those American values? Alaskan values?

Please support HB 184.

Thank you,

Anne Green

--

Hello committee

I am writing in for support of HB 184, adding gender identity and sexual orientation as a protected class.

I myself have experienced discrimination and was treated as separate but equal at a job in 2015. I identify my gender as different than my legal documents have marked. I was an intern for a non-profit who received funding from the federal government. During my new hire paper work, I informed HR of my pronouns. I was told that it was okay and nothing to worry about.

Then a week later, I was pulled aside and told that another employee felt uncomfortable about me using the men's restroom. I was told that I must use a separate single stall bathroom on the other side of the office. This companies non-discrimination policy did not cover gender identity. Since they received money from the federal government, they were to follow Obama Executive Order 13672. They stated that they can pick and choose which orders to follow.

I went to the Human Rights Commissioner to file a complaint. I was unable to do so, because they didn't recognize gender discrimination as sex discrimination, even though the Supreme Court ruled that gender discrimination is sex discrimination.

I filled with the EEOC and my case was setteled.

Now I work at a different job, without protections. I constantly worry every time we get a new employee. Protections would help ensure that this would not happen again.

Thank you for you support!

Eli Michael

--

I am writing in support of HB 184. I am a straight man who's been married, happily!, for almost 36 years. Everyone deserves the same opportunities to live and work in Alaska free from discrimination because of who they are or who they love. I encourage you to pass this legislation. Thank you.

Glenn Cravez
Anchorage, Alaska 99502

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I am writing to encourage you to vote in favor of HB 184. Our anti-discrimination laws need to be expanded to include prohibiting discrimination based on sexual orientation or gender identity or expression. All people who identify differently in this respect need legal protection. Alaskans value and tolerate many kinds of "differences," and those differences make us a stronger state.

Discrimination in the workplace is especially egregious. We should all be judged on how we perform in work situations, not on our personal characteristics.

Please support this bill.

Sherry Eckrich
Eagle River, AK 99577

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Dear Representatives Kreiss-Tomkins; Le Doux; Tuck; Wool; Birch; Johnson; Knopp; Kopp:

All of us LGBTQ members and supporters appreciate that House State Affairs is carefully listening to our concerns. As Rep. Josephson said in his introduction, the quest for LGBTQ human rights flows in the long river of American civil rights, as historically marginalized groups speak up about how fellow citizens automatically disregard them. We hope there will be an opportunity for public testimony on HB 184. We want to share our personal stories and show that there is an ongoing urgent need to protect us LGBTQ and create a wider climate of fairness in Alaska.

HB 184 is all about creating a more healthy Alaska. As someone who taught high school, I know young Alaskans are always secretly concerned about some quality of theirs, something about how they look or naturally act. Creating legal respect for LGBTQ differences helps all young Alaskans be more confident about who they naturally are. Anything that causes disrespect and

discrimination for LGBTQ also increases violence against women and school bullying. None of us wants anyone, especially young LGBTQ to receive hostility. Alaska needs all our young people on deck for engineering and infrastructure needs. For 15 years I worked at the Juneau Job Center helping Alaskans find work. I regularly heard stories of LGBTQ job discrimination. Even workers who were not gay but appeared LGBTQ told stories of work hostility.

As I go about my day, many Juneau people go out of their way to express support for LGBTQ equality. Since we got marriage equality 2 years ago, they often think we are now fully protected from all discrimination. Unfortunately there are many nooks and crannies of our daily lives where we LGBTQ do not have equal opportunity. Last week a group of us met with local LGBTQ high school students, and they detailed the anti-LGBTQ slur words under the breath and unheard by teachers, looks that demean, shoves, group laughs and staring, eye rolling, gestures of disrespect. They said these behaviors happen daily, and they have to steel themselves through each school day.

Last summer after magnificent support from all across Juneau, with lots of churches speaking out for LGBTQ equality, the Juneau Assembly passed an updated non-discrimination ordinance. A resounding YES vote. 29 people testified for our equality. Many cried as they told about losing jobs and apartments, being kicked out of public accommodations, being turned down for financial services. Testifiers spoke from a special soul depth about how they had been wounded by years of unhealthy disfavor and daily barbs that chip away at one's soul.

HB 184 creates more health for LGBTQ who have been wounded by blatant discrimination. HB 184 creates more health for Alaskan parents of LGBTQ who easily worry about the safety of their kids. (I'm in my 70's, and when I came out as a lesbian in the 1970's, my parents and brother always worried about my safety. Lots of decades of family worry.) HB 184 creates more health for transgender Alaskans and their families. Trans people are very vulnerable to violence and murder. 50% of trans people report suicide attempts. America is very hostile to transgender Americans. With HB 184 Alaska can shine as a state that stands for respect.

HB 184 is a no cost common sense way to create more healthy communities. Anchorage and Juneau have led the way in LGBTQ protections, Bethel is not far behind, and now Alaska is ready to show the country that we stand for expanded healthiness through expanded equality. This is a perfect time for Alaska to move forward.

In the 21 states that have created statewide LGBTQ protections, very few LGBTQ have had to sue for their rights. Having legal rights in place creates an environment of new respect.

My wife, family physician, Dr. Mo Longworth, reminds me that the Alaskan Academy of Family Physicians has always strongly spoken out for statewide LGBTQ protections. Research from the National Academy of Family Physicians shows data on improved health outcomes for individuals and communities when LGBTQ protections are in place.

Thank you for considering that HB 184 is a healthy choice for Alaska, and thank you for passing this legislation to the next committee.

Sincerely,

Lin Davis
Juneau, AK 99801
24 year resident

--

Dear Representatives,

I am writing to express my support of House Bill 184. Updating this law will help ensure that all of Alaska's workers are judged on their job performance and not their sexual orientation. I am proud to have grown-up in a state that passed the Anti-Discrimination Act in 1945 after moving testimony delivered by Elizabeth Peratrovich. I feel her testimony is relevant here when she said "No law will eliminate crimes, but at least you, as legislators, can assert to the world that you recognize the evil of the present situation and speak of your intent to help us overcome discrimination."

I graduated from Juneau Douglas High School in 2008. While I attended school I was a member of the Gay Straight Alliance (GSA). I have many friends, colleagues, and peers in town with a variety of sexual orientations and am grateful for this diversity. It is important to me that all people who make up our community have equitable access in the workplace and that no one has to fear for their job based on their gender identity or expression.

I ask that a vote be taken and that HB184 is passed through the committee.

Gunalchéesh, thank you,

Mallory Story

House State Affairs Committee Members,

I am writing to you to encourage the passage of HB 184. As you may know the City and Borough of Sitka Assembly unanimously passed similar protections this past December 2017. While a few municipalities have taken steps to provide these important and constitutional protections to all members of our communities, there are thousands of Alaskans who are left unprotected. Public anti discrimination laws and civil rights protections are important protections to provide everyone in our communities regardless of race, gender, age, sexual orientation or identity. Discrimination is a real threat that even protected individuals continue to experience, reducing their wellbeing, economic and social opportunity, and bottom line their right to happiness and prosperity. In Sitka alone 58 claims of discrimination were filed from 2012-2016 with 22 resulting in full investigations and mitigation. None of these included claims of discrimination towards individuals on a basis of sexual orientation or gender identity not because it doesn't happen, but because it isn't protected or tracked by courts, human rights commission or other entity. We do know however from 2015 survey of 84 individuals that 14% of them reported loosing a job, 85% reported mistreatment in education settings, 32% reported discrimination in housing, all because of their perceived or real sexual orientation and/or gender identity.

