

Gay and Lesbian Activists Alliance of Washington, DC 2016 Questionnaire for D.C. Council Candidates

HOME RULE

1. Will you oppose congressionally imposed school vouchers, which have been shown not to improve students' academic achievement, and which often go to schools that operate outside the non-discrimination provisions of the D.C. Human Rights Act?

Yes. While I am wholly against the Congress forcing D.C. to spend funds on anything, Sens. Cruz and Meadows' Educational Freedom Accounts Act is particularly offensive. There is no reason to back down on our basic rights of self-government. Further, no program in the District should violate the Human Rights Act or allowing tax-payer dollars to fund schools that operate without protecting teachers or students from discrimination. Fortunately, it has been given 1% chance of passage, so it was likely introduced to further Ted Cruz's presidential ambitions, rather than as a serious attack on the District. However, 1% is still too much. What it does show is that Sens. Cruz and Meadows have contempt for local government, especially ours.

HEALTH

2. Will you press the Department of Health to complete and issue the long-delayed LGBT Health Report, which is supposed to be issued annually?

Yes. The lax oversight of the Committee on Health is unacceptable. This report is needed to address LGBT health disparities. As stated in the GLAA report, Building on Victory, David Mariner of The DC Center noted that a report can be created by analyzing data DC already has from the Youth Risk Behavior Surveillance (YRBS), Behavioral Risk Factor Surveillance System (BRFSS), and the National HIV Behavioral Surveillance (NHBS). As grants are dependent on this report to make targeted impacts on needed health areas. This report needs to be made annually to allow agencies to target treatment and prevention programs. Anything less is irresponsible. If the resources and talent do not exist in the Department of Health, the District should contract this report or ask one of our many universities to provide their expertise and talent. That there hasn't been a report since 2010 is inappropriate. This is a problem of DC Council oversight. I hope to correct that.

3. Will you support budgets that target funds to address LGBT health disparities, including in mental health and substance abuse treatment, and mandate data collection on this population across all programs?

Yes. A few of the factors that lead to disparities for LGBT people are the lack of data, the lack of health insurance, stigma, and a lack of cultural competency in the medical field. The question of data should be addressed by an annual report on LGBT Health published by the D.C. Department

of Health and the Office of GLBT Affairs. As stated in question 2, there hasn't been a report since 2010 -- and that report contained no data on transgender people -- is shameful. It is not clear if the problem is management, budget or both. Both are rectifiable by Council oversight.

Lack of health insurance in the District has largely been eliminated through our own efforts to provide universal health care, and the Affordable Care Act. No one should be unable to obtain insurance as it is not as tied to employment anymore. We may need to provide help reaching the last of our residents that don't yet have insurance or access to healthcare.

Stigma is an ongoing problem, but for LGB people in the District at least, the problem of discrimination has been greatly reduced, in no small part to GLAA. D.C. now has a higher percentage of gay and lesbian people than any state, and unquestionably the best laws of any jurisdiction. We have not been as successful with anti-transgender discrimination, and we need to work on that specifically. Arguably, we have some of the best laws in the country opposing transgender discrimination, but we can always do more. Cultural competency for service providers is essential for the provision of health care.

4. Will you support separating Emergency Medical Services from the Fire Department?

Yes. Different emergencies require different responses. Just as we don't send police to fire fights, we should not send firefighters and fire engines to medical emergencies. It is simply not what is needed. If we need a higher ratio of ambulances to fire engines, then we should have personnel and equipment to meet that need.

JUDICIARY

5. Will you support and press for passage of Bill 21-38, the Death with Dignity Act?

Yes. I support Bill 21-38, the Death with Dignity Act of 2015.

A person at the end of their life should be able to decide for themselves whether to continue on in pain or to take a lethal dose of medication. The requirements of two physicians certifying the patient's terminal prognosis as well as mental competency to dispensing the life-ending drugs are appropriate safeguards.

This bill, modeled after the successful Oregon law, is based on compassion and respect. It should be a priority for the Council. If it has not passed by the time I am in office, I will support its passage in 2017.

6. Will you press for the District to provide "Jobs Not Jails" by developing alternatives to incarceration for marginalized citizens who resort to sex work for survival?

Yes. People involved in sex work, including homeless LGBT teens and transgender people, often resort to it for survival. Survival sex workers need to be cared for as people in great need of social services (housing, food, health care -- including mental health care -- education, job training, employment, child care, addiction services, STD testing and treatment, etc.) as opposed to criminals or even victims. That is to move away from law enforcement and into social welfare. People in law enforcement have one tool, and use it whenever they see a problem. They often mean well, but often have the wrong tool.

