

Gay and Lesbian Activists Alliance of Washington, DC 2013 Questionnaire for D.C. Council Candidates

MARRIAGE AND FAMILY

1. In the event of congressional action leading to a ballot initiative in the District that would take away the civil marriage rights now enjoyed by same-sex couples, will you publicly oppose the initiative and defend civil marriage equality?

Yes. I fully support equal marriage rights for same-sex couples. I supported a unanimous ANC 3E resolution in favor of bill 18-482, The Religious Freedom and Civil Marriage Equality Amendment Act of 2009. If I were on the Council in 2009, I would have voted for it.

We cannot afford to take steps backward when it comes to the basic rights and protections of our citizens. I would actively oppose and initiative to reverse our marriage equality act, and I would look to the GLAA and LGBT community as partners in crafting and implementing an effective political and legislative strategy.

2. Will you support Bill 20-0032, the Surrogacy Parenting Agreement Act of 2013, to legalize surrogacy agreements in the District and protect all parties to such agreements?

Yes. Starting a family should never be a crime.

PUBLIC HEALTH

3. Will you support legislation giving the directors of the Office of GLBT Affairs and the Office of African Affairs the authority to issue competitive grants as other minority constituent offices have, that will be open to organizations serving the populations within the offices' purview?

Yes. All of the minority constituent service offices should have the same authority to make grants.

4. Will you defend the District's hard-won and life-saving medical marijuana program against attacks or further restrictions, whether from Congress, federal officials or D.C. officials?

Yes. Medical marijuana in the District should become available this year. Despite obstacles from local advocates, the majority of cultivation and distribution centers seem to be on track to open. The pharmacy model that the District has pursued, thanks to Councilmembers Mendelson and Catania, has a strong chance of success without bringing federal interference.



The strict regulations prohibiting recreational use are our best chance to keep federal authorities from cracking down on the program. I will meet with federal authorities, including the U.S. Attorney, to ensure continuation of the program.

Opposition from local groups will have to be dealt with in a case-by-case way.

5. Describe steps you will support to improve performance at the HIV/AIDS, Hepatitis, STD, and TB Administration (HAHSTA), including in HIV prevention, HIV/AIDS surveillance, and mental health services.

The HIV/AIDS, Hepatitis, STD, and Tuberculosis Administration (HAHSTA) has greatly improved over the past several years, thanks to new leadership and aggressive oversight from the Council, especially Committee Chair, David Catania. The push to make testing for HIV a standard part of healthcare, much as cholesterol testing, is the right way to go, but it falls short in follow up steps. The CDC, looking at national numbers in 2010 and not DC specific, 80% of people with HIV had been diagnosed. Approximately 77% of people with an HIV diagnosis were linked with care, and only 51% stayed in ongoing care. Of these, 89% had been prescribed antiretroviral therapy (ART). Of these, 77% had a suppressed viral load. The result of these diminishing numbers is that 28% of people with HIV in the U.S. have suppressed viral loads, "in large part because only approximately 41% are both aware of their infection and receiving ongoing HIV care."

In each of these steps, we must do better. In addition to making HIV testing routine, and reducing stigma, HAHSTA needs to link people who test positive with care, ensure that care continues, and assist with medication adherence. Not everyone will need the same level of intervention. Some people have private doctors that they see regularly, can manage their treatment without assistance, and keep their viral loads undetectable. These people will not benefit from additional aid from HAHSTA. Far too many others will need different levels of help. HAHSTA cannot do this on their own, but they can work with doctors, clinics, urgent care centers, hospitals and other healthcare professionals to make sure that no one goes with healthcare, or fails to adhere to their regimen. Fortunately, advances in HIV treatment have made standard care one pill, once a day. This eliminates complicated schedules and many adherence problems.