It is time for Alaska to provide, statewide, protections for all of our citizens, the real pursuit of happiness, opportunity and success regardless of who they love and how they express themselves.

Thank you for your time and consideration.

Kevin Knox

Kevin Knox
City and Borough of Sitka Assembly
PO Box 6415
Sitka, AK 99835

907.738.4664

House Members-

I am writing to express my support for HB 184. It should be something everyone naturally recognizes as essential to a good society, but unfortunately, we need laws to help provide safety to the lives of all citizens.

Please pass HB 184.

Thank you.

Deborah VANDRUFF, RN

Anchorage, Alaska

Hello, my name is Kasey Casort, and I'm from Fairbanks. I am testifying in support of HB 184.

In high school, I was the Vice President of my school's Gender Sexuality Alliance, and I wrote a letter of support for a different version of this bill when I was fourteen. It was the first bill I ever printed out and went through with a highlighter, because it mattered so much to me. Now I'm nineteen, and I know that it just makes sense to have fundamental protections under the law.

Young people like me have grown up watching America learn to accept us for who we love and the way we live, but in Alaska we can still be fired, kicked out of our homes, denied loans, and prevented from achieving our full potential based on our identities. I am an ally, and I know that it's time to move this bill out of committee and onto the floor, where our representatives can show us that they're ready to stand up for all of their constituents.

I appreciate the opportunity to testify today, and I urge you to support HB 184. Thank you.

Thank you, Mr./Madam Chair. For the record my name is Channon Price, and I live in House District 04/Senate District B. I have been a voting citizen in that district for over thirty years, during which time I have also raised a family. I have come today to offer my views on House Bill 184 (SB 72), which would update Alaska's non-discrimination statutes. The right to self-expression should only be limited when it poses a clear danger to the safety of others. Within that limitation, any person should enjoy the same rights as others. Historically, Alaska lead the nation in establishing protections against discrimination in housing and employment based on race, creed, color and national origin. Our great state has added protections covering individuals against discrimination based on disability, age, sex, marital status, pregnancy and parenthood. This is because there was and continues to be a sense that our state is great because it is plural: that this is not just a great state for, as an example, white males. Regrettably, in 2015 the Alaska Supreme Court found a very narrow definition of the protections based on sex, choosing to exclude sexual orientation, gender identity, and gender expression from those protections. I personally know of Alaskans who have been impacted, both in their attempts to find employment and in their attempts to obtain housing, by discrimination against orientation or against identity/expression. This is wrong: orientation and identity have no relation to how well one does their job, and what goes on behind closed doors -- our private lives -- is no one's business as long as it stays with the limitation noted above. Discrimination is based on beliefs. You are entitled to your belief, as long as it does not cause harm to others. It was a founding principle of this nation that one group of citizens never have the right to impose their religious beliefs on another group, as this infringes on the right of the second group to practice their beliefs as they saw fit, to choose their beliefs. Orientation and identity are even more fundamental than beliefs, as one does not have the choice of one's orientation and identity: in that, they are like one's color or national origin. Thus, it is just as wrong to discriminate against an individual based on their orientation and identity. For these reasons, I wholeheartedly support this bill, and I encourage the committee to move the bill to the full House for its consideration and approval. I would like to thank the committee for their time in considering my point of view.

Hello Representative Jonathan Kreiss-Tomkins,

My name is Emily Berman, I live in House District 17, and I'm representing myself. I am testifying in support of House Bill 184 because I believe that the State of Alaska should have non-discrimination laws for everyone, including our LGBTQ+ community members.

An overwhelming 97% of transgender people report having been harassed on the job, and 26% have been fired because of their gender identity. I have a close transgender friend who quit his job this past December because of harassment regarding his gender identity. He is talented, skilled, and hardworking, and was an asset to his employer. He is just one example of many everyday Alaskans across the state who live in fear of being fired, denied housing, public service or educational opportunities because they are gay or transgender.

I encourage all of you to pass House Bill 184.

Emily Berman

Thank you Chairman. For the record, my name is Jeff Chen. I live in House District 18, and I am speaking on behalf of myself.

I'm testifying in support of House Bill 184 because I believe the State of Alaska should have non-discrimination laws for everyone, including our Lesbian, Gay, Bisexual, Transgender, and Queer community members.

I am a Taiwanese American. I work in the youth conservation community. And I am on the Board of Directors of the Alaska Chinese Association, though I am only representing myself in my testimony.

Our history is full of acts of legal discrimination based on local, state, and federal policies. Immigrant families know discrimination -- legal discrimination. For example, the Chinese Exclusion Act of 1882 barred Chinese immigrants from entering the country and gaining access to housing, work, and places of public accommodation. The ramifications were felt throughout society, and led to physical violence and literally the massacre of Chinese communities.

There is no justice in excluding based on race, religion, color, national origin, age, sex, disability, and marital status -- just as there is no justice in discriminating based on sexual orientation and gender identity.

44% of LGBTQ respondents reported facing discrimination at work. In Alaska, that discrimination is legal, and that discrimination is leading to an increase in anti-LGBTQ violence across the country.

I support HB 184 because our LGBTQ family and friends should not have to face discrimination in the workplace, in public, or at home. Remember, through the perseverance of Elizabeth Peratrovich and other Alaska Native and Alaskan advocates, our state passed some of the nation's first anti-discrimination laws. I urge you to support HB 184. Thank you.

Dear Representative,

I would like to address my support for HB 184. As I age, I am now in my mid-60s, I find that my definition of tolerance has become more open. I still have strong opinions about ideas, but I find my strongest opinion is to allow others to have a basic dignity of life, the ability to make their own life choices without fear. I may not agree with someone's lifestyle, but they have the right to pursue their choices with the protection of our laws, just as I have protection for my choices. I see no harm to others with the passage of this law and fail to see why we would not, as a state and a country, allow equal protection to all our citizens.

Thank you for taking the time to listen to my opinion on this issue. I hope I can count on your support for HB 184.

Sincerely,

Jane Reilly

Dear Representatives,

I am emailing in support of HB 184. Sexual orientation and gender identity are unrelated to performance in the work place, and should not be cause for workplace discrimination or firing. Nor should sexual orientation be cause for discrimination from housing or public accommodation. Though certain sexual orientations or practices may be distasteful to some, it is important to remember that these practices are private and have no business being origins of cultural discrimination in areas employment, housing, and financing practices.

We already prohibit discrimination based on race, religion, color, national origin, age, sex, disability, and marital status. It is time to protect lesbian, gay, bisexual, and transgender people as well.

Please use this email as my public testimony.

Thank you,
Catherine Coward
Anchorage, AK 99507

My name is David Clark and I am 22 years old. Throughout my professional life, I haven't encountered direct discrimination or sexual harassment based on my identity. However, I've been bullied severely in grade school without any substantive help from school administration, and it took me until the Summer of 2016 to come to terms with my sexual identity. I'm lucky that I've only been employed in places where I don't feel I need to shut parts of myself out in order to work successfully with others, and I have yet to encounter hateful individuals in stores or on the street; I've always been able to bring my full authentic self to the table, whether it be among friends or family, at the store, or even the workplace, along with a professional demeanor and a damn good work ethic that's led me to do some good things. However, THIS STORY IS MINE, AND IT DOES NOT SPEAK FOR EVERYONE ELSE. There are trans individuals I know and love that are harassed on public transit in Anchorage, and I remember stories told from family that they would be denied service for being gay, during the early 80s. That being said, knowing that there are still no state statutes protecting LGBT individuals like myself in service establishments and in the workplace, is unacceptable. Though societal values are changing, WE STILL DESERVE TO TAKE LEGAL ACTIONS FOR PEOPLE WHO DISCRIMINATE AGAINST AND HURT US, AND FOR THE PERPETRATORS TO BE HELD RESPONSIBLE FOR THEIR ACTIONS. For how good of a name I've made for myself thus far professionally, it pains me to know that my fellow LGBT people that work hard and take pride in all that they do could have a good path cut very short at the whim of a hateful or ideologically-bound employer, and to have their employers be subject to zero legal consequences, even if the plaintiff could gather enough proof to show discriminatory hiring practices and/or a hostile work environment that is baseless and not at the fault of the worker themselves. It's a black eye on our state that our State Legislature hasn't yet made strides to protect ALL of our people and to ensure that we ALL are entitled to take legal action on the basis of baseless discrimination, after countless LGBT individuals have made strides and contributed to our state through embracing the Alaskan spirit, pulling up their sleeves, and working hard just like everyone else. PROTECT LGBT ALASKANS NOW. PASS THIS BILL.

