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Gays hope to gain from new political scene

With signals of support from Obama, groups want to keep fostering grassroots efforts for equal treatment.

By Karen E. Crummy
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Despite a year of disappointing electoral setbacks on the issue of same-sex marriage, political organizers in the lesbian, gay, bisexual and transgender community see fresh opportunities in their quest for equal treatment.

Not only are more states including them in civil-rights protections, but President Barack Obama has signaled he is more supportive of LGBT rights than his predecessors.

As a result, leaders of the movement intend to expand upon what has worked in the past: building national political power from the ground up by seeking policy changes at the state and local levels.

They also are working with the Obama administration, which, among other things, supports employment nondiscrimination laws and hate-crime statutes that protect gay and transgender people, as well as the repeal of the Defense of Marriage Act and elimination of the military's "Don't Ask, Don't Tell" policy.

"There has been incredible progress in the last 15 years, and the movement is maturing. Across the country, fundamental fairness protections have been passed," said Fred Sainz, vice president of communications at the Colorado-based Gill Foundation. "At the federal level, things may move quickly because changes won't necessarily happen by congressional action. It may be by executive order or by a Cabinet secretary."

The status of LGBT political efforts will be among the hottest topics at this week's Creating Change conference, which is expected to draw nearly 2,000 people to Denver this weekend.

Last year, voters in California, Florida and Arizona backed same-sex marriage bans. In Arkansas, voters passed an initiative that prohibits gay couples from adopting children or being foster parents.

The defeats re-energized the LGBT community, said Sainz and others. And they are prepared to build upon gains they have made in the past few years.

For instance, both Connecticut and Massachusetts permit gay marriage, and 10 states have some type of relationship recognition laws, such as civil unions.

Progress at state level

At least 26 states permit second-parent adoption, which allows a gay person to adopt their partner's child, and 20 have some type of prohibitions for discrimination based on sexual

orientation and, in some cases, gender identity/expression. Many states also have laws protecting gay, bisexual and transgender people from bullying and harassment in schools.

"Once you have these type of protections for a while in a state, it becomes a nonissue. And that's the best way to get rid of bigotry," said Mindy Barton, a legal director at the Gay, Lesbian, Bisexual and Transgender Community Center of Colorado.

In a poll commissioned by Gay & Lesbian Alliance Against Defamation in December, 19 percent of those polled reported that their feelings toward gay and lesbian people have become more favorable over the past five years. And 75 percent supported marriage or civil unions for gay couples.

These successes are chalked up to a number of factors, not the least of which is a shrewd and well-organized grassroots strategy. Leaders target state and local races primarily for two reasons: one, taking out an anti-gay-rights elected official at that level likely removes them from later reaching a federal office; and two, states and local governments decide day-to-day and quality-of-life issues.

State legislators and city councilors also tend to be more moderate than their federal counterparts, and LGBT representatives can usually reach out to them on a more personal level, said Gary Mucciaroni, author of "Same Sex, Different Politics: Success and Failure in the Struggles Over Gay Rights."

"Legislators aren't in a bubble. They have friends and family who are gay or lesbian. The issues can be humanized and brought down to a concrete level . . . instead of being characterized as endorsing a lifestyle," Mucciaroni said.

In places like Colorado and New York, openly gay millionaires went after both state and federal candidates perceived to be anti-gay, ousting them from office. Other well-heeled donors contributed millions to defend or construct Democratic majorities in state legislatures across the country.

Success at one level often breeds success at another.

"When you go to members of Congress about federal changes for equality, they know that the cities and towns in their states have worked hard to get those protections already in their district," said Rea Carey, executive director of the National Gay and Lesbian Task Force.

Still losing battles

Despite being heavily outspent, however, opponents of gay-rights measures are often still winning.

"We find that when we get the message out at a grassroots level and people have all the information, they vote against special rights" for the LGBT community, said Jim Pfaff, former president of Colorado Family Action, the political arm of Focus on the Family.

Even so, Carey and others see the potential for significant strides in the next few years. The White House website lists eight policies on its agenda for the LGBT community that range from providing federal legal rights and benefits to same-sex couples in civil unions to expanding adoption rights for gay couples.

And Carey's group, along with 19 others, put together an 80-page document of proposed policy changes and gave it to the Obama transition team during a December meeting. The recommendations encompass everything from changing State Department rules so partners of gay foreign officers can receive the same benefits as straight, married spouses, to applying the federal domestic violence and stalking law to situations where the offender and the victim are the same gender.

The LGBT community is also talking about the issues pragmatically, discussing how their advancements benefit not just themselves but society as a whole.

"To remain competitive with the private sector and retain and attract employees, the federal government needs to have full benefits for domestic partners," said Colorado U.S. Rep. Jared Polis, who is openly gay. "We need more people in the military, but instead we are kicking perfectly capable men and women out because they're gay. This is a national defense issue."