New England on the March
6 x ’12 – Nearly There and Going Strong

Last November, GLAD announced 6 x ‘12 – a campaign to work with our partner organizations to win marriage equality in all six New England states by 2012. Just six short months later, with Connecticut, Vermont, and now Maine and New Hampshire joining Massachusetts as marriage states, we are more than half-way there — and momentum continues to build toward equality across the region.

And according to the Boston Globe, “The presence of GLAD, based in Boston, might be the single biggest factor in the advancement of same-sex marriage through New England.” (May 11, 2009)

In fact, GLAD has been working hard in Maine, New Hampshire, Rhode Island, and Vermont, using a combination of legislative lawyering, public education, and organizational collaboration, to advance equality.

Where we are now:

New Hampshire: The New Hampshire legislature voted June 3 to pass a final marriage equality bill with an amendment confirming the state’s longstanding commitment to protecting religious liberties. Governor Lynch signed the bill into law the same day, making New Hampshire the sixth equality state in the U.S.

GLAD attorney Janson Wu worked with New Hampshire Freedom to Marry, writing testimony, consulting on legal issues, strategizing with legislators, talking to media, and leading public education efforts to get us to this point.

Maine
On May 6, Governor Baldacci signed marriage equality into law. This followed a fast-paced two weeks in which equality forces aced a public hearing, and won decisive votes in the Senate and the House. GLAD has been a leader (and hard worker) in Maine’s Freedom to Marry Coalition for the 3 years leading to this victory. We will continue to be a key player in fighting the upcoming attempt to recall the law by referendum.

Vermont
Behind the leadership of Vermont Freedom to Marry, Vermont became the third marriage equality state in New England, the fourth in the nation — and the first state to achieve marriage equality through a legislative victory. Same-sex couples can begin marrying in September, 2009. The Vermont group is led by Beth Robinson, who co-counseled with GLAD in the 1999 case, Baker v. Vermont – which led to civil unions, the first in the country.

Perhaps it is destiny that all of this should occur in the spring of 2009, which marks 5 years since Massachusetts same-sex couples became the first in the nation to legally marry – continued on page 8
From the Executive Director
Lee Swislow

While marriage equality bills have advanced at lightning speed through New England’s legislatures this spring, bills ensuring transgender rights and protections have had a harder time.

Because most people — including legislators and reporters — don’t know transgender people, it has been easy for opponents to fill that vacuum with disinformation. They have portrayed transgender citizens as criminals and predators, and have labeled non-discrimination bills “bathroom bills.”

Rather than discussing the extreme vulnerability of transgender people in housing, employment, in schools and on the street, our opponents have made the conversation about restrooms instead.

As a result, we saw transgender bills fail to pass in Connecticut and New Hampshire, while the Massachusetts bill’s future remains undecided as we go to press.

We have a lot of work to do to make transgender people real to the vast majority of people — including legislators and reporters — who don’t know them and find it easy to deny their humanity. That’s why GLAD, with the Massachusetts Transgender Political Coalition and MassEquality, produced the video “Everyone Matters: Dignity and Safety for Transgender People.”

In this video Dana, a software developer for Microsoft, talks about how being valued and protected at work makes her a better employee. Andrea, a firefighter, describes how when the alarm bells go off, she and her fellow firefighters are all part of one team. And Enoch, a professor, talks about how important his father’s acceptance has been to him.

In the course of advocating for these bills, of course we made progress. We introduced transgender citizens and the issues faced by them. We won many allies in the process, such as New Hampshire State Senator Jackie Cilley.

Speaking on the Senate floor to the bill’s opponents, Senator Cilley said, “You lost because your efforts to malign these citizens brought increased attention to this very real problem and many of us were unaware of the very real day-to-day challenges of a segment of New Hampshire’s population. I am determined to ensure their rights as a citizen, to live their lives, protect their jobs and keep their homes will succeed. And I know I am not alone.”