Thank you for adding protections against discrimination based on sexual orientation and gender identity or expression to Alaska State Law.

I was able to listen to the public testimony for the bill yesterday and I would like to respond to a comment made by one of the testifiers, a woman opposing the bill. She stated that the American Academy of Pediatrics had come out against transgender children. I was surprised to hear this and did some research. The American Academy of Pediatrics did not make any such statement. The organization that made this statement was the American College of Pediatricians (ACPeds).

This small recently formed group has nothing to do with pediatrics.

They are classified as a hate group by the Southern Poverty Law Center. Their main purpose is to oppose parenting by same-sex parents.

<https://www.snopes.com/americas-pediatricians-gender-kids/>

Please pass HB 184 to allow all Alaskans who harm no one else to live in peace.

Thank you,

Dael Devenport
Anchorage, Alaska

With compassion for all beings

As a resident of Anchorage for the past 48 years, I have known individuals who were discriminated against because of their sexual orientation or gender identity. There were no legal protection for such an Alaska resident; therefore, no attorney would take their discrimination case. In 2015 we in the Municipality of Anchorage extended legal protection for such individuals. Now it is time to extend those protections to all Alaskans.

Please support HB 184 when it is time to vote.

Thomas U Rachal Jr
Anchorage, Alaska

In 1945 the Territory of Alaska paved the way in civil rights by adopting the Alaska Anti-Discrimination Act. This was 20 years before the Civil Rights Act of 1964. Alaska has always proven itself to be a state that cherishes and supports its citizens' rights to privacy, independence, and "life, liberty and pursuit of happiness".

It is time that these rights now be extended to include sexual orientation and gender expression or identity. While our country as a whole has made great changes in attitude towards the LGBT+ community, they are still one of the most discriminated against. In the past year, especially, the number of hate crimes and acts of discrimination against gay, lesbian and transgender people has been on the rise. Sadly, under the current administration the LGBT+ community has been losing the protections and rights they have fought hard to win. Including the President's ban on transgender people serving in the military and the Secretary of Education backing off on investigating instances of discrimination against LGBT+ students in schools.

It is time, once again, for Alaska to show the rest of the country what it means to protect the freedoms of its citizens. It's time for Alaska to show that we care more about a person's character than their sexual or gender identity.

I implore the Alaska Legislature to continue the legacy of Elizabeth Peratrovich who was instrumental in passing the Anti-Discrimination Act almost 75 years ago. Please pass HB 184 and expand the current anti-discrimination statutes in Alaska to include protections against discrimination based on sexual orientation and gender identity.

Thank you for your time,
Chelsea Vukovich
Anchorage, AK

Thank you for scheduling a public hearing for HB 184 in the State Affairs Committee.

I fully support expanding the current anti-discrimination statutes in Alaska to include protections against discrimination based on sexual orientation and gender identity.

Thank you.

Gina Ashman
4150 Lakeridge Cir
Anchorage AK 99502

It's time to add sexual orientation, gender identity and gender expression to the list of those protected from discrimination. Please vote in favor of HB184.

Sincerely,
Alison Carter
3012 Riverview Drive
Fairbanks, Alaska 99709

I support HB184. Please add "sexual orientation", gender identity, and gender expression" to our existing state anti-discrimination law.
Thank you,
Nancy Simpson
Juneau

Members of the House State Affairs Committee:

I am writing to express my support of HB 184 which adds to a variety of state statutes the prohibition against discrimination based on sexual orientation or gender identity/expression. I urge your support in favor of this bill. To hold otherwise is to allow a particular religious belief to trump equal rights for all.

Please add this email to the public testimony about this legislation.

Thank you.
Susan Olsen
Anchorage

Dear House State Affairs Committee members:

I'm writing to you today to express my support for HB184. This measure adds sexual orientation and gender identity to those groups protected statewide against discrimination.

I encourage you to pass this inclusive, forward-looking legislation. Promoting tolerance and nurturing diversity are two simple but all-important steps toward a bright future for Alaska.

Respectfully,

Cindy Lelake
Anchorage

In a world where you can be anything, be kind.

Please vote in favor of this bill. It is the right and moral thing to do to ensure equality for all our citizens!
Thank you

Karen Hilyard

To Members of the House State Affairs Committee,

I urge your support for HB 184, which will add sexual orientation and gender identity to statewide non-discrimination policies. I am a retired school counselor who, over the years, has worked with many LGBTQ youth. For far too long, LGBTQ youth (and adults!) have been disparaged by many members of society—including leaders (even legislative “leaders”)—which has resulted in increased risk for a variety of physical and other health issues. I have seen LGBTQ students struggle to “come out” to their parents and I knew at least one who committed suicide. While I am encouraged by the progress and acceptance shown by many in society regarding this issue, I continue to be discouraged that Alaska lags much of the rest of the world in formally banning non-discrimination in this area. This “sin of omission” continues to have negative consequences on many citizens of our state. Please support HB 184!

Jeff Walters
P.O. Box 82708
Fairbanks, AK. 99708

Feb 27, 2018

Dear Alaska House State Affairs Committee; Chair, Rep Kreiss-Tomkins and Vice Chair, Rep LeDoux; Representatives Tuck, Wool, Birch, Johnson, Knopp, Josephson, and Kopp:

There is an ongoing urgent need to protect us LGBTQ Alaskans through HB 184. Especially transgender Alaskans – they are very vulnerable to violence and vilification. Last year, 33 of us LGBTQ from all over the state testified for SB 74, Senator Gardner’s protection bill. 33 of us shared stories of discrimination. In summer of 2016, 29 LGBTQ Juneau people told the CBJ Assembly about losing jobs and apartments, being kicked out of public accommodations, being turned down for financial services. Many people talked through tears sharing their stories. And now, all of us testifiers have experienced a dangerous increase in anti-LGBTQ rhetoric.

This is a perfect time to move this bill forward. Please vote today to showcase equality in Alaska.

My LGBTQ community has been historically marginalized and vilified, and our quest for human rights flows in the long river of American civil rights, as Rep Josephson wrote in his introduction to this bill. Let’s follow Senator Murkowski’s guidance from 2 days ago: “Find the good.” Elizabeth Peratrovich and her husband Roy helped our state seek the good with their lifetime equality work. This bill is a no cost common sense way to encourage respect and fair play.

My wife, a family physician, Dr. Mo Longworth, reminds me that the Alaskan Academy of Family Physicians has always strongly spoken out for statewide LGBTQ protections. Research from the National Academy of Family Physicians shows improved health outcomes for individuals and communities when LGBTQ protections are in place. And studies show there is less violence toward women when LGBTQ people are respected.

