

Elaine's Opening Speech
The Status of Lesbians in California
July 26, 2007 CCSW

Before I start there is one glaring mistake on my part in the 21st Century Family front page. At the bottom I left out a critical part of the line, where it says "in California no appellate court has ever..." Please add to the front of that Before 2005, in California, no appellate court " The good news is, those Supreme Court cases were won in 2005.

In the interest of keeping this running on time I have asked the presenters to read their presentations and the staff to give each presenter a gentle reminder of when their ten minutes is up. I'd also like to ask the commissioners to please write down your questions as we go along and hold them until the end if at all possible. I will open with a five minute statement then introduce the speakers. Then I'll close with a ten minute presentation that will include the legislative requests that we are asking your support for, to be voted on at a later date.

I know that the Status of Lesbians is of little or no interest to most people, but I am hoping to challenge the people who are listening to think a little differently, to consider the possibility that the Status of Lesbians IS the Status of Women, and that the institutionalized discrimination of lesbians and gays is a form of sexism that seeks to control anyone who steps out of their narrowly defined male and female roles.

I want to acknowledge the Commission for it's longtime support of gay rights. Your actions give hope to future generations of LGBT people that one day - hopefully soon - this state and this country will judge us as individuals, on the content of our character instead of on the sexual orientation that we were born with.

I am so grateful to have been born and raised in California, where diversity is celebrated. It is a National disgrace that many good, decent people across America are not so fortunate to have progressive leadership like we do in California. Because of superstition, myth, and legalism that masquerads as faith, many live in the fear of losing their families, their jobs, their children, their housing, their military career, or their physical safety just because,

through no intelligent design of their own, they are attracted to someone of the same sex.

I sit on this commission appointed by the Governor, who himself has a long history of supporting lesbian and gay rights, and yet I still do not share equal civil rights with any of you that I serve with. It is illegal for me to be married to the person that I love. I am told that my ability to create a family and who I love doesn't measure up to a heterosexual's divine privilege. I am told that marriage is for the purpose of natural procreation, and yet I see many people who are married who do not intend on having children, and many others who need unnatural help from science to have babies. I am told that if I were allowed to be married the sanctity of all marriages would be threaten, yet I don't have a right to be married and there's already a 50 percent divorce rate so something IS threatening the sanctity of marriage but it's not me. Why isn't anyone suggesting a Constitutional Amendment against adultery, which seems to be a much more present danger to the security of families?

When I ask for equal civil rights, I am treated as if I am being uppity, asking for too much and not- behaving. People do not hesitate to tell me to my face that homosexuals like myself are neither morally fit nor spiritually worthy of sharing equal civil rights with them. My reply is, please, feel free to bar me from your church, that is your private institution's right, but DO NOT dare to think that you can bar me from the civil equality that my citizenship and the Constitution of the United States entitles me to.

In 2003 the Supreme Court ruled that all sodomy laws were unconstitutional - sodomy is defined as ANY non-procreative sex, including, but not limited to, oral sex between opposite sex couples or same sex couples. Specifically, Justice Kennedy, writing for the majority, held that the "liberty" interest in privacy protects a right for adults to engage in private, consensual homosexual conduct. I quote, "The petitioners are entitled to respect for their private lives. The State cannot demean their existence or control their destiny by making their private sexual conduct a crime. The right to due process gives them the full right to engage in their conduct without the intervention of the government. It is the promise of The Constitution that there is a realm of personal liberty which the government cannot enter. In particular, the community's moral disapproval of homosexuality was no rational justification for deploying the power

of the state to enforce those views."

Homosexuality is not a crime. By what logic then do so many heterosexuals, most practicing the exact same sexual behaviors that most homosexuals engage in, impose their moral disapproval by demanding that the state enforce their personal or religious prejudice against us? It smacks of classism. And by what rational does the state justify it's continued practice in institutionalizing discrimination against it's gay citizens? Because the majority of people don't want us to be equal? By that logic black would still be segregated.

We want to be married and build families and we are told that we are wrong. We want to serve in our military during a time of war and we are told - only if we lie. We want to be counted as valued members of society and we are told that we are a minor special interest group of no consequence.

