

COMMONWEALTH OF MASSACHUSETTS

SUPREME JUDICIAL COURT

NO. SJC-09684

JOHANNA SCHULMAN,
Plaintiff-Appellant,

v.

THOMAS REILLY, in his official capacity as ATTORNEY GENERAL
and WILLIAM F. GALVIN, in his official capacity as SECRETARY
OF THE COMMONWEALTH,
Defendants-Appellees,

And

HON. RAYMOND FLYNN, HON. PHILIP TRAVIS, RICHARD GUERRIERO,
JOSSIE OWENS, ROBERTO MIRANDA, RICHARD RICHARDSON,
BRONWYN LORING, C. JOSEPH DOYLE, KRIS MINEAU, LURA MINEAU,
THOMAS SHIELDS and MADELYN SHIELDS,
Defendants-Intervenors.

On A Reservation And Report From A Single Justice
Of The Supreme Judicial Court For Suffolk County

BRIEF OF *AMICI CURIAE* MASSEQUALITY, MASSACHUSETTS GAY &
LESBIAN POLITICAL CAUCUS, AND THE FREEDOM TO MARRY COALITION
OF MASSACHUSETTS

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Statement of Interest

The amici joining this brief are MassEquality, the Massachusetts Gay & Lesbian Political Caucus, and The Freedom to Marry Coalition of Massachusetts. A description of each of the amici is attached as Addendum A to this brief.

The amici are local Massachusetts organizations committed both to the preservation of marriage equality in the Commonwealth of Massachusetts and to a workable democratic polity that advances and protects the interests of every citizen of the Commonwealth. The amici submit this brief in the belief that their cumulative, local knowledge and perspective will assist the Court in its understanding of the citizen initiative process.

Statement of Issue, Statement of the Case
And Statement of Facts

The amici accept the Statement of the Issue, the Statement of the Case and the Statement of Facts as set forth in the brief of the plaintiff-appellant.

Argument

- I. THE POPULAR INITIATIVE HAS FAILED TO FULFILL THE ASSUMPTIONS AND CLAIMS OF THE PROPONENTS OF THE PROCESS AND IS PRONE TO ABUSE.

The popular initiative was born out of the Populist and Progressive Movements around the beginning of the 20th Century with visions of reforming government and restoring honesty and integrity by breaking the grip of special interests on our legislatures and returning power directly to the people.

For proponents of the popular initiative the gold standard was well stated in 1911 by newly-elected Progressive Governor of California, Hiram Johnson:

The opponents of these reforms believe the people cannot be trusted. On the other hand, those of us who espouse these measures do so because of our deep-rooted belief in popular government, and not only in the right of the people to govern, but in their ability to govern; and this leads us logically, to the belief that if the people have the right, the ability and the intelligence to elect, they have as well the right, ability, and the intelligence to reject or recall . . .

Peter Schrag, Paradise Lost, California's Experience, America's Future, p. 190 (The New Press 1998)(citing Hitchborn, "Story of the Session of the California Legislature of 1911" [San Francisco: James H. Barry Co., 1911], Appendix, p. v.)

Opponents felt just as strongly. See, e.g., Schrag, supra at 190 (Hiram Johnson's father, Grove Johnson, had this colorful retort to his son: "The voice of the people is not the voice of God, for the voice of the people sent Jesus to the cross").

Now, in the 21st Century, it is possible to look back and assess nearly 100 years of experience with the popular initiative and what it has become in American politics today. The record is mixed, at best.

In December 2001, the National Conference of State Legislatures created a task force which, in July 2002, produced a report: "Initiative and Referendum in the 21st Century - Final Report and Recommendations of the NCSL I&R Task Force" ["I&R Task Force Report"] (available at www.ncsl.org/programs/legman/irtaskfc/I_Report.pdf).

As its primary recommendation, the Task Force's consensus stated:

The Initiative and Referendum Task Force found that opportunities for abuse of the process outweigh its advantages and does not recommend that states adopt the initiative process if they currently do not have one.

I&R Task Force Report, pp. v, vii.

However, the Task Force also accepted the fact that initiative processes existed throughout the country and, therefore, was interested in assessing the problems and making recommendations for solutions. In that regard, the Task Force had this to say:

However, in some states where the initiative is heavily used, there is growing public frustration with initiatives, and some people are beginning to speak out against the process. Legislatures are struggling to find ways to prevent fraud in the signature-gathering process; disclose information about who pays for initiative campaigns; and add flexibility to the process to accommodate more debate, deliberation and compromise than presently exists.