Fairness in housing, employment, public accommodations and financial services is basic to surviving in Alaska.

We need all hands on deck. Alaska has lots of infrastructure and engineering problems to solve. We need confident skilled workers. No one wants anyone, especially young LGBTQ, to receive employment hostility.

For 15 years I worked at the Juneau Job Center. I regularly heard client stories of LGBTQ employment discrimination. Many of us at the Department of Labor worried about losing good workers to welcoming states like Washington, Oregon and California.

My most recent and troubling knowledge of discrimination comes from meeting with transgender high school students. They are under siege for being who they are. Their families and friends worry constantly about their safety. Alaska can send a national message of inclusion and respect by passing HB 184.

Thank you for hearing our concerns.

Lin Davis

3099 Nowell Ave

Juneau, AK 99801

Good Morning!

I am contacting the House State Affairs Committee in support of House Bill 184: Non-Discrimination Statue to Promote Fairness. Extending the protections already recognized by the State and Federal government to include sexual orientation, gender identity and gender expression is a change that needs to occur and has long been lacking. Members of the LGBT community are citizens of the US, and should not be treated any differently than any other citizen in their employment, housing, public accommodation and financing opportunities. And yet, there is still the pervasive attitude that members of the LGBT community can be treated as second class citizens, primarily on aspects of religion or discomfort with their lifestyle. This isn't allowable legally, against any other group. For example, it is blatantly illegal if housing is denied to a couple based on the situation that they aren't married, even (and especially) if the opposition to their lifestyle is based on religious conviction. How is that different than the same situation, where instead of a an unmarried couple, it is a married LGBT couple? I implore that the representatives here move HB 184 forward, to apply anti discrimination rights consistently to all US citizens. Thank you very much for your time and efforts. If you have any comments, concerns, or questions for me, please feel free to contact me.

Sincerely,

Michael J Szidloski, II

Constituent in Fairbanks, Alaska

TO: House State Affairs Committee

RE: Anti-Discrimination Bill HB 184

I am sorry that I am not able to be present in person but I can make the time to express my thoughts on HB 184, the Anti-Discrimination Bill.

We, in Juneau, are not equal until there is equity for marginalized groups and freedom from oppressive systems. The difference between equity and equality is critical. The assumption that we are born equal is false, it's a myth. We are born in to systems of power and privilege, and oppression; in this case a cisheteronormative patriarchal (and colonial) system. Equality states that everyone should be afforded the same rights and protections regardless of need. Equity states that everyone is different and some need more protections and assistance in different areas than others. This holds true for policy. I believe it is incredibly important to include the language and to make more than clear that the LGBTQ communities are respected, held with dignity, that their well-being is of utmost importance, and that their contribution to our community is an honor and is recognized.

Just yesterday I read the comments on the bottom of the article about AWARE's Racial Equity and Liberation program. The critique of language and terms illustrates just how important the use of terms can be to empower or disempower people (see [article](#) and comments). Unless language of equity is institutionalized, people will use it against each other, as we can see in the comments of the Juneau Empire article. When our leaders honor these terms and these groups it sets an example and precedence for community members. The consequences of this hate is the livelihood of members of our communities. Or their lives.

We, in Juneau, will not live in a non-violent community until everyone is free from violence. Patriarchy is not just an oppressive system for women, it is also oppressive for members of the LGTBQ communities or anyone who challenges what is considered normal, good, and masculine. Patriarchy, not only hurts women and the LGBTQ communities it hurts cishetero men. In our community we are seeing high rates of substance abuse, male-on-male violence, and other health issues in particular mental and behavioral health. I believe that in breaking down systems that assume equality and that are based on patriarchal and colonial beliefs we will be able to heal and will all be stronger and healthier for it. What we have to lose is the well-being, prosperity, and gifts that each individual member has to offer our community. What we will gain when we are more inclusive is greater creativity, greater connection, less acts of violence, more acts of kindness, and a community grounded on the values of human rights and love of individuals and all that the demonstration of the practice of choosing love has to offer.

I apologize for the poor writing in this email but I wanted to make sure that voice in support of HB 184 is heard.

Thank you for taking time to read this email.

Kind regards,

--

Britta Elizabeth Tonnessen

M.A. International Policy Studies -- *Human Security and Development*

Middlebury Institute of International Studies at Monterey

What did the tree learn from the earth to be able to talk with the sky?

--Pablo Neruda

My name is Phyllis Rhodes; I have been a resident of Anchorage, Alaska for over 50 years.

For the last 15 years I have been a volunteer at the Gay & Lesbian Community Center in Anchorage and I have volunteered as one of the individuals answering the “hotline” for gay, lesbian, bisexual and transgender issues.

I have provided a kind and nonjudgmental ear and have been “rewarded” with personal stories—I want to share with you a sampling of those stories highlighting the importance of moving SB 184 forward.

16 year old Josh from Seward—I talked with him and he asked me to talk with his mom. Josh’s best friend had just committed suicide.

John from Nome who told me that just before he called he had a gun in his mouth

The Anchorage father who tells me how fearful he is at every early morning ring of the phone—that is will be about his gay son who has previously attempted suicide.

The young woman frantic because she had just lost her job—she had worked in a doctor’s office for 5 years, but a co-worker “outed” her and she had been fired on the spot.

The mother and father concerned about their pre-schooler who was transgender and how would he cope in public school.

I ask you to do the right thing by voting to move SB 184 through committee.

Thank you. Phyllis Rhodes (80 years old)

Phyllis Rhodes, Anchorage, Alaska.

Why vote to move SG184 along?

The many LGBT young people who have shared with me the scars on their hearts and their arms from cutting and attempted suicide.

Please do the right thing on this legislation and pass it through committee!

Phyllis Rhodes

I am writing in support of HB 184. I witnessed dozens of my fellow Anchorage residents stating during testimony on Municipality of Anchorage Assembly Ordinance AO-2009-64 that they would discriminate against gay, lesbian, bisexual and transgendered Alaskans in employment, housing, banking, and any other matters when presented with any transaction dealing with LGBTQ Alaskans. Many of the people who testified said they felt obligated to discriminate by denying services to LGBTQ Alaskans out of a belief that LGBTQ Alaskans are morally deviant. Dozens more of those who testified stated that they were residents of Wasilla and Palmer. This experience led me to believe that protections that were afforded to Anchorage residents when a subsequent version of AO-2009-64 passed in 2015 were necessary on a statewide level to protect LGBTQ Alaskans living in the Valley and throughout Alaska. My experience with AO-64 led me to see that HB 184 is needed especially to protect the employment of LGBTQ Alaskan who are teachers, day care providers, health care providers and others who are professional care providers.

Rebecca Shaffer

1925 K Street

Anchorage AK 99503

Public Testimony speaking to HB184 submitted to the Sitka LIO by Libby Stortz:

HB 184 Regarding sexual diversity and discrimination: I support this bill. All members of our Alaskan community deserve to be protected from discrimination. Our Commission on Human Rights needs all the tools necessary to provide protection.

May 2, 2017

Representative Jonathan Kreiss-Tomkins
Chairman, House State Affairs Committee
State Capitol – Room 411
Juneau, Alaska 99801



Re: Opposition to HB 184

Dear Rep. Kreiss-Tomkins:

We are writing to express our opposition to House Bill 184:

“An Act adding to the powers and duties of the State Commission for Human Rights; and relating to and prohibiting discrimination based on sexual orientation or gender identity or expression.”