She’s not alone, nor are the transgender people of New England. GLAD will continue to work on these bills until that better world is achieved.
GLAD Challenges Federal Marriage Discrimination

Gill et al. v. OPM et al. Targets DOMA

GLAD is taking on the federal government’s discrimination against legally married Massachusetts same-sex couples in the first concerted, multi-plaintiff legal challenge to Section 3 of the so-called Defense of Marriage Act (DOMA).

Gill et al. v. Office of Personnel Management et al., filed March 3 in federal District Court in Boston, addresses the use of DOMA Section 3 to deny spousal protections in several federal programs, including Social Security, federal income tax, federal employees’ and retirees’ benefits, and in the issuance of passports.

“It’s time for the federal government to end its blatant double standard of providing rights and protections to all married couples except gay and lesbian married couples,” says GLAD Civil Rights Project Director Mary Bonauto. “Same-sex married couples have taken on the commitment of marriage, play by the rules, and pay into the system. But they are denied critical federal legal protections that form a safety net to support other married couples and their children.”

Passed in 1996, DOMA Section 3, limits the marriages the federal government will respect to those between a man and a woman. GLAD argues that this violates the federal constitutional guarantee of equal protection as applied to the federal programs at issue, and that DOMA Section 3 is an unprecedented intrusion by the federal government into marriage law, always considered the province of the states.

More than 10,000 Massachusetts same-sex couples have married since 2004, and not one has received a single federal benefit or protection available to all other married couples. As soon as couples started marrying, GLAD started hearing from couples who have been harmed and whose children have been harmed because of DOMA.

“After decades together, we were thrilled to be able to marry,” says plaintiff Nancy Gill, a postal worker married to Marcelle Letourneau, with whom she has two children. “But we were shocked when I applied to put Marcelle on my family health plan, and we were rejected. My employer, the federal government, doesn’t protect my family the same way it does my co-workers’ families. That’s not right.”

“Gerry and I spent 16 wonderful years together and I miss him,” says Dean Hara, the surviving spouse of late Congressman Gerry Studds, describing how the federal government’s denial to him of Gerry’s pension and health insurance added insult to injury at the most difficult time of his life. “These systems are set up to help married people with the sudden loss of their partner, but instead of helping me, it hurt me.”

In Gill, GLAD is representing eight married couples and three widowers, each of whom is currently eligible for and being denied benefits under a federal program that could make a substantial material difference in their lives. GLAD’s legal team is led by Mary Bonauto, GLAD Legal Director Gary Buseck, and Staff Attorneys Nima Eshghi and Janson Wu. Co-operating counsel on the case include Foley Hoag LLP (Boston), Sullivan & Worcester LLP (Boston), Jenner & Block LLP (Washington, DC), and Kator, Parks & Weiser, PLLC (Washington, DC).

Our plaintiffs are

Nancy Gill and Marcelle Letourneau (Bridgewater): Nancy, a postal worker for more than 21 years, is unable to provide for Marcelle the health benefits that her co-workers’ spouses readily receive. The couple has 2 children.

Dean Hara (Boston): The spouse of former Congressman Gerry Studds who died suddenly in 2006, Dean is denied Gerry’s congressional pension, health insurance, and other protections available to surviving spouses of federal employees.

Mary Ritchie and Kathy Bush (Framingham): Mothers of 2 school-age boys, Mary, a state trooper, and Kathy, a stay-at-home mom, have a harder time making ends meet because they can’t jointly file federal taxes. And Kathy would not be eligible for the full line-of-duty benefit for surviving spouses should Mary die while on the job.

continued on page 4
**Meet Plaintiffs Melba Abreu and Beatrice Hernandez**

Beatrice’s parents left Cuba for the United States before she was born, leaving behind everything to ensure a future of freedom and opportunity for their children. Melba left Cuba in 1979, in search of freedom and prosperity for herself and her future family.