I&R Task Force Report, p. 1.

The Task Force also drew this conclusion:

The initiative has evolved from its early days as a grassroots tool to enhance representative government. Today, it is often a tool of special interests.

I&R Task Force Report, p. 4; Richard B. Collins, "How Democratic Are Initiatives?," 72 U. Colo. L.Rev. 983, 998 (2001)("The original proponents of initiative lawmaking touted it as a corrective for what they believed was corruption of legislatures by money. They would be appalled to find that money now has at least as much involvement in the initiative process as the legislative").

There has also been some scholarly work done to scientifically study the popular initiative. One of the

seminal works in the area is David B. Magleby's study, Direct Legislation, Voting on Ballot Propositions in the United States (The Johns Hopkins Univ. Press 1984)[hereinafter "Magleby 1984"]. Magleby added to his work in 1995. David B. Magleby, "Let the Voters Decide? An Assessment of the Initiative and Referendum Process," 66 U. Colo. L.Rev. 13 (1995)[hereinafter "Magleby 1995"].¹

Perhaps most important, Magleby set out to test the assumptions behind the popular initiative. He quite correctly identifies those assumptions as follows:

- (1) citizen participation will increase;
- (2) initiatives will bring greater representation of the people;
- (3) voter interest, information and knowledge will increase, leading to knowledgeable decisions²;
- (4) voter preferences will be effectively communicated through ballot questions; and

¹ Although Magleby's work speaks most commonly of "direct legislation," his study includes both popularly initiated laws and constitutional amendments. See, e.g., Magleby 1984, pp. 1, 35-36, 71 (Table 4.3), 73 (Table 4.4); Magleby 1995, p. 13.

² This assumption will not be addressed in this brief. Suffice it to say that Magleby concludes that "[t]he expectations of the proponents of direct legislation that voters would read and study ballot propositions and then cast informed ballots have been substantially disproven." Magleby 1984, p. 198.

(5) the power of special interests and party machines
will removed or minimized.

Magleby 1984, pp. 4 and 196.

As Magleby notes, these assumptions, in turn,
supported claims that:

Initiative and referendum elections provide a
greater degree of democracy than do candidate
elections, that referendums provide a workable
policy-making process, that results of the
process of direct legislation are superior to
those of the legislative process, and that direct
legislation at the least corrects legislative
inaction or error.

Id. at 3-4.

One can then measure the popular initiative against
"several important dimensions of democratic governance,"
i.e., "participation, representation, accountability,
accommodation, authority, and deliberation." Id. at 181.

It is fair to say that study to date indicates quite
clearly that, at least as presently configured and
operating, the popular initiative does not bear out the
assumptions and claims of its proponents. Indeed, the
situation on the ground is quite the opposite.

As Magleby notes,

While the reformers' call to "let the people
rule" rings an immediate and positive chord, the
actual experience with direct legislation
demonstrates that the process is structured in
ways that limit effective participation for some
voters, and the agenda of issues may only serve

to intensify conflict and lead to a politics of confrontation.

Id. at 180-181.

A. The Popular Initiative Has Not Increased Voter Participation.

The point here is simple and straightforward: "No evidence exists for the claim that initiatives will increase voter turnout over time." Magleby 1984, p. 98; see generally id., pp 95-98; see also Magleby 1995, p. 34 (same; and noting evidence from Maine where there are initiatives in even-numbered years (with candidates) and in odd-numbered years (without candidates) and lower turnout in odd-numbered years even with initiatives on controversial issues).

As a corollary to turnout, proponents of the popular initiative believed it would reduce voter alienation. But again, "substantial evidence refutes the assumption that more widespread use of direct legislation will reduce alienation." Magleby 1984, p. 165; see generally id., pp. 159-164; Magleby 1995, p. 34.

In sum, the assumptions and goals of the popular initiative vis-a-vis voter turnout and voter alienation have not been effectuated in practice.³

B. The Popular Initiative Has Not Increased The Representativeness Of Those Involved In Government Decisionmaking And Is, In Many Ways, In The Control Of Wealthy Interests.

There are, in effect, two aspects of the question of representation. First, there is the basic issue whether the participating initiative voters accurately represent the entire citizenry and, more particularly, whether they are more representative than candidate voters. The second question is whether the process actually includes all citizens. The popular initiative has not had great success on either score.