The Alaska Family Council strongly opposes this legislation for the following reasons:

- 1) HB 184 proposes to add highly subjective, poorly defined, and inappropriate categories to the existing anti-discrimination statute.
- 2) HB 184 will lead to coercion and punishment for individuals, organizations, and small businesses who simply decline to engage in speech or participate in events that are contrary to their religious beliefs or personal convictions.
- 3) HB 184 would jeopardize the privacy of individuals using intimate facilities such as locker rooms, showers, and restrooms.

Flawed categories of “sexual orientation” and “gender identity or expression”

Existing law in Alaska (AS 18.80.210) prohibits discrimination based on immutable characteristics (such as race, color, sex); and based on characteristics that may be mutable over time but which nonetheless can be objectively discerned (such as pregnancy, marital status, physical or mental disability, religion).

In contrast, the terms “sexual orientation” and “gender identity or expression” do not describe concrete and verifiable traits, but instead refer to a highly subjective claim of identity. These are relatively novel terms in social discourse, and would have been unrecognizable even a generation or two ago. **HB 184 defines “sexual orientation” as: “heterosexuality, homosexuality, and bisexuality.”** But these constituent terms are not further defined, as if their meaning is self-evident. However, we are aware of no other place in Alaska statutes where these words appear.

In the absence of clear definitions in statute, these terms will be interpreted in whatever manner suits the interests of unelected bureaucrats and judges. Clear definitions are crucial in all law, but especially in non-discrimination law. For example, does “homosexuality” most fundamentally describe a psychological disposition, a form of behavior, or both? This distinction is crucial, because there is a world of difference between evaluating a person based on a *behavior* and evaluating a person based on an *innate trait*, such as skin color.

Dr. Paul McHugh (Professor of Psychiatry, Johns Hopkins University School of Medicine) and Dr. Lawrence Mayer (Biostatistics Professor, Arizona State University) have written extensively about the nebulous aspects of these terms:

“While some people are under the impression that sexual orientation is an innate, fixed, and biological trait of human beings – that, whether heterosexual, homosexual, or bisexual, we are ‘born that way’ – there is insufficient scientific evidence to support that claim. In fact, the concept of sexual orientation itself is highly ambiguous; it can refer to a set of behaviors, to feelings of attraction, or to a sense of identity.” (“Sexuality and Gender,” Dr. Paul McHugh and Dr. Lawrence Mayer, *The New Atlantis*, Fall 2016)

The definition of “gender identity or expression” contained in HB 184 is even more hazy: **“having or being perceived as having or expressing a gender, self-image, appearance, or behavior, regardless of whether that gender, self-image, appearance, or behavior is different from that traditionally associated with the sex assigned to that person at birth.”**

This proposed definition would codify into law a tendentious, ideological, and unscientific view of gender. The reference to sex as something that is “assigned to that person at birth” suggests a certain arbitrariness to the matter of gender, as if one’s sex was something foisted upon a person by the attending physician. A person’s sex is not “assigned” at birth, it is present from the moment of conception and *observed* at birth.

In addition, the use of the formulation “having or being perceived as having or expressing...” is troubling. Perceived by *who* – the alleged victim of discrimination, the alleged perpetrator, a third party, a government investigator, or all the above?

Why don’t we see this “having or being perceived as having” distinction applied to other categories within the anti-discrimination code – e.g., “having or being perceived as having” a certain race, skin color, marital status, etc? This “perception clause” takes an already vague definition and turns it into a subjective morass, thus empowering attorneys, state bureaucrats, and judges to interpret it in whatever manner suits their personal ideology.

Finally, terms such as “self-image” and “expression” involve nebulous concepts that are not clearly defined in law, and which may be constantly evolving. Laws that protect our rights should be unambiguous, not moving targets that mean different things to different people.

Coercion and punishment for those who conscientiously object

HB 184 is virtually identical to laws in other jurisdictions that are routinely used to bully and punish those who simply don't wish to express ideas or celebrate events that violate their deepest held beliefs. The following are just a few of the more notorious cases:

- **Christian wedding photographers punished for declining to photograph same-sex ceremony.** In 2006, the owners of a New Mexico photography business – Jonathan and Elaine Huguenin – were approached by a lesbian couple who wanted to hire them to photograph their same-sex “commitment ceremony” (at the time, same-sex marriage was not even legal in NM). The Huguenins gladly provided many services to gay and lesbian customers, such as portrait photography. But Elaine politely declined to participate in the ceremony, as it would require the use of her artistic talents to express a message that conflicted with her Christian beliefs. Nevertheless, the lesbian couple filed a complaint with the New Mexico Human Rights Commission – arguing the Huguenins had violated New Mexico’s prohibition of discrimination based on “sexual orientation.” The Commission agreed – they ruled against the Huguenins and ordered them to pay over \$6,600 in attorneys’ fees. The case was appealed through the state court system – with the New Mexico Supreme Court also ruling against the Huguenins. One Supreme Court justice coldly wrote, “[the Huguenins] now are compelled by law to compromise the very religious beliefs that inspire their lives,” stating that this is “the price of citizenship.”
- **Florist sued after declining to decorate venue for same-sex wedding.** The owner of Arlene’s Flowers in Richland, Washington, has happily served customers for many years who identify as gay or lesbian – including long-time customer Robert Ingersoll. But when Ingersoll asked the florist shop owner, Barronelle Stutzman, to decorate the venue for his upcoming same-sex wedding ceremony, Stutzman felt that she had no choice but to decline. Stutzman felt that using her creative talents to enhance a ceremony that conflicted with her deeply held religious beliefs was impossible. Stutzman’s decision to live by her conscience has cost her dearly – both the Washington State Attorney General and the ACLU have sued her. A lower state court has ruled against Stutzman, and so has the Washington State Supreme Court. The case may be appealed to the U.S. Supreme Court. The lawsuits in question target not only the business Arlene’s Flowers, but also Barronelle Stutzman personally. Thus, if she loses, the 72-year-old grandmother faces not only the loss of her business, but her home as well.
- **Christian bakers driven out of business.** The owners of Sweet Cakes by Melissa, Aaron and Melissa Klein, are devout Christians. When a same-sex couple approached them about creating and decorating a cake for a wedding, the Kleins felt they could not provide this service without violating their conscience. This resulted in an enforcement

action against them from the Oregon Bureau of Labor and Industries, which ordered the Kleins to pay \$135,000. The draconian fines along with public harassment forced the Kleins to shut down their business in September 2013, a devastating blow for these parents of five children. The State of Oregon also imposed a “gag order” on the Kleins, demanding that they not discuss their faith-based reasons for declining to participate in same-sex wedding ceremonies. The Oregon BOLI Commissioner, who has been spearheading the case against the Kleins, made a chilling statement that the Kleins had “disobeyed Oregon law and needed to be rehabilitated.”

HB 184 proposes a legal regime that is inimical to a free society, because it mistakenly categorizes *disagreement* as “discrimination.” How many individuals, rather than endure costly and gut-wrenching lawsuits, as in the examples above, will instead abandon their chosen occupation in favor of something that is “lower profile”? Does this sound like tolerance? Are we promoting diversity when we fashion laws that force Christians to the margins of society, by essentially placing many careers off limits, lest someone be offended by their religious beliefs?

Undermining privacy of persons using intimate facilities such as locker rooms, etc.

HB 184, by prohibiting discrimination based on “gender identity and expression,” would directly lead to the reckless policy of allowing men to enter women’s locker rooms, showers, and restrooms – and vice versa.