Many people will only be comfortable with healthcare in their community. HAHSTA needs to do better work with specific communities (e.g. transgender, Vietnamese, sex workers, Eritrean, seniors, gay, lesbian, etc.) Community based HIV prevention has been shown to be one of the most effective. Some of these community-based efforts may not be something HAHSTA itself organizes, but rather they need to work with constituent service offices and community organizations such as the DC Center and Casa Ruby. The DC Office on Aging has announced the formation of a Therapy Group for LGBT Senior Citizens. This is a good opportunity for HAHSTA to work with the Office on Aging to reach a group that they might not otherwise find.

HAHSTA also needs to ensure that the range of issues that prevents access to care are met through coordination with other agencies or creating internal expertise. Drug addiction,

homelessness, mental health issues, etc. may be beyond HAHSTA's scope or expertise, but all need to be dealt with to effectively treat HIV as a community problem.

HASTA has gained support from the George Washington University with epidemiology, with has greatly improved our ability to track and monitor the progression of the epidemic. HAHSTA and many other agencies should look for partnerships with the many schools and universities in the District for help with any number of activities where academic programs and/or interns can be matched up.

PUBLIC SAFETY AND JUDICIARY

6. Will you press for increased oversight of the Metropolitan Police Department's gathering and analysis of crime statistics to ensure greater comprehensiveness and objectivity, including transgender-related hate crime data?

Yes. Failure to properly document crimes, especially hate crimes and domestic violence, which can easily be recorded as something else, MPD, the Council, and the public cannot learn the actual extent of these crimes, or whether there are any patterns to the crimes. Identifying crime patterns is key to police intervention to prevent crime. Incomplete or inaccurate data leave the police in a position of only being able to respond to incidents, usually after they have occurred.

Comprehensive and objective data will also let us see where our criminal justice system is failing, if it is. Are crimes being properly classified, charged, prosecuted, or sentenced? Failure at any early step will reduce the effectiveness of later steps. It is reasonable to expect the number of incidents to drop off at each point as the particular events dictate, but we should be able to track any crime from beginning to end to see if law enforcement or the judicial system are working for our best interests.

The anti-bullying law, not yet implemented, may help reduce bias-related crimes. However, many D.C. residents and visitors come from other states or countries where human rights are not well respected, especially related to sexual orientation and gender identity and expression. Those people who do not receive the benefit of the anti-bullying law, or similar acculturation, are going to be harder to reach. We need to look for opportunities to educate potential attackers and prevent hate crimes.

Training of MPD officers, and other law enforcement agencies, on the cultural differences in various groups in the community may also help prevent bias-crimes in the first place. It would certainly benefit the police in professionally handling situations.

7. Will you support funding for MPD to hire or contract qualified trainers to provide LGBT inclusive cultural competency training including the handling of intimate partner violence?

Yes. The Metropolitan Police Department must be trained and ready to respond to all manner of calls. Same-sex domestic violence situations should be a routine training situation, and not dependent on volunteers. The recent Gallup Poll that found that 10% of all District residents identify as LGBT and that 75% of GLLU cases involve intimate partner violence, shows the clear need for appropriate training. Professional trainers should have cultural competency with the of the LGBT community. If they don't have that competency, they should be replaced.

Funding may not be the most important thing with the training. We also need sensitivity to LGBT issues from the leadership in order to ensure continued confidence in the MPD. I will work with agency leadership to ensure that training is part of the curriculum, including ongoing or refresher training.

8. Will you support legislation to repeal the so-called Prostitution-Free Zone (PFZ) law, which facilitates anti-transgender profiling?

Yes. Prostitution free zones are unconstitutional and not used by the police in law enforcement. Our PFZ law is essentially an anti-loitering law that singles out groups based solely on their appearance and the biases of the police officers. The potential for abuse and profiling is rife. Our laws should not reinforce or illicit irrational biases of the police and promote unprofessional behavior. The effect of the PFZ is pushing people into less safe neighborhoods, instead of focusing on crime prevention in those neighborhoods. Moving quality of life nuisances from one neighborhood to another fails to address underlying problems that include poverty, drug abuse, and other social problems.