³ It is worth noting that the American public has consistently had mixed feelings about direct democracy. In Massachusetts in 1918, the vote on the Initiative and Referendum was very close: 171,646 "Yes," 162,103 "No," and 96,698 "Blanks." Raymond Bridgman, The Massachusetts Constitutional Convention of 1917, p. 150 (Boston, MA 1923). The same is true today. Magleby 1984, p. 12 ("To summarize, voters favor direct legislation if the question is worded in general terms. More precise questioning reveals that most voters have mixed feelings about direct legislation").

1. Initiative voters are not representative of all citizens and are actually less representative than candidate voters.

First, as to the demographics of the actual initiative voters, we now know that on scales of education, income and race, "people who vote on most statewide propositions are demographically very unrepresentative both of the voting-age population and of those who turn out to vote." Magleby 1984, p. 119; see generally id., pp. 103-120.⁴ And representativeness is often less for these groups on initiative votes than on candidate votes. Id., pp. 106-111.

Magleby includes specific data on turnout and dropoff in Massachusetts for the years 1970-1982, see id., p. 84 (Table 5.3), p. 86 (Table 5.5) and p. 103, and summarizes his findings on this point as follows:

Citizens who actually vote on ballot measures are significantly less representative than those who vote in statewide candidate races. Direct legislation is structured in such a way as to discourage participation by less educated and poorer voters, who lack the knowledge and personal efficacy to survive the complicated ballot, the voter's handbook, and the excessive number of voting decisions.

⁴ Some of the important data on voter representation comes from a 1976 survey of Massachusetts citizens. See Magleby 1984, pp. 103-118.

Magleby 1984, p. 197.⁵

2. The initiative process is unrepresentative in its agenda-setting aspect where money has particular influence.

Second, because the proponents of the popular initiative saw it as a way to let "the people rule," it is pertinent to ask, as Magleby and others do, "Which people rule in direct legislation?" Magleby 1984, p. 183.

Magleby's answer is: "Those who set the legislative agenda and those who actually vote on that agenda." Id.

Here, it is important to focus on the agenda-setting aspect of the popular initiative.

The people who rule in the initiative and referendum process are first and foremost the people who set the agenda for the voters to decide at the next election. Essential to the claim that more democratic government results from direct legislation is the assumption that the issues placed on ballots are representative of the issues people have on their minds and would like submitted to a public vote. Very few voters, however, can spontaneously name any particular issues on which they would like to see the public vote.

Because of voter disinterest and the signature threshold requirement, the agenda of issues to be

⁵ It is clear that the complexities that dissuade voters are not limited to initiatives proposing complicated statutory schemes. Data from 1976 in Massachusetts shows a range of dropoff from 8% to 21% on five ballot questions based on proposition wording and comprehension with the dropoff for the proposed ERA registering near the high end at 18%. Magleby 1984, p. 117 (Table 6.7).

decided by voters is determined by the proponents' capacity to hire professional signature-gathering firms or by the dedication of issue activists or single-issue groups who desire to place measures on the ballot. At this first critical hurdle, most citizens lack the organizational strength and financial resources to propose laws for direct legislation. When proponents of the process argue that "the people" will rule more completely if given the initiative and referendum, they apparently do not refer to the agenda-setting aspect of the process. In fact, it can be argued that "the people," especially those without plenty of money or an organizational base, will probably get better results from their elected representative, who will almost always respond to the inquiry and may well put it on the legislative agenda.

Thus, citizens may express opinions on the propositions placed on the ballot, but that issue agenda usually is not an accurate barometer of the issue concerns of most voters. If approval rate is any measure of voter interest, then the issues voters actually decide rarely strike a responsive chord, because a high proportion of initiatives are defeated.

Magleby 1984, p. 182; see also Magleby 1995, pp. 35-36

(noting, among other things, that voters' issues in 1992 rarely matched the 1992 direct legislation agenda and that, while some narrow issues have been successful, e.g., "anti-homosexuality," "these issues do not represent the issue concerns of the general public, or even most voters"); Decision Research, Massachusetts Poll, March 31-April 7, 2005 (82% agree that the legislature should focus on more important issues than considering a proposal to take away equal marriage rights from gay and lesbian couples).