Many other jurisdictions have adopted similar laws, and the evidence is mounting that this is a disastrous social experiment. Under the guise of protecting the less than one percent of the population that self-identifies as “transgender,” these laws trample on the privacy and safety interests of the other 99 percent of citizens. Here are examples of the disorder created in the wake of these laws:

- **Headline: “Man caught undressing in front of girls at Green Lake locker room.”**
Just weeks after the Washington state Human Rights Commission adopted a rule allowing men to enter intimate facilities reserved for women, a young man entered the locker room at a Seattle-area swimming pool. The following report from local news station KOMO is self-explanatory:

“David Takami with the Seattle Parks and Recreation Department said a man arrived at the Evans Pool in Greenlake Monday afternoon and paid to use the lap pool.

“Takami said the man then entered the women’s locker room and took off his shirt in front of a local girls swimming team, which had just finished practicing. Several parents and other women using the locker room became alarmed and alerted pool staff.

“When staff members confronted the man, he left the locker room and went swimming. When he was done, Takami said the man went back into the women’s locker room and was again asked to leave. **The man resisted, telling staff members the law had changed and he now had a right to use the locker room of his choice**, according to Takami.” (*emphasis added*)

- **Headline: “College Allows Transgender Student in Women’s Locker Room”** (*ABC-30 Action News – 10/29/12*).

“Some call it an outrage; others equal rights – after a 45-year old student... born a man, began to use the women’s locker room, because the student identifies as a woman. A young girl saw the student naked. Her mother called police.”

“Jason Wettstein, Evergreen State College spokesman said, ‘The college has to follow state law. The college cannot discriminate... on the basis of gender identity. Gender identity is one of the protected things in discrimination law...’”

- **Headline: “Lawsuit filed after transgender student gets locker room access in Palatine.”** (*Chicago Tribune – 05/05/16*).

“A group of... students and parents is suing the U.S. Dept. of Education and Illinois’ largest high school district after school officials granted a transgender student access to the girls’ locker room. In a lawsuit filed in federal court... the group contends that the actions of the Dept. of Education and Palatine-based Township High School District 211 ‘trample students’ privacy’ rights and create an ‘intimidating and hostile environment’ for students who share locker rooms and restrooms with the transgender student.”

No one, and especially the government, should expect young girls to undress and be exposed to a member of the opposite sex in intimate facilities such as showers and locker rooms. The safety and dignity of persons using private facilities must be protected.

In conclusion, we ask you to reject HB 184. This ill-conceived legislation threatens privacy, undermines freedom, and does not protect the common good.

Sincerely,



Jim Minnery, President
Alaska Family Council

Hello Representatives in House State Affairs,

I am opposed to both bills.

I spent quite a bit of time on the phone today waiting to testify, only to be denied the opportunity to do so. I only mentioned one of the bills to the lady who transferred me to the conference call. I listened to the last testifier, hoping it was me but it wasn't, thus this email.

I am glad I listened, because I really appreciated the woman in Nenana who works in the school there and is very concerned with the lgbtq lifestyle being promoted to such an extent that students feel 'odd' if they don't comply and participate. This appears to be a prevalent problem throughout the US right now. Bullying is happening against 'straight' students.

There is nothing new under the sun. Bullying was prevalent in school when I was a kid / teen too. I was the victim of it myself. No law will prevent it. Good parenting and teachers who care for their students will go a long way to discourage it, and strengthen teens against the consequences of it.

I came to Alaska when I was three months old. I grew up and worked and retired in Anchorage. I now live in Palmer. I am a retired school teacher, and yes there are many lgbtq+ employees in the ASD, and many same-sex couples who come to parent-teacher conferences. No, I did not ask people about their sex lives, so there was never an issue between us even when I knew quite well their lifestyle by the bold hints they dropped. I maintained professional relationships with all co-workers, students, and their parents. Not hard to do, really.

These two bills are nothing less than an attempt for this group of people to elevate themselves to a position where they can persecute Christians who believe the Bible, just as has happened in the lower 48. Some of those who testified even hinted at it with their testimony, speaking out against Christians. **We do not need the kind of problems these two bills would bring to our state.**

One last thing. Campaign season is coming. Many are watching how you vote on this in your committee, and if it makes it to the floor those votes will be watched too.

Carol Carman

District 9E

Do not let these unfair pieces of legislation come to a vote.

Why should one group LGBT, be elevated to an unfair level compared to the rest of us?

This is America equality does not equal special privileges for special interest groups.

Deborah

Dear Legislators;

I am a resident and voter in Homer who strongly opposes HB184 and encourages you to VOTE NO!

Our Constitution already includes the biological term "sex" in its list of anti discrimination clauses. Biological gender of male and female is a scientific fact, and cannot change no matter what surgery or hairstyle is added. Gender identity and sexual expression in our society today is deemed fluid and every changing, and should not be reflected in our laws.

Laws govern society. They are meant to be a measure, a guideline of which to live in a peaceful and just society. Good and just laws withstand the test of time by being solid, defined and secure. Adding an anti discrimination law that includes words such as "expression" could mean anything! This would give right to the persons "expression" over my own right to life, liberty, and pursuit of happiness. So whose right is greater? Our Constitution states that "all men are created equal" and proves this addition to the anti discrimination law to be indeed discriminatory in itself.

I encourage you as lawmakers to not give way to the societal pressures of an issue that will quit possibly be different tomorrow. Vote NO on HB 184

Respectfully,
Sarah Vance

Dear Legislators,
Stop HB184 and HJR1

God made you, protects you, loves you, and judges you. Human government is to reflection of this truth and His authority. Our authority is delegated and must mirror or reflect God's justice. Marriage and sex are of God's design.

Destroying marriage and redefining discrimination with humanistic gender bending definitions, destroys men's rights, women's rights, and children's rights.

Thank you, Jeriah Knox
Ninilchik, Alaska

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version:	HB 184
Fiscal Note Number:	1
(H) Publish Date:	3/7/2018

Identifier: HB-184-HRC-02-23-18
 Title: DISCRIMINATION: GENDER ID.;SEXUAL ORIENT;
 Sponsor: JOSEPHSON
 Requester: House State Affairs

Department: Office of the Governor
 Appropriation: Commissions/Special Offices
 Allocation: Human Rights Commission
 OMB Component Number: 1

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended or repealed? N/A

Why this fiscal note differs from previous version/comments:

No change, initial version.

Prepared By:	Marti Buscaglia	Phone:	(907)792-7241
Division:	Alaska State Commission for Human Rights	Date:	02/23/2018 04:46 PM
Approved By:	Marti Buscaglia	Date:	02/23/18
Agency:	Alaska State Commission for Human Rights		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

Analysis

This bill adds sexual orientation, gender expression and gender identity to the list of protected classes. We restructured in FY17, and have a new case management system that will be implemented this fiscal year. With these changes we can manage an increased caseload with no fiscal impact to the Commission. Therefore, we submit a zero note.

HB 184: NON-DISCRIMINATION BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION

30th Legislature, 2018



CONTEXT

CIVIL RIGHTS LAW IN ALASKA

- In 1945, Alaska adopted the first civil rights act of its kind in the country
 - Addressed discrimination in public accommodations almost 20 years before the national act in '64
- Today:
 - Protected classes: race, religion, color, national ancestry, physical or mental disability, age, sex, marital status, changes in marital status, pregnancy, or parenthood
 - Discrimination prohibitions in the areas of employment, credit and financing, public accommodations, and sale, lease, or rental or property.