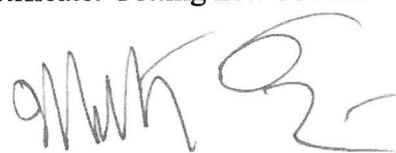
HUMAN RIGHTS

9. Do you agree that the Director of the Office of Human Rights should be required to have professional training and experience in civil rights law enforcement?

Yes. A lack of qualification standards in any appointed position leads, founded or unfounded, to charges of cronyism. The suggestion of unethical behavior undermines the effectiveness of the appointee and the administration and reflects poorly on the Council. Minimum educational and experience are routine for most jobs. Education and experience in human rights law is not easily found in other professions or legal specialties. Claims of discrimination can be very emotional for all parties and decisions are very sensitive. Errors from lack of expertise are not acceptable.

10. Will you support legislation to allow the issuance of new birth certificates for individuals who undergo treatment related to gender transition, end the requirement for publishing notice of a name change in the newspaper, and allow issuance of new birth certificates via administrative process instead of a court order?

Yes. Issuance of new birth certificates is a simple function for the D.C. government. There is no governmental reason to issue amended instead of new birth certificate. Getting new documents



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after gender transition should be a basic administrative function that should be no more complicated than getting a new drivers' license. The requirement to publish notices in a newspaper is an anachronism that predates the Internet. If the goal is to avoid fraud, then the D.C. Government should maintain a website with name changes that rotates off older changes. For these reasons, I would support the "JaParker Deoni Jones Birth Certificate Equality Amendment Act of 2013" introduced by Councilmember Catania that would align our procedures with those of the U.S. State Department in such situations.

YOUTH AND SENIORS

11. Will you oppose both federal and local voucher programs that fund students in religious schools that are beyond the protections of the D.C. Human Rights Act?

Yes. Schools that accept government funding should be subject to all of the laws and regulations that apply to every contractor. As religious schools are not subject to the D.C. Human Rights Act we should view them as ineligible for funding and contracts.

The D.C. Opportunity Scholarship Program is a federal program that has been passed by the Congress over the wishes of many of the residents of the District. As we do not have voting representation in the Congress, and especially since this program has not been forced on any other jurisdiction, it should be viewed as a violation of our self-government. This also puts it beyond the Council's direct control. We can only appeal to the Congress to end the program. I will ask members of the Congress to vote against the program, and oppose any local voucher program.

12. Will you support legislation to ensure equal Medicaid spousal impoverishment protections for same-sex partners, including providing local funding to pay for benefits that are denied at the federal level due to the anti-gay Defense of Marriage Act?

Yes. The District should take advantage of the discretion allowed to offer the of Medicaid's spousal impoverishment protections to same-sex partners as Massachusetts has done in the MassHealth Equality Law.

The DHH's Centers for Medicare & Medicaid Services letter to state medical directors, referenced in Agenda:2013 in footnote 80, states " A State can have a policy or rule not to pursue liens when the same-sex spouse or domestic partner of the Medicaid beneficiary continues to lawfully reside in the home."

Whenever possible, D.C. should mitigate the problems caused by discrimination such as is created by the Defense of Marriage Act (DOMA).

Hopefully DOMA will not be upheld by Supreme Court. The lawsuits seeking to find the third section of DOMA unconstitutional. The President, a Constitutional scholar, and the Attorney



General have both found DOMA to be unconstitutional and will not defend it in court. Hopefully, the Supreme Court will agree.

While there is likely a financial impact to these measures, it is unlikely to be substantial, and it will be similar to the expense that we will incur once DOMA is no longer the law.

CONSUMERS AND BUSINESSES

13. Do you support the right of adults in the District to choose adult-oriented entertainment for themselves, and the right of appropriately licensed and zoned businesses to provide it, without excluding any ward?

Yes. The District provides a wide range attractions and entertainment for residents and visitors. Adult entertainment is a part of the range of attractions and should not be curtailed. Licensing, particularly through ABRA and DCRA, and zoning are important mechanisms for regulating businesses. This is a process that should not be by-passed. The laws and regulations of the District should protect both businesses and the community. Involvement that unbalances the process is inappropriate.

