

ADL and the LGBT Community: A Commitment to Equal Rights

“...to secure justice and fair treatment to all citizens alike and to put an end forever to unjust and unfair discrimination against and ridicule of any sect or body of citizens.”

When ADL was established in 1913, its founding charter stated: “The immediate object of the League is to stop, by appeals to reason and conscience, and if necessary, by appeals to law, the defamation of the Jewish people. Its ultimate purpose is to secure justice and fair treatment to all citizens alike and to put an end forever to unjust and unfair discrimination against and ridicule of any sect or body of citizens.” This has been the Anti-Defamation League’s (ADL or the League) guiding principle for 100 years. ADL, one of the nation’s premier civil rights and human relations agencies, fights anti-Semitism and all forms of bigotry, defends democratic ideals and protects civil rights for all.

The Anti-Defamation League has a longstanding commitment to protecting civil rights, particularly those that affect the Lesbian, Gay, Bisexual and Transgender (LGBT) community. These include addressing discrimination, hate crimes and marriage equality. The following highlights ADL’s multifaceted work advocating for and educating about the LGBT community and the quest for equal rights.

ADL’s national commissioners have adopted several relevant national resolutions pledging a commitment to LGBT rights. In turn, the League has been a key partner in the fight to seek protections for gay, lesbian, bisexual, and transgender people in the workplace and beyond.

Our advocacy reaches from federal and state courthouses to Congress and statehouses around the country. For nearly twenty years, ADL has ardently advocated in the courts on behalf of LGBT rights. ADL has filed *amicus* briefs and joined coalition briefs on issues that directly affect the LGBT community. This has included filings on the appellate levels in both state and federal courts and state and United States Supreme Court.

MARRIAGE EQUALITY

In November 2001, ADL’s National Commission adopted a resolution supporting the equal provision of benefits for same-sex couples in domestic partnerships. In 2005, ADL’s National Commission carried the principle of equality one step further, recognizing that all people should have [access to civil](#)

[marriage.](#)

ADL has filed *amicus* briefs in a number of cases urging courts to hold a ban on marriage equality unconstitutional, and has been a strong voice advocating against measures to deny that fundamental right. Some examples include: California, Massachusetts, and Illinois.

- *Windsor v. U.S.* (Second Circuit, 2012; U.S. Supreme Court, 2013);
- *Hollingsworth v. Perry* (U.S. Supreme Court, 2013)
- *Golinski v. OPM* (Ninth Circuit, 2012);
- *Gill et al. v. OPM* (First Circuit, 2011);
- *Perry v. Schwarzenegger* (Ninth Circuit, 2010)
- *Lewis v. Harris* (New Jersey Supreme Court, 2010);
- *Strauss v. Horton* (California Supreme Court, 2009);
- *In re Marriage Cases* (California, 2007); and
- *Hernandez v. Robles* (New York, 2006).

In addition, where there have been opportunities to assert ADL civil rights priorities, ADL continually makes a case for equality in marriage. For example, ADL's letter to the Senate Judiciary Committee about the Kagan Confirmation Hearings encouraged the committee to question the nominee on the applicability of strict scrutiny review to the classification of sexual orientation, and whether a law which permits marriage only between a man and woman violates the equal protection clause.

DISCRIMINATION

For more than 25 years, ADL has supported anti-discrimination laws that explicitly protect LGBT people. In 1986, ADL adopted policy supporting legislation barring discrimination in employment, housing and public accommodations on the basis of sexual orientation and gender identity.

Through our *amicus* work, ADL has encouraged courts to eliminate discriminatory barriers to LGBT people's full inclusion in society, including *amicus* briefs in:

- *Christian Legal Society v. Hastings Law School* (Ninth Circuit, 2006; U.S. Supreme Court, 2010);
- *David Parker v. William Hurly* (First Circuit, 2008);
- *Benitez v. North Coast's Women's Care Medical Group* (California, 2005);
- *Lawrence v. Texas* (U.S. Supreme Court, 2003);

- *Boy Scouts v. Dale* (U.S. Supreme Court, 2000);
- *Romer v. Evans* (U.S. Supreme Court 1996);
- *Equality Foundation of Greater Cincinnati Inc. v. Cincinnati* (U.S. Supreme Court, 1996);
- *Hurley v. Irish American Gay, Lesbian, and Bisexual Group of Boston* (U.S. Supreme Court, 1996);
- *Curran v. Mount Diablo Council of the Boy Scouts of America* (California Court of Appeals, 1996);
- *Lowe v. Kiesling* (Oregon Supreme Court, 1995);
- *In re: Advisory Opinion to the Attorney General* (Florida, 1994); and
- *Washington Association of Churches v. Munro* (Washington State Supreme Court, 1994).

DON'T ASK, DON'T TELL

ADL supports efforts to achieve the full inclusion of all individuals who are willing and able to serve their country, regardless of their sexual orientation or gender identity. ADL welcomed the decision to halt the military's "Don't Ask" policy and opposes efforts to roll back full inclusion. Most recently, in our 2012 statement of policy priorities on a range of international and domestic issues submitted to both the Democrat and Republican platform committees, [ADL urged the elimination of barriers](#) preventing transgender people from serving their country.