In short, "Individuals and groups with substantial financial resources can buy their way onto the ballot." Elizabeth Garrett, "Money, Agenda Setting, and Direct Democracy," 77 Tex. L.Rev. 1845, 1847 (1999). As a result, "the policy agenda will reflect their concerns ["well-financed groups and wealthy individuals"], not those of ordinary citizens or of groups without overflowing coffers." Id. at 1862; Collins, supra, 72 U. Colo. L.Rev. at 998 ("the agenda for use of the initiative right is set by those who can raise a sufficient war chest to pay petition circulators and other expenses of qualifying for the ballot").⁶

With respect to the petition that is the subject of this litigation, the proponents, VoteOnMarriage.org, reported expenditures of \$131,589.25 and in-kind contributions of \$93,769.74 for a total of \$225,358.99

⁶ As Peter Schrag has noted about California,

In the past two decades, the initiative has more often been used by well-organized political and economic entities, on the left and the right, and by incumbent politicians, from the governor down, than by anything that can be called "the people." It is still "the people" that vote on the initiatives that appear on the ballot. But it is those interest groups, backed by media consultants, direct mail specialists, pollsters, and others, that usually finance the costly signature drives, running into millions, to get measures on the ballot, and the advertising campaigns that put them over - or that block the measures of opponents. Peter Schrag, supra, p. 11.

during the agenda-setting and signature-gathering period of June through December, 2005. See the online Massachusetts Office of Campaign and Political Finance (OCPF) Electronic Filing & Campaign Disclosure System, www.mass.gov/ocpf.⁷

As noted by National Conference of State Legislatures' Task Force, this has all led to legislative concerns about fraud in the signature-gathering process and about more disclosure as to who is paying for initiative campaigns. I&R Task Force Report, p. 1.

⁷ It is worth noting that the same database indicates that VoteOnMarriage.org reports itemized receipts of \$146,030.00 during the reporting period of which \$100,000 came from the coalition of organizations proposing the initiative with \$31,500 of the remaining \$46,000 coming from only 11 individuals. In addition, the in-kind contributions of \$93,769.74 all came from the Mass. Family Institute, the lead sponsor of the initiative.

As a further note of interest, the database indicates that, in 2002, MA Citizens for Marriage, which pursued an anti-gay citizen initiative petition on marriage and related benefits reported \$224,178.23 in receipts of which roughly \$186,000.00 came from one individual.

3. Fraud in the signature-gathering process is an issue in Massachusetts and nationwide.

Concerns about fraud and financial disclosure have led to various legislative proposals both nationwide and in Massachusetts. See, e.g., I&R Task Force Report, pp. 33-35 and 53-56;⁸ Mass. Senate, No. 2251 (passed in the Senate on November 3, 2005 and currently pending in the House)(addressing both the signature-gathering process and financial disclosures).

The Massachusetts legislative effort was sparked, in part, by widespread concerns about allegations of improprieties in connection with the gathering of signatures for the initiative petition that is the subject of this pending litigation. See "Tricks on Petitions Described by Worker - Student Employed to Gather Names," Kathleen Shaw, Worcester Telegram & Gazette, October 13, 2005 (www.knowthyneighbor.org/101305.html); "Supporters, foes of Gay Marriage Trade Dirty Trick Charges," Steve LeBlanc, Associated Press, October 18, 2005 (www.massequality.org/news/news_story.php?id=164); "Signature-gathering Fraud Charges Stir Call for New Laws,

⁸ One report of the experience outside Massachusetts is recounted in a Boston Globe opinion piece, Jeannie Berg, "Grassroots and Big Bucks," October 31, 2005.

Oversight," Amy Lambiaso, State House News Service, October 18, 2005 (www.massequality.org/news/news_story.php?id=163); "Marriage Petition Backers Answer Questions On Signatures," Christine Williams, The Pilot, October 28, 2005 (www.rcab.org/Pilot/2005/ps051028/marriagepetition.html).

As indicated in a January 26, 2006 letter of MassEquality to Secretary of the Commonwealth William Galvin, (www.massequality.org/Galvin.pdf), a "very limited review reveals significant fraud, bait-and-switch, forgery and deception with more than 2,000 voters reporting their signatures were misused or stolen."

C. The Popular Initiative Does Not Communicate Clear Voter Preferences While, At The Same Time, It Shortchanges The Democratic Values Of Deliberation And Accommodation And Can Lead to Divisiveness.

1. Voter Preferences.

Again, one of the assumptions of the proponents of the popular initiative was that outcomes would be clear, effectively translating voter preferences. However, experience has suggested otherwise. As Magleby concludes,

Once dropoff, voter confusion, and emotional reaction to media campaign are considered, it becomes difficult to impute a mandate of the people to a direct legislation election as to a statewide candidate election.