Melba and Beatrice met in Miami in 1987. Soon after, they moved to New York where Beatrice was to attend college; and into their first small apartment together in Brooklyn. They sat on the hardwood floor of their new home and shared a bottle of wine while unpacking a box of dishes. That simple act marked the beginning of their commitment to each other, and they view that day as the beginning of their marriage.

“Our commitment was our bond. We knew that together we would bear witness to each other’s lives,” says Beatrice. “We legally married seventeen years later, on May 20, 2004. But despite our legal marriage, the federal government continues to deny us the protections that federal law provides to other married couples towards their well-being, security, and prosperity.”

Now living in the Boston neighborhood of Brighton, Melba is CFO of a non-profit that creates economic and educational opportunities to help people in need reach their dreams. Beatrice is a writer and web design consultant. The two share a love of baseball, a commitment to good food, and a passion for philanthropy. They dream of the day they can build a business and own a home together.

But because of the federal government’s discrimination and refusal to allow them to file their income taxes jointly, they have paid an extra $19,715 in taxes — money that would have brought them closer to their dreams.

“We are citizens of this country and we should be treated equally,” says Melba. “But the fact that we are legally married is not enough; that we contribute and pay taxes is not enough; that we are a family is not enough. We are part of the fabric of this nation and we just want to be treated equally.”
Select Youth and Student-related Cases

Jason H. v. Boston Public Schools
Victory, 1999
Representing a Boston student subjected to peer harassment, GLAD negotiated a settlement that included system-wide training and information regarding sexual orientation and the appointment of a support person in every school.

Doe v. Yunits
Victory, 2000
GLAD obtained a landmark ruling, in the first reported decision ever in a case brought by a transgender student, that a middle school may not prohibit a transgender student from expressing her female gender identity.

Parker v. Hurley
Victory, 2008
GLAD acted as an amicus in this case upholding the right of Massachusetts public schools to teach about all kinds of families, including lesbian and gay families.

Publications
Massachusetts Rights of LGBT Public School Students
Rights of LGBTQ Youth in Maine
Rights of LGBTQ Youth in Rhode Island
For more resources, visit www.glad.org/rights/publications

GLAD’s LGBT Youth Initiative

GLAD has long been deeply involved in the struggles faced by gay, lesbian, bisexual and transgender youth in a myriad of areas including in school settings, the child welfare system, and the juvenile justice system. GLAD has brought and won landmark cases on behalf of LGBT youth, and has also successfully intervened behind the scenes in response to harassment and discrimination. GLAD has helped to draft and champion youth-related legislation, and conducted numerous legal trainings for service providers.

To build on our existing experience and expertise, in 2008 GLAD commissioned a comprehensive LGBT Youth Needs Assessment covering the six New England States. Our consultant, Kim Westheimer, interviewed nearly 60 advocates and educators in Massachusetts, Connecticut, Vermont, Maine, Rhode Island and New Hampshire in order to gather the most current information about what LGBT youth in our region are experiencing in schools, the foster care system, and the juvenile justice system. GLAD attorneys also led several focus groups with LGBT youth including in Springfield, MA, Southern NH, and Boston. In these focus groups, we spoke with more than 50 lesbian, gay, bisexual and transgender youth who openly discussed a range of issues based on their personal experiences.

The results of the Needs Assessment serve to reinforce our view that LGBT youth continue to experience serious harassment and discrimination in schools, foster care, and the juvenile justice system. Schools still present a challenging environment for LGBT youth. For example, in some areas, students and supportive adults/educators meet resistance to the formation of GSAs—despite laws that require schools to allow such clubs equal access. Also, unchecked verbal and even physical harassment of LGBT youth in school settings is a chronic problem. Meanwhile, LGBT youth in the child welfare system routinely experience homophobia and hostility in their foster care placements—and are even told to “act less gay” by their own caseworkers. Finally, in the juvenile justice system LGBT-identified youth are often targeted for more severe disciplinary measures for minor infractions than their non-LGBT peers.