Imprisonment and a criminal record does not help, but rather piles on the problems faced by people in survival situations. We need to make sure that no one find survival sex work to be the most viable option. Further survival sex workers face greater risk of violence. Many of those crimes have gone unsolved. Not creating more prisoners, and more people with criminal records, would be a significant savings for the District in the long run.

7. Will you support and press for passage of a re-introduced Bill 20-63, the Police Monitoring Enhancement Amendment Act, to give the Office of Police Complaints unfettered access to information and supporting documentation of the covered law enforcement agencies?

Yes. The independence of the Office of Police Complaints is very important in public confidence in the police. Resolving complaints through mediation depends on accurate information. Withholding information gives the appearance of guilt where it is not deserved.

The Office of Police Complaints should be entitled by statute to unfettered access to the Metropolitan Police Department data it needs to do its job. It must not be subject to the decision of the Chief of Police. If the Chief of Police feels that information should not be provided to the Office of Police Complaints due to sensitive information such as protecting the identity of a victim, it should be decided by an impartial judge.

I will support a re-introduced Police Monitoring Enhancement Amendment Act.

YOUTH AND SENIORS

8. Will you support improved services and treatment for LGBT homeless youth and seniors, including transitional housing?

Yes. Discrimination in shelters is unacceptable. The District government has an obligation to ensure our non-discrimination laws are followed in shelters and transitional housing. We must ensure that all shelter providers, staff, and guards must all receive LGBT sensitivity training. The Office of Human Rights must ensure compliance with testers.

CONSUMERS AND BUSINESSES

9. Will you defend 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?

Yes. I strongly believe consenting adults can and should decide what is best and appropriate for themselves. It is not appropriate for the government to decide for adults what they should or should not see. Adult entertainment is part of the wide range of entertainment that is and should be available in the District. We also need to ensure that the entertainers are not exploited or forced into performing due to coercion or survival.

Special restrictions of adult businesses are inappropriate. If a location is appropriate for other entertainment, it should be open for adult entertainment. The current rules concentrate adult businesses into smaller areas which concentrate any negative aspects which may accompany adult businesses. Allowing organic distribution of adult entertainment will mitigate, not concentrate, any negative impacts.

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.

1) In the spring of 2015, I wrote a letter to the Council regarding the threat to the District's Human Rights Amendment Act. Text below:

Honorable Members of the Council of the District of Columbia:

As you know, Senators Ted Cruz (R-TX) and James Lankford (R-OK) introduced resolutions of disapproval last week to block the District's Human Rights Amendment Act, an important feature of which repeals a 1988 amendment allowing religiously affiliated educational organizations to discriminate against LGBT student groups, and the Reproductive Health Non-Discrimination Act, which serves to protect employees from discrimination based on personal reproductive health decision-making.

It seems unlikely that both the House and Senate will pass a motion to disapprove either the Human Rights Amendment Act or the Reproductive Health Non-Discrimination Act by April 17. It is even less likely that they will both pass a motion to disapprove in such a way that President Obama would even sign it.

However, in the event that they manage to block either bill, I hope that you will quickly pass bills identical to those blocked, and send them to Congress.

Strictly as a Home Rule issue, you should thwart Congressional meddling in District laws with all the means that you have. The senators who have introduced the motions to disapprove are solely looking for wedge issues to show their bases how anti-District home rule, anti-gay, anti-woman, and anti-human rights they are, and in the one place where they believe they have that bully power. None of these efforts should be allowed to pass without a fight.

Both motions to disapprove suggest a chilling climate for women and gay people under the law. This must not stand. I strongly urge you to use all of your power as members of the Council of the District of Columbia to oppose these motions, and to stand up for District laws and the celebrated diversity of the citizens of the District of Columbia.

2) In spring of 2016, I joined with students, teachers, administrators, and community members to rally against Westboro Baptist Church's hateful messaging aimed at LGBT youth at Duke Ellington School of the Arts and Cardozo Education Campus in NW DC.

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

David Garber, DC Council At-Large

Please return your signed questionnaire responses by Friday, April 29 to GLAA, P.O. Box 75265, Washington, D.C. 20013; or email it as an attachment in PDF format (for loading on GLAA's website) to equal@glaa.org. Thank you