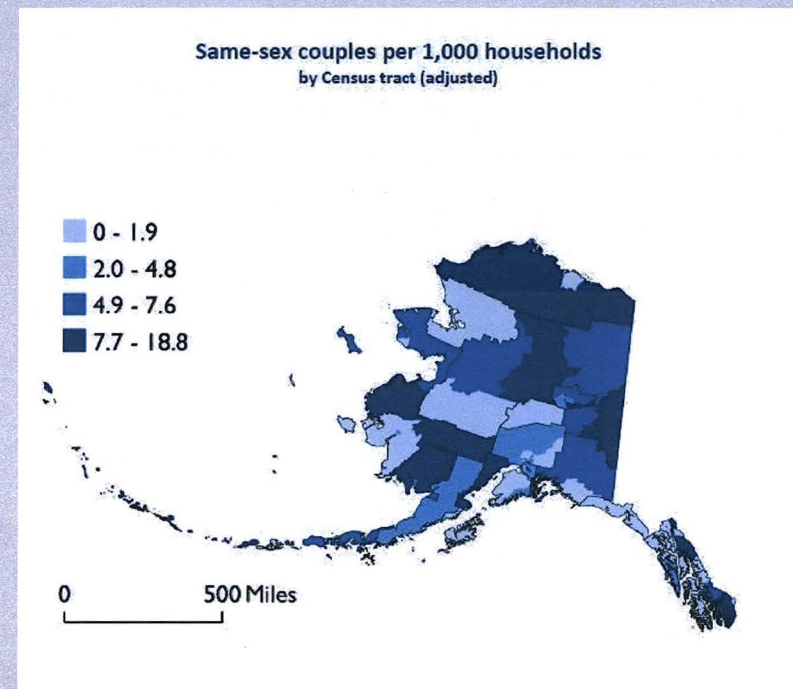


ALASKA STATE HUMAN RIGHTS COMMISSION (ASHRC) RESOLUTION & RECENT ACTION

- ASHRC does not process complaints of discrimination on the basis of sexual orientation, gender identity or expression
 - Alaska Supreme Court determined that “sex” does not include sexual orientation, gender identity or expression
- ASHRC passed a resolution in 2016 urging the state legislature to pass legislation identical to HB 184, and worked with the Department of Law to apply the EEOC’s definition of sex
 - Supreme and other federal courts have defined sex discrimination as being inclusive of discrimination based on sexual orientation, gender identity or expression, as they are inherently “sex-based”.
- ASHRC recently voted down the proposed regulations, stating that this issue needs to be remediated through the legislature

LGBTQ DISCRIMINATION IN ALASKA

- Lack of statewide data – ASHRC doesn't process these complaints
- 2011 Anchorage Survey
 - 10% denied a lease when otherwise qualified
 - 21% turned down for a job when otherwise qualified
 - 73% hide orientation/identity to avoid employment discrimination
 - 10% stopped by police without justification
 - 8% denied service in a restaurant or bar
 - All rates significantly higher for Transgender Alaskans
 - Findings in this survey are similar to national rates

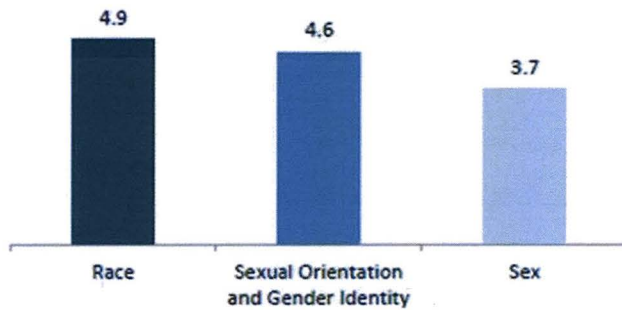


Alaska Census Snapshot (The Williams Institute, 2010)

NATIONAL RATES

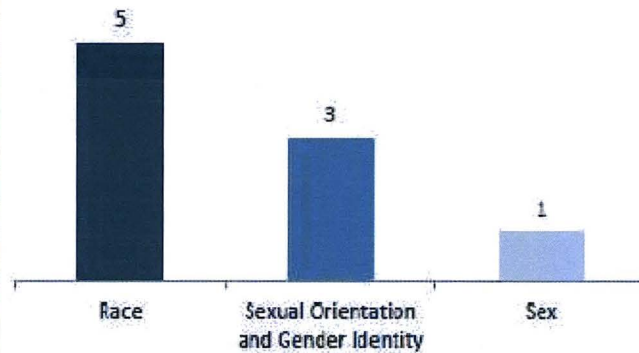
Employment Discrimination

National Population-Adjusted Complaint Rates (per 10,000)



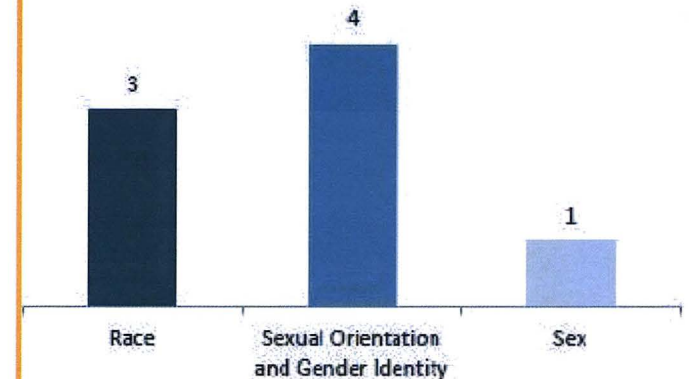
Housing Discrimination

National Population-Adjusted Complaint Rates (per 100,000)



Public Accommodations Discrimination

National Population-Adjusted Complaint Rates (per 100,000)

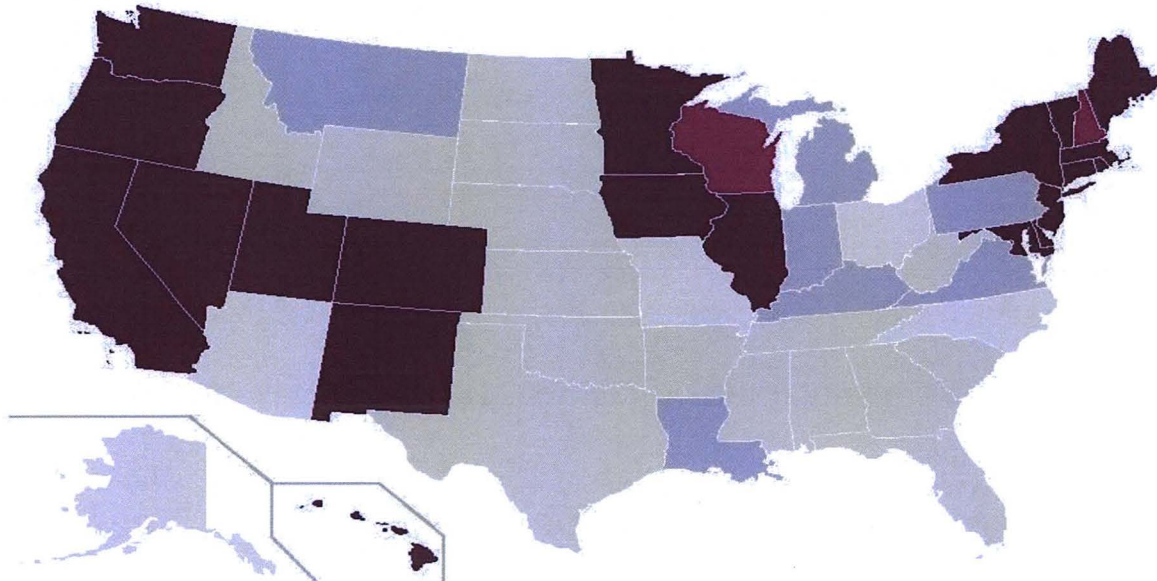


Employment, housing, & public accommodations discrimination based on sexual orientation & gender identity, national aggregation: 2008-2014 (The Williams Institute, 2015)