Thus, there is much to be done on the LGBT youth front. Youth advocates interviewed for the Needs Assessment unanimously supported the idea of GLAD deepening its involvement in these issues, and those who have turned to us previously for help reported that they were thrilled with the assistance GLAD provided. Armed with these results, and working collaboratively with allied groups, GLAD will identify critically important issues in selected New England locales where our legal expertise and leadership can make a difference. Over the next several months, GLAD’s legal team will thoroughly analyze the information and data contained in the Needs Assessment and develop an action plan for moving forward. Stay tuned for more on this important initiative!
The Time is Now for Transgender Rights

The LGBT and allied community is unified and energized around making transgender rights a priority across New England. In a difficult legislative session that has nevertheless resulted in laying substantial groundwork for passing non-discrimination and/or hate crimes laws in four states (see sidebar), the message remains clear – transgender citizens must have nothing less than full and equal civil rights.

“The focused legislative effort to pass explicit laws to protect transgender people is relatively new,” says Transgender Rights Project Director Jennifer Levi. “When Rhode Island added gender identity and expression protections to its laws in 2001, it was only the second state in the country to do so. Legislation was introduced in New Hampshire for the first time this session, and while the bill did not pass, we made tremendous progress. In Massachusetts, where ‘An Act Relative to Gender-Based Discrimination and Hate Crimes’ was introduced for just the second session, we have majority support in both the House and the Senate, as well as from the Governor and the Attorney General. We’ve seen unprecedented support around the bill in Connecticut as well. Not getting any of these bills passed this session was frustrating. On the other hand, we know that getting laws passed takes strategy, patience, and a lot of hard work.”

The experience in New Hampshire this session demonstrates the work necessary to educate legislators and the public, and also shows how that hard work can pay off. GLAD Attorney Janson Wu led efforts in partnership with PFLAG NH to organize the community, coordinate hearing testimony, and provide legal analysis and support material on “An Act Adding Certain Terms Regarding Non-discrimination to the Laws.” Supporters rallied after an initial vote of 181-149 against the bill in late March, and persuaded the House to reconsider the motion – which it did, ultimately passing the bill by a vote of 188-187 on April 8. “While the Senate ultimately failed to pass the legislation,” says Wu, “we had an unprecedented opportunity this session to educate legislators on the critical non-discrimination and hate crimes protections this bill will provide New Hampshire’s transgender citizens. We were able to hear their concerns and answer their questions. The groundwork laid this session puts us in a strong position to see the bill pass in the near future.”

Also evidence of the building momentum for transgender equality is the increase in opposition efforts. The issue is on the radar of national right wing organizations in an unprecedented way. Stepping up both their organizing and their rhetoric, the opposition held competing lobby days in Massachusetts and Connecticut, and has worked to drum up anti-equality hysteria by characterizing transgender rights legislation as dangerous “bathroom bills.” But the LGBT and allied community has shown a clear, coordinated strategy for countering such messages and demonstrating both the need and support for transgender non-discrimination legislation.

Visibility of transgender people is key to this strategy. At lobby days and hearings attended by hundreds of citizens in Connecticut, Massachusetts, New Hampshire and Rhode Island this session, transgender individuals spoke out about their own lives, family and friends shared the experiences of loved ones, and community members gave voice to the urgency of making transgender non-discrimination legislation a priority.

Experience clearly shows that when transgender people and our allies are visible and share their stories, community members and legislators begin to make the connection that this is a basic civil rights issue.

GLAD will continue to work with our partner organizations to fight for equal rights for transgender citizens throughout New England and the country. As Jennifer Levi says in GLAD’s new video Everyone Matters: Dignity and Safety for Transgender People, “We can do it. We can get state-wide non-discrimination laws passed. We can get a federal bill passed. And we’re all strengthened by having gone through that journey to get to the ultimate place where there’s comprehensive protections.”

