

2018 GLAA Questionnaire for D.C. Council Candidates

HOUSING

1. Will you encourage the Department of Human Services to conduct monitoring of singles shelters to ensure that LGBTQ applicants are admitted to a shelter that corresponds to their gender identity and do not face discrimination while residing there, as required by law?

I fully support requiring DHS to monitor shelter practices to insure that LGBTQ applicants are housed in appropriate locations and do not fact suffer discrimination in shelter housing. I also support efforts to expand permanent housing to move people out of shelters, which are inherently dangerous and represent only short-term solutions to the District's housing crisis. In addition to discrimination, LGBTQ people face the very real threat of violence in many city shelters. If the District is to continue providing short-term shelter (rather than long-term housing) options, these shelters must be safe and humane places, not simply dumping grounds for people who cannot afford rent in this expensive city.

HEALTH

2. Will you press the Department of Health to work with a community advisory group and allocate necessary resources to ensure the annual completion and issuance of a trans-inclusive LGBT Health Report?

Yes. I fully support this demand.

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

Yes, I will support budgets that address LGBTQ health disparities, and mandate more robust data collection to insure that these programs serve all communities. Data collection is only the first step toward insuring that all residents are served. The DOH must work with community-based service providers to improve access to information about underserved communities, in particular LGBTQ communities.

3. Will you support legislation to boost public awareness of pre-exposure prophylaxis (PrEP) and post-exposure prophylaxis (PEP) as options to prevent HIV infections through the distribution of information in health settings in accordance with Department of Health guidelines?

Yes, I support legislation to boost public awareness of PrEP and PEP. I would also support efforts to insure that the costs of these treatments are covered by private insurance, Medicaid/Medicare and other third party payers. The costs of PREP in particular are extremely expensive, including prescription drugs and quarterly lab testing. Many people who may want to take advantage of these options lack financial means to pay for it.

JUDICIARY

4. Will you support Bill 22-0515, 'Reducing Criminalization to Improve Community Safety and Health Amendment Act of 2017', to improve community safety and health by removing criminal penalties for engaging in commercial sex?

I support decriminalization of consensual sexual activities, including commercial sex. I also support other decriminalization efforts that target homeless and low-income people (like laws on public urination, loitering, etc.) The criminalization of sex work punishes the lowest-income workers while doing nothing to address the factors that lead people into sex work. Unfortunately, police harassment is often the most dangerous aspect of sex work.

5. What opportunities would you support through legislation to improve the lives of marginalized communities who engage in commercial sex work?

No one should have to sell their bodies to support themselves, although I certainly recognize that many people find themselves with few other options to stay alive. The point is to enable people who engage in sex work to have access to other kinds of opportunities that do not place them in potentially dangerous situations and that allow for a real economic future. I support expanded employment opportunities for marginalized communities. As a steering committee member of the DC Public Banking Center, I have worked hard for the last four years to establish a DC Public Bank which could partner with local banks in promoting jobs, affordable housing, small business development. A Council-funded feasibility study is currently in process (<https://www.dcpublicbanking.org/>).

6. What opportunities would you support through legislation to improve the lives of marginalized citizens who resort to sex work for survival?

Again, I support the decriminalization of sex work, and an end to police harassment. The people whose circumstances force them into sex work must be supported in finding alternative, safer ways to make a living. I support expanded and improved job training, apprenticeship and economic development programs. I would support targeted job training programs that would enable people to move from sex work into other kinds of employment.

7. Will you support and press for passage of a reintroduced 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. I support this legislation, but also support stronger efforts to make police accountable. Bill 20-63 does not go nearly far enough in addressing police misconduct and racially biased policing. There is currently no real enforcement of the OPC efforts, and no accountability for the police. I strongly support a more effective OPC, including one with real subpoena and enforcement power.

9. Will you support legislation to develop an avenue for sealing court-ordered name and/or gender/sex change process?

Yes. This should be a basic right.

HUMAN RIGHTS

10. While the unemployment rate in the District is 6.6%, approximately half of transgender people in DC report being unemployed. What steps will you take to address this persisting economic disparity in a timely and sustainable manner?

Low income transgender people suffer the same kinds of challenges as the mass of low income people in DC, with limited job opportunities and low-pay work when it is available. They often face the added challenge of discrimination in applying for entry-level retail and customer service positions. Although such discrimination is illegal in DC, antidiscrimination laws lack real enforcement. I support more robust enforcement of laws against employment discrimination, as well as targeted media efforts focused on employers who refuse to comply. There must be serious teeth in our antidiscrimination laws. In terms of employment opportunities, transgender people deserve respect, dignity and access to a wide variety of employment options, none limited by their transgender status.