EXISTING PROTECTIONS



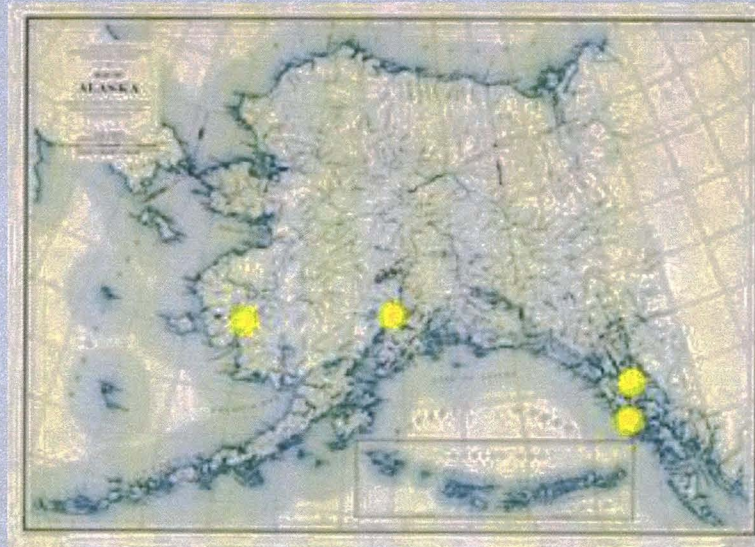
STATEWIDE EMPLOYMENT LAWS & POLICIES



- 20 states and D.C. prohibit discrimination based on sexual orientation & gender identity
- 2 states prohibit discrimination based on sexual orientation only
- 7 states prohibit discrimination against public employees based on sexual orientation & gender identity
- 5 states, including Alaska, prohibit discrimination against public employees based on sexual orientation only

MUNICIPAL ORDINANCES

- Anchorage
- Juneau
- Sitka
- Bethel
 - *Specific to employment*



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)



- Interprets discrimination based on sex to include discrimination based on an individual's sexual orientation, gender identity or expression
- First attempts informal mediation, then has authority to file suit in federal court
- Limited to employment discrimination
- Limited ability to investigate
- Federal bureaucracy is difficult to navigate
- EEOC and ASHRC have a workshare agreement, co-file cases

WHERE'S THE GAP?

- Unless an LGBTQ Alaskan resident of a protected municipality:
 - **No protections in areas of housing, financing & accrediting, public accommodations, & unlawful practices by the state or it's political subdivisions**
 - **Unequal protections in area of employment**

ECONOMIC MOTIVATIONS



LGBT NON-DISCRIMINATION POLICIES: GOOD FOR COMMERCE

- 96% of top Fortune 500 companies include sexual orientation in their non-discrimination policies and 70% include gender identity
- 53% of the top 50 federal government contractors link internal policies prohibiting this form of discrimination to improving their bottom line
- Economic benefits include:
 - Higher recruitment & retention
 - Increased generation of ideas & innovation
 - Diversified consumer base
 - Increased employee productivity
 - Securing more public sector clients
 - Improved employee relations & morale

Economic Motives for Adopting LGBT-Related Workplace Policies (The Williams Institute, 2011)



SECTIONAL

SECTIONS 1-3

- **Section 1:** Adds “sexual orientation, gender identity or expression” to the list of protected categories that currently include race, religion, color, national ancestry, physical or mental disability, age, sex, marital status, changes in marital status, pregnancy, or parenthood.
- **Section 2:** Adds "sexual orientation, gender identity or expression" to the list of discriminations which are cause for public concern, and asserts the need for the state to prevent such discrimination in employment, credit and financing practices, public accommodations and sale, lease or rental of real property.
- **Section 3:** Adds "sexual orientation, gender identity or expression" to the categories of protected civil rights.

SECTION 4

- Adds "sexual orientation, gender identity or expression" to the prohibitions against unlawful employment practices.
 - Refusal of employment because of SOGI, when demands of the position do not require distinction on the basis of SOGI.
 - Labor organizations cannot expel or refuse membership due to an individual's SOGI
 - Employers cannot circulate discriminatory statements
 - Employers may not fire a person for filing a complaint

SECTION 5

- Ministerial exemption
 - Hosanna-Tabor v. EEOC, Supreme Court case, ruled that federal discrimination laws do not apply to religious organization's selection of religious leaders
 - Language does not affect the implementation of this legislation, as it is a federal interpretation that would be applied regardless.
- AS 18.80.300(5), definition of employer
 - "A person, including the state and a political subdivision of the state, who has one or more employees in the state **but does not include a club that is exclusively social, or a fraternal, charitable, educational, or religious association or corporation, if the club, association, or corporation is not organized for private profit.**"

SECTION 6

- Adds “sexual orientation, gender identity or expression” to the prohibitions against unlawful practices in public accommodations
 - Refusal or denial of any services, goods, facilities, advantages or privileges because of SOGI
 - Circulation of discriminatory communication
 - Excludes physical fitness facilities which may place limits based on sex
- AS 18.80.300(16) public accommodations definition
 - **“a place that caters or offers its services, goods, or facilities to the general public** and includes a public inn, restaurant, eating house, hotel, motel, soda fountain, soft drink parlor, tavern, night club, roadhouse, place where food or spiritous or malt liquors are sold for consumption, trailer park, resort, campground, barber shop, beauty parlor, bathroom, resthouse, theater, swimming pool, skating rink, golf course, cafe, ice cream parlor, transportation company, **and all other public amusement and business establishments**, subject only to the conditions and limitations established by law and applicable alike to all persons.”

SECTION 7

- Adds “sexual orientation, gender identity or expression” to the prohibitions against unlawful practices in the sale or rental of real property
 - Refusal to sell, lease, or rent property because of SOGI when otherwise qualified
 - Discrimination because of SOGI in a term, condition, or privilege relating to the use, sale, lease, or rental of real property
 - Making a written inquiry of SOGI
 - Falsify availability of property
 - Blockbusting
 - Publishing statements that indicate preference in regard to SOGI

SECTIONS 8-9

- **Section 8:** adds “sexual orientation, gender identity or expression” to the prohibitions against unlawful practices in financing and accreditation
 - Discriminate because in applications for financial assistance or credit
 - Discriminate in a term, condition, or privilege relating to the obtainment or use of the institution’s financial assistance or credit
 - Make or cause written inquiry of applicant’s protected classes
- **Section 9:** adds “sexual orientation, gender identity or expression” to the prohibitions against unlawful practices by the state or its political subdivisions
 - Refusal or denial of any local, state, or federal funds, services, goods, facilities, advantages, or privileges
 - Circulation of discriminatory communication implying refusal or denial of services

SECTIONS 10-11

- **Section 10:** adds “sexual orientation, gender identity or expression” to the prohibitions against unlawful practices in blockbusting, or practices by real estate agents to close a transaction
 - *Blockbusting:* the practice of persuading owners to sell property cheaply because of the fear of people of another race or class moving into the neighborhood, thus profiting by reselling at a higher price.
- **Section 11:** defines “sexual orientation” and “gender identity or expression”
 - *sexual orientation:* means heterosexuality, homosexuality, and bisexuality.
 - *Gender identity or expression:* means having or being perceived as having or expressing a gender, self-image, appearance, or behavior, regardless of whether that gender, self-image, appearance, or behavior is different from that traditionally associated with the sex assigned to that person at birth.

QUESTIONS?