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<thead>
<tr>
<th>Transgender Rights in New England</th>
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<tr>
<td><strong>Rhode Island</strong> passed transgender-inclusive non-discrimination legislation in 2001; hate crimes legislation is currently pending.</td>
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<tr>
<td><strong>Maine</strong> passed transgender-inclusive non-discrimination and hate crimes legislation in 2005.</td>
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<tr>
<td><strong>Vermont</strong> passed transgender-inclusive hate crimes legislation in 2004; non-discrimination legislation is pending.</td>
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<tr>
<td><strong>Connecticut</strong> passed transgender-inclusive hate crimes legislation in 2007.</td>
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<td><strong>Massachusetts</strong> a legislative hearing on “An Act Relative to Gender-Based Discrimination and Hate Crimes” is scheduled to take place in July.</td>
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<tr>
<td><strong>New Hampshire</strong> “An Act Adding Certain Terms Regarding Non-discrimination to the Laws” was introduced for the first time in 2009 and will be taken up again in a future legislative session.</td>
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Also see GLAD’s publication Transgender Rights Project in conjunction with Massachusetts Transgender Political Coalition (MTPC), and MassEquality, makes a powerful case for the passage of transgender-inclusive non-discrimination and hate crimes laws. The video is available online at www.glad.org/work/everyone-matters

Everyone Matters: Dignity and Safety for Transgender People, produced by GLAD’s Transgender Rights Project in conjunction with Massachusetts Transgender Political Coalition (MTPC), and MassEquality, makes a powerful case for the passage of transgender-inclusive non-discrimination and hate crimes laws. The video is available online at www.glad.org/work/everyone-matters
Léonie Walker and Kate O’Hanlan are true partners. Together for 23 years, the couple shares a professional interest – Kate is a renowned gynecologic cancer surgeon while Léonie produces an annual conference for gynecologic surgeons. They also share a passion for LGBT issues and a commitment to philanthropy.

“The issues we try to address through philanthropy aren’t solved only by philanthropy,” says Léonie, “but you need money to solve social problems, to fight for civil rights.” Activists as well as philanthropists, Kate works extensively in LGBT health advocacy and led successful efforts to obtain domestic partner benefits at Einstein College of Medicine in the Bronx and at Stanford University, where she served as Associate Director of Gynecologic Cancer Surgery for six years. Kate encourages others to take responsibility for the solution to the disparities in our rights, aware of the impact that denial of rights has on mental and physical health. Léonie currently sits on the board of the Horizons Foundation, and serves as an Advisor to the Civil Marriage Collaborative of the Proteus Fund.

GLAD is among several LGBT organizations the couple has supported since 1990, when they first began to formalize their philanthropic efforts. “GLAD was already well-established and doing important work,” says Léonie of their initial introduction to the organization. “We try to be strategic in our giving. And we know that the legal organizations are key to winning civil rights.”

Over the past 20 years, the couple has focused their giving on a range of issues including discrimination, hate crimes, youth, and, recently, marriage equality. “Marriage is not the only issue for our community,” says Kate, who legally married Léonie in Canada in 2003, though they feel they’ve been married for their entire 23 years together. “But marriage is a bellwether issue for our civil rights. It’s an issue of equality and fairness, of being treated just like everyone else.”

The couple has increased their strategic commitment this year by making a $100,000 pledge over four years to support GLAD’s DOMA challenge. While the couple has lived in California for nearly 20 years, and is active in the fight for marriage equality there, the decision to make such a significant gift to an organization focused on New England was not a difficult one. “It didn’t take us long at all to decide to do it. California is important, but it’s not the only state fighting this important battle,” says Léonie, citing the national relevance of gaining marriage equality in places like New England and Iowa. “GLAD has a clear campaign, a clear vision and long-term strategy, and a series of successes under its belt. There was no question. It was an easy investment to make in our community’s future.”