(www.boston.com/news/globe/editorial_opinion/oped/articles/2005/10/31/g_rassroots_and_big_bucks/).

Magleby 1984, p. 198.

Voter confusion - particularly about what a yes or no vote means - has been observed in some dramatic ways. In the 1980 rent-control initiative in California, Magleby found from cross-tabulating exit survey responses that "[o]ver three-fourths of the California voters did not match up their views on rent control with their votes on the measure." Magleby 1984, p. 144.

Dropoff of voters because of difficulty understanding propositions is also a factor:

Even on issues of direct relevance, such as a graduated income tax in Massachusetts, one-third of the voters in the lowest quartile of income reported that they would skip voting on the measure because the ballot was too long and difficult to understand.

Magleby 1995, p. 33; Magleby 1984, pp. 117, 144.

In short, "[f]or many voters, direct legislation can be a most inaccurate barometer of their opinions." Magleby 1984, p. 144.

2. Deliberation and Accommodation.

In addition to the serious question of whether ballot questions effectively translate voters' views, there are even deeper democratic concerns about how the popular

initiative serves the values of deliberation and accommodation.

In summing up deliberation in the popular initiative, Magleby's research led him to this conclusion:

[T]he data I have reviewed on voter decision making on direct legislation raise serious questions about the operation of that process. Voters rarely use more than one source of information, typically television; they rarely consult with others about the proposed legislation; and they often decide their vote late in the campaign or in the polling booth. There is voter confusion on ballot propositions generally because of the legal and technical language that is so much a part of direct legislation. In short, voters appear to reach their voting decision on most propositions with very little deliberation, discussion or study.

Magleby 1984, p. 187.

Perhaps even more important than deliberation is the principle of accommodation. However, the popular initiative forces an all-or-nothing decision in an arena where voters: (1) have no role in the drafting or compromising process; and (2) have no way to register any calibration in the intensity of their feelings or opinions about the issue proposed. Magleby 1984, pp. 184-185.

While the representative legislative process can weigh degrees of intensity of various views, facilitate accommodation and craft compromise,

[s]ubjecting an unlimited array of issues to popular vote has the detrimental effect of

intensifying preexisting differences. By their nature, referendum campaigns appeal to passions and prejudices, spotlight tensions, and result only in greater conflict and disagreement.

Magleby 1984, p. 185.

In short, conflict and divisiveness can easily be increased.

3. Divisiveness and its Effects.

The exacerbation of divisiveness is often true in the area of minority interests. See, e.g., id., p. 185 and Schrag, supra, p. 225 (both discussing race and commentary by Derrick Bell).

Issues relating to gay and lesbian citizens have also regularly found their way to the popular initiative in recent years, e.g., in 1978 and 1986 in California, in 1992 in Colorado and in 1992 and 1994 in Oregon. Magleby 1995, pp. 41-42. As Magleby notes, "[t]he California and Oregon measures were defeated by large margins, but the politics of these campaigns were divisive, reinforcing hostility between groups" Id., p. 42.

The consequences to the gay and lesbian community have also begun to be documented. One recent source, collecting and commenting on the literature is "The Dangers of a Same-Sex Marriage Referendum on Community and Individual Well-Being: A Summary of Research Findings," Angles, June 2004,

Vol. 7, Issue 1 (The Institute for Gay and Lesbian Strategic Studies) (www.iglss.org/media/files/Angles_71.pdf)

More particularly, there has been documentation of the connection between initiatives directed at the gay community and violence directed at the community.

In Massachusetts, the Fenway Community Health Violence Recovery Program (VRP) has been tracking reported incidences of violence against lesbian, gay, bisexual and transgender individuals since the late 1980's. The report for 2004 indicates a spike in violence in February and March of 2004, coinciding with the Constitutional Convention debating a response to this Court's Goodridge decision. (VRP Press Release at www.fenwayhealth.org/site/News2?page=Newsarticle&id=5061.)

In all, nearly one-third of the total reported incidents occurred in just those two months, months that typically show a low incidence of violent crime.⁹

Similar violence has been documented around the country. With the 1992 ballot initiatives in Colorado and Oregon, hate crimes against gay men and lesbians soared,

⁹ See "Anti-Lesbian/Gay Violence in 1995," (National Coalition of Anti-Violence Programs & NYC Gay and Lesbian Anti-Violence Project) [hereinafter "1995 Violence Report"], p. 29 (charting NYC and national anti-lesbian/gay violence and FBI statistics).

e.g., up 129% in Denver and with 968 incidents reported in Portland. 1995 Violence Report, p. 63.