Yet, according to the U.S. Census 2000, there are more gays and lesbians living in California than in any other state. Based on the government's VERY conservative estimate of 3.7% of the population, in 2006 there were 1,300,000 lesbians and gays living in California. There are over 90,000 same sex couples in California, 70,000 California children are being raised by gay or lesbian parents. There are over 136,000 gay and lesbian veterans in California. 65,000 of us are serving in active military duty and in the reserves, and according to the marketing firm Witeck Combs Communications, the consumer buying power of gays and lesbians nationally is 681 billion dollars. We are no minor special interest group.

On that note, I want to introduce you to some extraordinary women who are actively fighting on the front lines of civil rights for ALL women in this state. Each of them could easily do a hour on their own but today we are only going to give you a brisk overview of some very compelling issues. Who is doing the timing?

INTRODUCTIONS

Retired Navy Commander Zoe Dunning has the distinction of serving as the only open lesbian in the military, having challenged the military's policies prohibiting the service of gays and lesbians back in 1995. The basis for her legal defense was subsequently made void by the Department of Defense, thus making her case a rare exception to the thousands discharged under Don't Ask Don't Tell.

After 22 years of service, Commander Dunning retired this past June and currently works as an organizational consultant specializing in change management. She has a BS from the United States Naval Academy, and MBA from Stanford University, and is the co-chair of Servicemembers Legal Defense Network's Board of Directors. She speaks around the country advocating for the freedom of lesbians and gays to serve in the military, and currently lives with her partner, Pam Grey, in Alameda, CA. It is my honor to introduce you to, Zoe Dunning.

Since 2001, **Therese Hughes** has provided Government Relations, Advocacy and Legislative Analysis strategies for the Venice Family Clinic, the largest family clinic in the United States. In 2005 Therese was appointed by U.S. Comptroller General David M. Walker for a two year term on the congressional created Wyden-Hatch Citizens' Health Care Working Group whose report was presented to the U.S. Congress and President G.W. Bush in 2006. She holds a MAUP from UCLA and a BA from Cal-State LA. She is a consultant to develop health care strategies with the City of West Hollywood's Lesbian Visibility Committee and was an inaugural year Fellow for the Women's Policy Institute sponsored by the California Women's Foundation. Therese Hughes....

Deborah H. Wald is the founder of the Wald Law Group, specializing in Family Formation, Adoption, Divorce and Dissolution law services, with an emphasis on LGBT families. She has been an adjunct professor at Golden Gate University and the University of San Francisco law schools where she recently designed and taught her own course entitled, "Topics in Contemporary Family Law." Ms. Wald is also an experienced criminal defense attorney, focusing primarily on indigent criminal appeals. She was a founder of Women Defenders, on the boards of Our Family Coalition, as well as Circulo de Vida - which provides Spanish-language support services to Latinos with cancer. A graduate of Northeastern University School of Law in Boston, Ms. Wald resides in San Francisco with her partner of 25 years and their two sons. I am pleased to give you, Ms. Deborah Wald.

Ivy Bottini, is a living legend in the gay and lesbian community and in women's rights movement. She is one of the founders of the first chapter of the National Organization of Women and it's New York Chapter President from 1968-1970. She designed the first NOW

logo which they use to this day. Ivy created Feminist Consciousness Raising as a concept then a created a seminar about it and traveled around the country in the late 1960's teaching women all across America to think for themselves. In 1970, under Ivy's leadership as NOW President, a group of women took over the Statue of Liberty, hanging a banner from her that read "Women of the World Unite!" they held the Statue captive for three hours. In 1978, she was Deputy Director of the "Briggs Initiative - No On 6" campaign, which would have required homosexual teachers and anyone who spoke in their defense to be fired. In 1981 she was the first out lesbian to be appointed to a California Commission when Governor Jerry Brown appointed her to the Commission on Aging. She is a founding member of AIDS Project Los Angeles, the LA Lesbian and Gay Police Advisory Task Force, organized and headed the 1986 March on Sacramento, was a four term President of the Los Angeles Stonewall Democratic Club, in 1998 was appointed to the West Hollywood Lesbian and Gay Advisory Board where she still is. In 2006 she was Senator Sheila Kuehl's Woman of the Year, and inducted into the California Woman's Museum honoring remarkable women in our state and this past March 2007, Ivy saw her long time efforts toward a Gay and Lesbian Elder Housing Project realized when "Triangle Square", a 104 units of affordable elder housing opened in Hollywood. It is my privilege to know this woman who is tireless in her advocacy for women and the LGBT community. I have never met a person who I admire more. It is my great honor to introduce you to, Ms. Ivy Bottini.