Likewise, the difficult economic climate hasn’t lessened the couple’s commitment to giving; if anything, it’s strengthened it. “For those of us who are capable, instead of looking at sinking portfolios, sinking 401ks, we need to realize that we’re in our 50s, we can sacrifice elsewhere and keep giving,” says Léonie. “We’re not going to pull back on our 20-year investment in our rights. This work for equality is in an accelerated phase now. This is our moment.”

And according to Léonie, there’s no question that the payoff will be worth it. “We have this momentum for marriage equality now. We’re at a tipping point. I’m 51 and a half years old, and I expect I will see full federal marriage equality in my lifetime.”
 Welcome New Board Members

Marianne Monte

Marianne Monte is Director of Human Resources for Hanover Insurance Group in Worcester, MA. She is a graduate of Providence College, and received her J.D. from Suffolk University Law School. Marianne brings over 15 years of Human Resources experience to the board, and currently serves as Secretary of the Board for The Genesis Center in Providence, RI. She is also a former member of Out and Equal and published a piece for the Northeast Human Resources Association titled, “Best Practices for GLBT Employees”.

Richard J. Yurko

Richard Yurko is the founder and former Managing Shareholder of Yurko, Salvesen & Remz, P.C, a business litigation boutique based in Boston. He is a summa cum laude graduate of Dartmouth College, and he received his J.D. with honors from Harvard Law School, where he served as the Senior Projects Editor for the Harvard Civil Rights - Civil Liberties Law Review. Rich and his husband of four years, Rob Leary, live in Ogunquit, Maine, where they own The Morning Dove B&B and Katie’s Restaurant on Shore Road. Rich and Rob have three grown sons.

 Welcome New Staff

Jacob Barela, Special Events Assistant

Originally from Southern Idaho, Jacob first came to GLAD as an intern during the summer of 2008. He is currently a 3rd year student at Emerson College with a major in Political Communication and a minor in Women’s & Gender Studies. Jacob is highly involved with the Multicultural Student Affairs office at Emerson, where he works to educate campus student organizations on diversity issues. He is thrilled to be at GLAD and plans to continue working within the Queer community after graduation.

Laura Hill, Development Assistant

Laura joined GLAD in 2008 after graduating from Wellesley College. She left in the fall to begin her Ph.D. in English and American Literature at Brandeis University, and began work again as a part-time development assistant this May. She is very excited to be back at GLAD.

New England on the March

continued from page 1
This year’s Winter Party featured remarks from GLAD’s DOMA legal team and several Gill et al. v. Office of Personnel Management et al. plaintiffs. Thanks to all who attended!

Photos: InfinityPortraitDesign.com

Kurt Weidman, Barry Field, and Plaintiff Dean Hara

Scott Squillace, Board Member Peter Epstein, John Lam, and John Ruggeri

Marie McRae, Board Member Joanne Herman, and Terry Fallon

Attorney Mary Bonauto with Judah Dorrington and Laverne Saunders
Connecticut: Making History, Changing Lives
March 22, 2009


Photos: Robbie Samuels

Summer Party
Saturday, July 25, 2009
4:00 - 7:00 PM
Pilgrim Monument and Provincetown Museum
Provincetown, MA

Tickets $60
(children welcome at no charge)
Purchase now at www.glad.org
Five years ago, a revolution started in Massachusetts. On May 17, 2004, the first same-sex couples ever to marry in the United States stood in houses of worship, backyards, town halls, and said “I do.” Five years later, over 16,000 same-sex couples have married in Massachusetts and five more states have adopted full marriage equality – Connecticut, Vermont, Iowa, Maine, and New Hampshire. Marriage bills are moving forward in numerous states, and 18,000 couples married in California before Proposition 8 brought marriage equality to a halt there.

GLAD congratulates and celebrates the loving, committed couples who have joined in marriage in the past five years with a special online photo exhibit What Marriage Equality Looks Like at www.glad.org/marriage-album.