14. Will you support legislation to eliminate legal standing for ad hoc protest groups and citizens associations in liquor licensing cases, to permit input by all community stakeholders via the great weight already accorded Advisory Neighborhood Commissions?

Yes. I serve as an ANC commissioner and do believe there is a special duty associated with the role of the ANC to represent the community as a whole and the city as a whole that should result in the input of the ANC being accorded great weight. As such, differentiating between the standing of the ANC and other unelected groups makes sense to me. That is not to say that the voices of such groups should not be heard at all and should be afforded no weight. Rather, while they may be heard, the views they express should not carry the same weight as the ANC.

15. What will you do to provide alternatives to incarceration for marginalized and at-risk populations like homeless youth and transgender people who resort to prostitution for survival?

People who resort to prostitution for survival are not going to be deterred by the risk of criminal arrest or incarceration. Nor will the situations that drove them to survival prostitution be relieved by incarceration or the stigma associated with a criminal record. Instead of focusing on the law enforcement aspect, we need to look at ways of preventing the circumstances that lead a person to think that prostitution is their only option. Drop-in centers like Casa Ruby, transitional housing, such as the Wanda Alston House, job training and educational programs, counseling, addiction recovery programs, mental health services, and STD testing and treatment. All of these services must be available to people who need multiple services. People with limited options



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frequently have multiple problems. These programs also need to be available for at-risk populations with cultural competency in those populations.

Your record is part of your rating. Please list any actions that you have taken that may help illustrate your record on behalf of lesbian, gay, bisexual and transgender people.

ANC 3E, on which I serve, unanimously passed a resolution in favor of marriage equality on May 14, 2009-. The resolution was submitted as part of the official testimony on Bill 18-482, The Religious Freedom and Civil Marriage Equality Amendment Act of 2009.

http://anc3e.org/docs/resolutions/2009/09-05-28_Marriage_Equality_Resolution_and_Cover_Letter.pdf

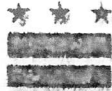
<http://anc3e.org/docs/meetingMinutes/2009/2009-minutes-05.pdf>

Your answers should be typed on separate paper rather than on this form. *You must sign your name on each answer sheet to indicate your personal commitment to your answers.*

Please return your signed questionnaire responses by Thursday, March 7 to GLAA, P.O. Box 75265, Washington, D.C. 20013.

In addition to sending your signed hard copy, please email a copy (in any major word processor or text format) for loading on GLAA's website (www.glaa.org) to equal@glaa.org. Thank you.

amw



ADVISORY NEIGHBORHOOD COMMISSION 3E

TENLEYTOWN AMERICAN UNIVERSITY PARK FRIENDSHIP HEIGHTS
c/o Lisner-Louise-Dickson-Hurt Home 5425 Western Avenue, NW Washington, DC 20015
www.anc3e.org

May 28, 2009

BY FIRST CLASS MAIL AND E-MAIL

Hon. Vincent C. Gray
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Suite 504
Washington, DC 20004

RE: Resolution Regarding Marriage Equality

Dear Chairman Gray:

I am pleased to transmit to you the above-referenced resolution, which was co-introduced by all five members of ANC 3E, and approved by a 5-0 vote.


Please do not hesitate to contact me if you have any questions about the resolution.

Sincerely,

JONATHAN BENDER,
CHAIRPERSON

Enclosure

cc All Council Members (by e-mail only)





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RESOLUTION REGARDING MARRIAGE EQUALITY

WHEREAS, the right to have one's bond of marriage recognized by the government is a fundamental right and a matter of basic human dignity; and

WHEREAS, the law of the District of Columbia does not recognize same-sex marriage; and

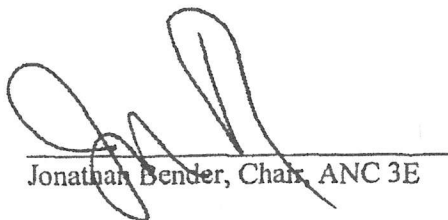
WHEREAS, the right to marry is a civil liberty,

THEREFORE, BE IT RESOLVED that ANC 3E urges the D.C. Council to introduce legislation, as soon as practicable, recognizing the right of same-sex couples to marry in the District of Columbia and fully recognizing same-sex marriages legally entered into in other jurisdictions; and

BE IT FURTHER RESOLVED that ANC 3E urges the Council to place high priority on the passage of such legislation as soon as practicable; and

BE IT FURTHER RESOLVED that the Chairman send a letter to all D.C. Council Members in accordance with this resolution.