[Talk about green jobs and the like?]

YOUTH

11. Will you support improved services and treatment for homeless LGBTQ youth, including transitional housing?

Yes. Current services for homeless LGBTQ youth are wholly inadequate, and include almost no access to transitional housing opportunities. In the face of increasing gentrification, we must expand opportunities for all residents for adequate housing and other supports. Homeless LGBTQ youth face additional challenges of navigating often hostile bureaucracies and not-so-subtle bigotry. LGBTQ youth face much higher rates of homelessness and higher dropout rates than other youth, and the District must address this continuing problem. We need to address the factors that lead to youth homelessness, including problems in our schools and communities that feed discrimination and contribute to the alienation of LGBTQ youth. The public schools can play a significant role in addressing these issues. Please note this issue in my record, under DC Human Rights City Reports.

SENIORS

12. Will you support improved services and treatment for LGBTQ seniors, including affirming senior housing?

Absolutely. LGBT seniors should have access to affordable housing where they will not face discrimination. Many LGBTQ seniors have lost family support, and are often facing struggles of aging in poverty on their own. We need housing opportunities that recognize the needs of and welcome LGBTQ seniors, rather than simply tolerate these important members of our community. Seniors should not be forced to return to the closet to get services.

13. LGBT seniors are more likely to age alone, and face higher levels of economic insecurity and discrimination than non-LGBT seniors. Will you support funding for congregate meals and other services that specifically aim to keep LGBT seniors engaged in the community?

Again, absolutely, The idea of supporting congregate opportunities for LGBTQ seniors is a good one and one I support. I would look to the LGBTQ community to help develop proposals for such opportunities and support funding to make them happen.

CONSUMERS AND BUSINESSES

14. To fight the District's notorious 'pay-to-play' reputation, will you support enacting legislation that combines the best elements of Bills 22-8, 22-47, and 22-51?

I strongly support efforts like Bill 22-47 to eliminate the role of graft and corruption in the public procurement processes. D.C. has an unfortunately notorious reputation for "pay-to-play." My campaign, like all Statehood Green campaigns, rejects corporate contributions. The rapid gentrification in our city has made this problem worse by the encouragement of pay-to-play campaign contributions.

15. What steps will you take to ensure a transparent and equitable bidding process for city contracts?

There must be a serious review of all District contractors and bidders to insure that political considerations do not come into play in awarding contracts for government services. There should be a clear separation between political influence in the procurement process and contracting decision-making. Elected officials should have no role in influencing who gets government contracts, except in so far as exercising the oversight responsibility of the DC Council with regard to potential corruption of the process.

Signed



David Schwartzman

Candidate for DC Council At-Large, DC Statehood Green Party

My GLAA Record (2018 Questionnaire)

“Your record is part of your rating. Please feel free to submit any letters to the editor, legislative testimony, campaign literature, or other materials that document your LGBTQ-related record.”

My Bio

Resident in DC since 1976, live in Brightwood neighborhood, Ward 4

Professor Emeritus, Howard University

Chair, Political Policy and Action Committee, DC Statehood Green Party

Member of: ONE DC, Empower DC, the Fair Budget Coalition, Grassroots Planning Coalition, Green Neighbors, Metro DC Democratic Socialists of America, DC for Democracy

Steering Committee: DC Public Banking Center, DC Human Rights City Committee.

Please take note of the DC Human Rights City Committee Reports

Link to DC Human Rights City assessment reports:

<http://afsc.org/resource/report-state-human-rights-dc>

2017 Update:

<https://www.afsc.org/document/2017-dc-human-rights-city-report>

This update has a relevant section on the status of homeless youth with a significant fraction of LGBTQ youth.

From 2015 Report:

“Discrimination based on Sexual Orientation

2012 Recommendations

The human rights of LGBT community must be vigorously protected by proactive action of our District government and its police. The LGBT community should be partners in formulating and implementing these policies.

2015 Updates

In a 2012 study 10% of District residents identified as LGBT (Study conducted by Gallup, as a part of the Gallup “State by State” series. It is thus far the largest random sample of Americans surveyed to identify the national state-by-state percentages of individuals who self-identify as lesbian, gay, bisexual, and/or transgender.⁵⁰ The District has a distinct history of supporting issues such as marriage equality and including sexual orientation as a protected class.

Nonetheless, the District has a responsibility to protect and advocate for the human rights of LGBT residents. Homelessness and sexual exploitation of LGTQ youth is an ongoing problem nationally and within the District.