LEADING THE EFFORTS TO ENACT INCLUSIVE HATE CRIME LAWS

ADL has emerged as the nation's leader in crafting and advocating for inclusive state and federal hate crime laws, including the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act in 2009. ADL pioneered the hate crime law under which many anti-LGBT crimes are punished, and led the decade-long effort to ensure that sexual orientation and gender identity was added to the protected categories in the federal hate crime law with the passage of the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act in October 2009. ADL's website features an interactive [database](#) on State Hate Crimes Statutory Provisions, which detail which states' hate crimes laws include sexual orientation and gender identity as protected categories.

ADL also continues to alert communities to, and condemn, individual hate crimes when they occur in communities nationwide. See, for instance, [ADL Commends Savannah Authorities for Treating Gay Beating as Possible Federal Hate Crime](#); [ADL Condemns Brutal Killing Of Gay Teenager In Possible Hate Crime In Puerto Rico](#); [ADL Welcomes Arrests In Brutal Assault of Gay Man In Queens](#); [ADL Expresses Horror and Outrage at Apparent Anti-Gay Hate Crime in New Bedford, MA](#).

ADL has filed *amicus* briefs and joined coalition briefs in several relevant cases. Our *amicus* work in this area includes:

- *Estate of Teena Brandon v. The County of Richardson*, Nebraska (Nebraska Supreme Court, 2001);
- *In re M.S.* (California Court of Appeals, 1994);
- *California v. Joshua H.* (California Court of Appeals, 1993);
- *Ladue v. Vermont* (Vermont Supreme Court, 1993); and
- *California v. Mearra* (California Court of Appeals, 1993).

EDUCATION INITIATIVES

ADL's Education Division is one of the nation's preeminent leaders in teaching about LGBT discrimination and conducting anti-bias training.

Through its A WORLD OF DIFFERENCE® Institute, the League united its long-term commitment to fighting all forms of bigotry and the belief that education is the best antidote against hate. Since its inception almost 30 years ago, the Institute has grown into a leading provider of anti-bias education and diversity training programs used by schools, universities, corporations and community organizations throughout the United States and abroad.

Though ADL stands today as a leading source of current information on hate incidents and on effective reactive strategies, equal emphasis and investment is placed on providing anti-bias education and prevention initiatives that are capable of changing hearts and minds long before biased attitudes can escalate into acts of hate. Recognizing that LGBT youth are frequent targets of name-calling, bullying and bias-motivated hate, ADL's education programs and resources are designed to counter homophobia and anti-LGBT bias.

The following programs and resources are available through the Anti-Defamation League and directly touch on LGBT issues:

Uprooting the Early Seeds of Prejudice: The Miller Early Childhood Initiative: this Initiative is designed to train early childhood educators, caregivers and family members to help children understand, respect and appreciate differences.

Comprehensive Classroom Resources. ADL provides anti-bias curriculum for K-12 classrooms that promotes respect for diversity and inspires action against prejudice.

- The Anti-Bias Study Guides provide state-of-the-art classroom lessons for K-12 students that are comprehensive and current, and integrate with existing curricular content.
- Curriculum Connections provide K-12 teachers with free standards-based online curricular materials that include everything necessary to engage students in the critical issues of the day. A recent issue, Unheard Voices, addresses the lack of representation of lesbian, gay, bisexual and transgender (LGBT) people in school curricula and the disproportionate incidents of bullying and violence against LGBT youth.
- Helping Youth Take Action against Bias and Bullying. ADL's comprehensive peer education programs prepare young people to use the positive power of peer pressure to take action against prejudice and bigotry in their schools and communities.
- Motivating Bystanders to Become Allies: Anti-Bullying & Cyberbullying Programs help schools address bullying in all its forms. By providing opportunities to explore the range of behaviors associated with being an ally and develop and put into practice skills to respond to name-calling and bullying, ADL's anti-bullying programs help schools take important steps toward positively changing their climate.
- Fostering a Message of Respect: No Place for Hate® provides a unique opportunity to broadly communicate a consistent anti-bias and anti-bullying message within schools and communities.
- Online Anti-Bias Teacher Training: Making Diversity Count provides online professional development for middle and high school educators to help them gain the skills and resources needed to create inclusive, respectful classrooms.

Building Inclusive Campus and Workplace Communities. A CAMPUS OF DIFFERENCE™ programs help create environments where differences and inclusion are valued, and divergent points-of-views can be presented, while insuring the safety and respect for everyone on campus. A WORKPLACE OF DIFFERENCE® provides corporations, small businesses, government agencies, nonprofit organizations and

professional groups with the skills and resources to effectively serve a diverse customer base while managing a diverse workforce.