ANC 3E approved this resolution by a 5-0 vote at its regularly scheduled meeting on May 14, 2009, which was properly noticed and at which a quorum was present. Commissioners Jonathan Bender, Lucy Eldridge, Matt Frumin, Sam Serebin, and Beverly Sklover were present.



Jonathan Bender, Chair, ANC 3E



Minutes of ANC3E May, 2009 Meeting

The meeting was called to order at 7:30 pm by Chairperson Jon Bender. Commissioners Beverly Sklover, Matt Frumin, Sam Serebin and Lucy Eldridge were also present.

Announcements:

There were no announcements.

Open Forum:

Commissioners Bender and Eldridge responded to a question from a resident regarding the status of the Commerce Bank appeal. They explained that the resolution passed the previous month did not require the ANC to file an appeal; it merely authorized one if the ANC determined an appeal was appropriate. The commissioners determined that although an appeal was possible, it was not prudent under the circumstances. Thus, no appeal was filed.

Update from PSA 202:

Lt. Gregory reported that Commissioner Bender had requested that MPD crack down on motorists that fail to stop for pedestrians in crosswalks, at least in cases where motorists have adequate opportunity to notice the pedestrians and stop safely. Lt. Gregory further noted that she and Commissioner Bender had discussed the possibility of a public service announcement and/or media coverage of MPD crosswalk enforcement efforts. She said that she is pursuing both increased enforcement and coverage of it. Lt. Gregory also agreed to provide increased traffic enforcement on Fessenden and Ellicott Streets.

MPO Williams gave an update on crime statistics in PSA 202.

A resident commended MPD's recent initiative to crack down on littering and requested that 2D step up its enforcement of fines for littering. Commissioner Bender asked that 2D report to the ANC the number of tickets issued for littering. He also asked that 2D report more current stats on violent crime, not just the preceding closed month's stats. And Commissioner Serebin asked that MPO Williams

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provide the ANC with stats regarding enforcement of fines for using a cell phone while driving. MPO Williams and Lt. Gregory agreed to the commissioners' requests.

Presentation by Rasheed Green and Minisha Akhoury of Mentors, Inc.

Mr. Green introduced himself and the program, Mentors, Inc., a non-profit founded in 1987. He explained that the mission of the organization is to increase high school graduation rates in DC, which are currently at 50%, below the national average of 65%. Mr. Green reported that students involved in Mentors, Inc.'s programs have a graduation rate above 90%. The program carefully screens volunteer mentors to make a good match with high school students. Mr. Green distributed flyers with information on how to volunteer.

Presentation by Little Falls Watershed Alliance

Richard Yates presented to the community on behalf of the Alliance, whose mission is to protect local watersheds from environmental hazards. ANC 3E, he explained, sits in four watersheds: Little Falls Creek, the Potomac River, the Chesapeake Bay, and the Atlantic Ocean. Mr. Yates focused his talk on the importance of trash removal. He asked that the ANC: (1) endorse MPD's anti-littering initiative, (2) create a task force to combat litter, (3) increase merchant awareness of and compliance with littering laws, (4) provide public education, (5) recruit volunteers to help clean up, (6) restrict parking to residents only and (7) help establish Business Improvement Districts (BIDs) in Friendship Heights and Tenleytown. Chairperson Bender noted that the Commission might create a task force to address environmental issues within the Commission's jurisdiction. Such a task force might be able to serve some or all of these functions. Commissioners Serebin, Frumin, Sklover, and Bender expressed interest in trying to facilitate creation of a BID. Commissioner Sklover noted that she had been involved in such an attempt while a city planner in New York City, and she observed that it is a difficult task.