Following campaigns, violence has declined. Following a ballot campaign in Oregon in 1994, reported violent incidents in Portland in 1995 dropped by 56%. Id., p. 15.

Between June and October 1995, the Maine Gay and Lesbian Political Alliance reported at least 10 known anti-gay incidents during the height of a ballot campaign. This compares to only four (4) reported incidents in all of 1994. See National Gay and Lesbian Task Force, Press Release, December 13, 1995 (www.thetaskforce.org/media/release.cfm?releaseID=235)

D. The Popular Initiative Has Not Suppressed The Power Of Special Interests.

Finally, a last assumption of the proponents of the popular initiative was that it would check the influence of special interests. Again, that goal has not come to pass. As noted in Section I.B.2., above, money and special interests are clearly in control of the all-important agenda-setting aspect of the initiative process. In addition, although spending on an initiative cannot guarantee its passage, disproportionate spending by opponents can "virtually guarantee" the defeat of a

measure. Magleby 1984, p. 147; Schrag, supra, p. 208; see also Magleby 1995, p. 39.¹⁰

Conclusion

For all of the foregoing reasons, the amici submit that, although the popular initiative is an accepted part of legal landscape in the Commonwealth, it has - like all aspects of our democracy - its liabilities that make it an imperfect vehicle for expressing the policy choices of the people. This Court is charged under Article 48 with a vital role in policing the initiative and referendum so that it comports with the will of the people who ratified it and gave it clear strictures - in no small measure because of the concerns that have, in fact, materialized over time and have been touched upon in this brief. The amici respectfully request that this Court reverse the certification decision of the Attorney General on Petition 05-02 and order that Petition 05-02 be excluded from the initiative process under the terms of Amendment Article 48 of the Massachusetts Constitution.

¹⁰ Massachusetts data on expenditures on ballot measures in 1998, 2000 and 2002 is available online from the OCPF at www.mass.gov/ocpf/homepage_studies.htm#BQ. That data indicates that spending reached almost \$10 million in 1998 on three questions, exceeding \$15 million in 2000 on six questions and was approximately \$2.3 million in 2002 on three questions.

Respectfully submitted,

AMICUS CURIAE

MASSEQUALITY, MASSACHUSETTS GAY
& LESBIAN POLITICAL CAUCUS, AND
THE FREEDOM TO MARRY COALITION
OF MASSACHUSETTS,

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DATED: March 1, 2006

CERTIFICATE OF SERVICE

I, Kevin P. O'Flaherty, Esq., hereby certify that I have this day served a copy of the foregoing BRIEF OF *AMICI CURIAE* MASSEQUALITY, MASSACHUSETTS GAY & LESBIAN POLITICAL CAUCUS, AND THE FREEDOM TO MARRY COALITION OF MASSACHUSETTS by e-mailing and mailing postage prepaid, a copy of the same to:

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Kevin P. O'Flaherty

ADDENDUM A

MassEquality

MassEquality is a coalition of local and national organizations defending equal marriage rights for same-sex couples in Massachusetts. MassEquality works to protect the Massachusetts Supreme Judicial Court's decision on marriage equality and to defeat any discriminatory amendment to the Massachusetts state constitution. MassEquality provides strategic focus, guidance, and political momentum to the movement for lesbian, gay, bisexual and transgender equality in Massachusetts.

Massachusetts Gay & Lesbian Political Caucus

The Massachusetts Gay & Lesbian Political Caucus, founded in 1973, seeks to advance the civil rights of the gay, lesbian, bisexual and transgender community. Its mission has included fighting discrimination in employment, housing, public accommodations, foster care and adoption, as well as seeking health insurance for domestic partners and the repeal of anti-gay sodomy laws in Massachusetts. Since the late 90's, MGLPC has focused its efforts on defeating anti-gay marriage laws and constitutional amendments.

The Freedom to Marry Coalition of Massachusetts

The Freedom to Marry Coalition of Massachusetts has worked since the 1990's in support of civil marriage rights for same-sex couples through grassroots education, advocacy, and lobbying. It believes that marriage rights are a central issue in the struggle for gay, lesbian, bisexual and transgender equality.