SELECTED ADL RESOURCES ON BULLYING, CYBERBULLYING, AND HARASSMENT

Educational Strategies To Respond To Bullying And Cyberbullying

ADL Curriculum Connection: “Cyberbullying: Understanding and Addressing Online Cruelty”
http://www.adl.org/education/curriculum_connections/cyberbullying/default.asp

ADL Tools for Responding to Cyberbullying <http://www.adl.org/combatbullying/>

Committing to Respect: Lessons for Students to Address Bias http://www.adl.org/education/9-11_committing_to_respect.pdf

Words That Heal: Using Children’s Literature to Address Bullying
http://www.adl.org/education/curriculum_connections/winter_2005

Understanding and Addressing Cyberbullying: half-day or full-day training programs for middle and high school educators, Administrators and youth service providers
<http://www.adl.org/education/cyberbullying/workshops.asp>

<http://www.adl.org/education/cyberbullying/program-cyberbullying-flyer.pdf> CyberALLY™ : a half or full-day interactive training for middle and high school students

Tips on How to Respond to Cyberbullying
<http://www.adl.org/education/cyberbullying/cyberally-student-flyer.pdf>
<http://www.adl.org/education/cyberbullying/tips.asp>

What Can Be Done About Name-Calling <http://www.adl.org/combatbullying/pdf/what-can-be-done-bullying-handout.pdf>

Take a Stand: A Student’s Guide to Stopping Name-Calling and Bullying
<http://www.adl.org/combatbullying/pdf/taking-a-stand-bullying-guide.pdf>

Advice on Cyberbullying and Teens (ADL interview, *Your Teen Magazine*)
<http://yourteenmag.com/2010/10/cyberbullying-and-teens/>

Internet Safety Strategies for Students
http://www.adl.org/education/curriculum_connections/cyberbullying/Internet%20Safety%20Strategies%20for%20Students.pdf

Confronting Hate Speech Online http://www.adl.org/main_internet/hatespeechonline2008.htm

Advocacy Resources To Prevent And Respond To Bullying And Cyberbullying

ADL Bullying/Cyberbullying Advocacy Toolkit for state anti-bullying laws
http://www.adl.org/civil_rights/Anti-Bullying%20Law%20Toolkit_2009.pdf

ADL Bullying/Cyberbullying Model Statute (which has been a model for a number of states)
http://www.adl.org/main_internet/Cyberbullying_Prevention_Law

Responding to Cyberhate: Toolkit for Action http://www.adl.org/internet/Binder_final.pdf

In advance of the August 11-12 Federal Bullying Summit, ADL submitted to a trio of federal agencies (Health and Human Services, Department of Education, Department of Justice) recommendations for programs, training initiatives, and research proposals
http://www.adl.org/Civil_Rights/letter_bullying_cyberbullying_2010.asp

71 national civil rights, education, religious, and professional organizations submitted complementary consensus recommendations to the lead Federal agencies in advance of the August Federal Bullying Summit <http://www.civilrights.org/advocacy/letters/2010/coalition-letter-to-sec-duncan-on-bullying-cyberbullying-and-harassment-recommendations.pdf>

ADL statement at the May 13 2011 United States Commission on Civil Rights briefing on “Federal Enforcement of Civil Rights Laws to Protect Students Against Bullying, Violence and Harassment”
<http://www.adl.org/combatbullying/ADL-USCCR-statement-on-bullying-prevention.pdf>

SELECTED ADL RESOURCES ON HATE CRIME RESPONSE AND COUNTERACTION

Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA): What You Need to Know
http://www.adl.org/combating_hate/What-you-need-to-know-about-HCPA.pdf. This document provides an outline of HCPA – why it was needed and how the law works to protect the rights of all citizens.

An Introduction to Hate Crime Laws: http://www.adl.org/combating_hate/Introduction-to-Hate-Crime-Laws.pdf, a primer on the purpose and utility of federal and state hate crime laws.

How to Combat Bias and Hate Crimes: an ADL Blueprint for Action: <http://www.adl.org/blueprint.pdf>, a compilation of the best ADL resources, programs, and education initiatives designed to combat bias and hate crimes.

Hate Crime Laws: <http://www.adl.org/99hatecrime/intro.asp>, a comprehensive overview of the history of hate crime legislation, including the ADL Model Hate Crime Law and an interactive map of the nation’s state hate crime laws.

Hate Crime Laws: Punishment to Fit the Crime: <http://www.dissentmagazine.org/article/?article=3278>, a robust defense of hate crime laws by the League’s Washington Counsel.

Bullying/Cyberbullying Prevention Law: Model Statute and Advocacy Toolkit:
http://www.adl.org/civil_rights/Anti-Bullying%20Law%20Toolkit_2009.pdf. This resource includes ADL’s Model anti-bullying law and an online chart of the nation’s existing anti-bullying statutes.



http://www.adl.org/Civil_Rights/letter_bullying_cyberbullying_2010.asp: the League's recommendations for anti-bullying policies and programs, sent in advance of the August, 2010 Federal Bullying Summit in Washington, DC

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