Discussion of and possible vote on request for zoning relief to permit use of off-site parking at Lord & Taylor lot for retail development at Western Avenue and Jenifer Street.

Representatives from LT Propco LLC ("L&T") presented plans to build three single-story retail stores in the vacant parking lot behind the Mazza Gallerie (the lot

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bounded by Western Avenue, 44th Street and Jenifer Street, the lot known as "home plate") in an effort to draw foot traffic from Mazza and the Metro to Lord & Taylor. L&T is seeking an exception from the BZA that will allow it to provide off-site parking for patrons of the new retail establishments. Chapman Todd, a resident who lives within 200 feet of the proposed site, spoke on behalf of similarly situated 200 footers and explained that the BZA has the authority to impose restrictions on the applicant to ensure that the requested exception does not adversely impact the neighbors, restrictions such as screening, precise street lights that will not bleed into the neighborhood and some measure that will keep cars in the lot and off the neighboring residential streets. While the immediate neighbors expressed their desire to see increased retail opportunities at the lot in question, they want to make sure that there are no significant negative impacts to them. To that end, they are working with L&T and, via Mr. Todd, with Commissioner Bender to obtain agreement from L&T to certain restrictions and provision of certain benefits (such as increased screening).

Several questions were posed by residents and ANC commissioners regarding whether L&T would consider installing a green roof, removing utility poles, and targeting mid-level—instead of high-end—retailers as tenants. L&T said that it would consider all of these suggestions, but made clear that it could not make any assurances regarding specific tenants. Representatives did say, however, that L&T would be happy to talk with the ANC regarding what the community would like to see there.

Discussion of, and possible vote on, resolution asking the DC Council to enact legislation creating marriage equality.

Commissioner Sklover, expressing her longstanding personal commitment to civil liberties, presented a resolution she and Commissioner Bender had drafted together asking the DC Council to pass legislation that would create marriage equality. Commissioner Sklover moved that the resolution be deemed to have been co-sponsored by all 5 commissioners. Commissioner Bender seconded that motion, which passed unanimously.

Discussion of and possible vote on resolution regarding facilitation of discussion between parties contemplating construction on the block bounded by Albermarle/42nd/ Wisconsin/ Yuma and statement on expected growth in neighborhood.



Commissioner Bender introduced a resolution offering such assistance the ANC is reasonably able to offer to facilitate discussions regarding the coordination of construction at the Library, Janey Elementary School and Bon Secours.

Commissioner Sklover seconded the motion and it was passed by a unanimous vote. Commissioner Bender also offered for ANC approval a letter resolution to Chancellor Rhee that while not stating a position regarding the proposed size of the school asked her to address OPEFM's contention that there will be no growth of inbound enrollment at Janney, which seems implausible in light of the projected growth in the area. The letter also asked Chancellor Rhee to set forth DCPS' strategy to deal with increased enrollment, should it occur. Commissioner Sklover moved to adopt the letter; Commissioner Bender seconded the motion, and it passed unanimously.

ANC Business:

The Commission agreed to approve the Treasurer's report by a vote of 5-0

The Commission voted to approve the minutes from the January Special Meeting, and the March and April meetings by a vote of 5-0.

Commissioner Sklover discussed the fact that she had met with Doug Jemal and Paul Millstein, of Douglas Development Corporation, regarding the project at the Babe's Billiard site on Wisconsin Avenue. She stated that, to be transparent, she would announce at a public meeting any ex parte conversation she had with a developer and the gist of the conversation. She reported that she said to them that she wanted to see a 65' building with platinum level environmental certification and that that she wanted them to solve the loading dock issues.

There being no further business, the meeting adjourned at 10:00 pm.

Respectfully submitted,

Jonathan Bender, Chair

A handwritten signature in dark ink, appearing to read 'Jonathan Bender', with a stylized flourish at the end.