Homelessness and sexual exploitation of LGTQ youth is an ongoing problem nationally and within the District. Since the publishing of the previous report, the LGBTQ Homeless Youth Reform Act was passed in 2014. The law provides funding for additional beds designated for LGBTQ youth, and contains provisions that require the Interagency Council on Homelessness to keep data on LGBT youth and make annual recommendations on how best to serve that specific population. Shelters will also be required to amend and update policies regarding protections for and treatment of residents based on sexual orientation and gender identity, including allowing gender nonconforming youth to access gender-specific facilities in accordance with their self-identification.

Compelling evidence has recently been presented by the DC Office of Human Rights regarding serious job discrimination against transgender applicants.⁵¹

2015 Recommendations

We call on our Mayor and Council to take necessary action to end job discrimination against

transgender applicants.”

I have been an active participant in the Save our System Coalition (WMATA) which strongly opposed the harassment of LGBTQ youth.

As a member of the DC Statehood Green Party since its founding in 1999, I have joined many demonstrations against discrimination based on sexual preference. Please take note of this selection from the DCSGP Platform <https://dcsgp.nationbuilder.com/platform>

II. END DISCRIMINATION

1. We oppose discrimination in any form, based on gender, religion, race, sexual orientation, age, disability, ethnicity, immigration status, or national origin. The D.C. Statehood Green Party is an explicitly anti-racist/anti-oppression organization.

2. We oppose racism in all its forms. We support affirmative action to remedy discrimination in education and employment and, to protect constitutional rights and to provide equal opportunity under the law. We oppose racial profiling and condemn government harassment and targeting of immigrants, and urge equal protection under the law for all residents of the District of Columbia and the United States regardless of immigration status.

3. We oppose discrimination based on sex or gender. We support sustained action, guided by a feminist perspective, on legal, political, social, and economic fronts to eliminate sexism and achieve full equality between men and women. We oppose discrimination against women in the workplace and in the family, and any practice that does not protect and promote equal treatment of women under the law.

4. We support full human rights for all individuals regardless of sexual orientation, gender, or sexuality. We support education on sexuality in the schools including education about homosexuality, bisexuality and transgenderism. Same-sex marriage must have the same legal standing as heterosexual marriage. Same-sex couples must have equal adoption rights as heterosexual couples.

My Testimony on the proposed Constitution,
September 27, 2018, attached as separate pdf.

A relevant selection:

“We want to emphasize the top-down undemocratic process that created this “Constitution”, and its gross deficiencies, for example in its Bill of Rights and number of legislators in the House of Delegates in comparison with the visionary 1982 Constitution, the only one ratified by voters (go to <http://statehood.dc.gov/page/statehood-resource-center> for pdfs of both and compare). The Bill of Rights in the 1982 included provisions for freedom from discrimination based on race, color, religion, creed, citizenship, national origin, sex, **sexual orientation**, poverty, or parentage, and disabilities (Section 3), right to employment or for those unable to work an income sufficient to meet basic human needs (Section 20) and equal pay for equal and comparable work (Section 21). As such these provisions anticipated the official status by our Mayor and Council as the nation’s first Human Rights City on December 10, 2008 based on the Universal Declaration of Human Rights and subsequent Conventions in international law.” [bold added]

Signed



David Schwartzman
Candidate for DC Council At-Large, DC Statehood Green Party

Testimony, COW Public Hearing on the following Legislation: B21-826, Constitution of the State of New Columbia Approval Amendment Act of 2016.

September 27, 2016 11:00AM, Room 500, Wilson Building

These are the 4 main points of my testimony:

- 1) From its start with a 5 member Commission holding a charade of a Constitutional Convention, the process creating the draft Constitution has been a travesty of democracy, disempowering to the cause of DC Statehood. As Professor Maurice Jackson, a delegate to the 1982 Constitutional Convention and Chair of the DC Commission on African American Affairs, said at Lincoln Cottage on May 6, 2016 “If we want democracy, we have to give democracy”. As a result the draft Constitution’s Bill of Rights is highly deficient compared to the progressive 1982 Constitution.
- 2) Such a Constitution should be created by an *elected delegated* Constitutional Convention, following the model of the 1982 Convention process. This opportunity is lacking in B21-826.
- 3) The Council could have facilitated a strong positive vote for Statehood on the Advisory Referendum by either removing language regarding the constitution or providing for separate votes on each section. We vigorously lobbied the Council to remove any mention of a constitution in the wording of this Referendum, leaving a simple vote Yes or No on statehood, and of course we would have strongly urged a vote of Yes if this change was implemented, but the Council rejected our plea. Hence the DC Council and Mayor should be held accountable for a weak or negative vote on the Advisory Referendum on November 8. Such a vote should not be interpreted as a vote against DC Statehood.
- 4) Therefore we urge the DC electorate to vote NO on the Advisory Referendum on November 8 since we only get one vote on all sections of the text, unless the DC Council does the following:
 - a) The draft Constitution now being considered by the Council must require the convening of a Constitutional Convention, following the model that created the 1982 Constitution, and the ratification of its Constitution must be completed in no more than one year after admission of the state of New Columbia, and
 - b) The DC Council make a final text with this revision widely available to the DC electorate no less than one week before absentee ballot/early voting.

Further explanation

The whole process to produce this “Constitution” is a facade of democracy, starting with the three hearings of the so-called Constitutional Convention held in May and June as well as the DC Council hearings today and on October 6. Only an elected delegated Constitutional Convention along the lines of the 1982 model can produce a legitimate Constitution for what we prefer as the name of our state, “The Douglass Commonwealth”, with the name of our state to be likewise determined by this Convention.

We say *so-called* Constitutional Convention because this was not a democratic process, no one elected the New Columbia Statehood Commission to come up with a new Constitution, now being considered by the DC Council. This task is not in their job description. No one was delegate to a real Constitutional Convention in this charade, nor should anyone so claim for those who testify to the DC Council in this public hearing. A delegate is elected, participates in the drafting of a constitution and has a vote on its final product.

We first point out that unless the final approval of this “Constitution” is completed and made fully transparent to our electorate before November 8, we will be asked to “approve a Constitution of the State of New Columbia to be adopted by the Council” without actually seeing the final text. Is this Council actually expecting our electorate to approve a Constitution without full transparency regarding its text? If a second vote on this bill comes after November 8 that is precisely what will happen, an outrageous assault on democratic practice.

We want to emphasize the top-down undemocratic process that created this “Constitution”, and its gross deficiencies, for example in its Bill of Rights and number of legislators in the House of Delegates in comparison with the visionary 1982 Constitution, the only one ratified by voters (go to <http://statehood.dc.gov/page/statehood-resource-center> for pdfs of both and compare). The Bill of Rights in the 1982 included provisions for freedom from discrimination based

on race, color, religion, creed, citizenship, national origin, sex, sexual orientation, poverty, or parentage, and disabilities (Section 3), right to employment or for those unable to work an income sufficient to meet basic human needs (Section 20) and equal pay for equal and comparable work (Section 21). As such these provisions anticipated the official status by our Mayor and Council as the nation's first Human Rights City on December 10, 2008 based on the Universal Declaration of Human Rights and subsequent Conventions in international law.

The number of legislators in the House of Delegates provided for in the draft Constitution is too small (21, compared to 40 in the 1982 Constitution). A House of Delegates of 21 corresponds to a ratio of legislators to population one half that of Delaware, one fourth that of South Dakota and one fifth that of Wyoming.

There is only one revision in this draft "Constitution" that may change our decision to vote No, a change in the amendment process spelled out in Article VII, Section 3.

We urge the deletion of this text as it now stands, *all* provisions, noting especially the following:

"c. On or about the fifth anniversary of the effective date of the Admission Act, the House of Delegates **may** call for a Constitutional Convention to assess the transition from a federal district to a member of the Union." [bold added]

As a substitute we urge the following language:

"No later than one month following the effective date of the Admission Act, the House of Delegates shall initiate steps to hold a Constitutional Convention with the charge of creating a constitution for our new state with this process following the model of the 1982 Constitutional Convention, with elected delegates. The name of our new state shall be reconsidered in this Constitutional Convention. The completion of the work of this Constitutional Convention and the ratification vote of its Constitution must occur no more than one year after the effective date of the Admissions Act. If ratified by a majority of qualified voters this Constitution shall replace "The Constitution of the State of New Columbia" The election of new members to the House of Delegates should only be scheduled after this process is completed."

If the Council makes this change final and perfectly transparent to our electorate with the Constitution ready, printed and on line in final voting form, with the publication date included at least a week before early voting and absentee balloting begins then we will revisit this decision to vote No.

We support parallel legislation by the Council for the convening of a Constitutional Convention in 2017 following the 1982 model, as the basis for a petition for statehood to the U.S. Congress. Further, the likelihood that a statehood bill will be approved by Congress and signed by the President in 2017 should be clear by the results of the Nov. 8 election, and the legislative agenda of both the incoming President and Congress. If this likelihood is low, then we support efforts, e.g., by Council legislation or Initiative, for the convening of a Constitutional Convention in 2017 following the 1982 model, as the basis for a petition for statehood to the U.S. Congress.

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