

**Freedom Watch**  
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## **Controversy Exposes Void Left by Human Relations Commission**

*By Sara Thomas and Barb Ferrill Van Hoy*

The recent controversy over a Colorado Springs City Council proposal to create a Strategic Plan and Cultural Diversity Advisory Board highlighted the need for a Human Relations Commission in Colorado Springs. The advisory-board proposal by Council Member Darryl Glenn named representatives from the Hispanic, Black, and Asian American communities, as well as from the Housing and Building Association and Realtors. However, the proposal drew criticism from community members and organizations, including Citizens Project, for not including members representing women, people with disabilities, and gays and lesbians. The public criticism, confusion over the purpose of the advisory board, and lack of support from those included in the proposal led to its unanimous rejection by the City Council. Simply put, Council members expressed consternation at the suggestion of including the more controversial minority groups.

Although the proposed Strategic Plan and Cultural Diversity Advisory Board would have had no official influence on protecting diversity or civil rights in the community, the debate reminded many of the demise of Colorado Springs's Human Relations Commission (HRC), which was disbanded in 1995 after almost 30 years of working "toward the elimination of prejudice, intolerance, inter-group tensions, and unfair treatment". In both cases, the city chose to avoid facing the difficult but vital issues of diversity and discrimination that exist in our community. The Advisory Board was a welcome attempt by the city at incorporating minority voices into planning. The current debate about, and then failure to create, this new diversity board demonstrates the need for an HRC (or something like it) to promote ways in which people in diverse communities learn to work together and to safeguard equal opportunity for all.

There is no denying the serious lack of minority representation in our city, which was cited by Glenn as one reason for his advisory-board proposal. Bringing together representatives of diverse communities is a wise and effective approach to government policymaking, as the differing needs and life experiences of citizens bring insights to decisions on issues such as public safety and transportation. For example, we need the voices of people with disabilities in the discussions about public transportation. Certainly, policies must take into account the needs of all city members, including those who commute in wheel chairs, or have hearing or visual impairments that may affect getting onto a bus or crossing the street. Likewise, women have a lot to say about public safety, particularly about night-time lighting. And it should be no secret that gays and lesbians face discrimination in housing and employment, affecting the quality of life for a large cross-section of citizens.

This is an opportune time to revisit the history of the HRC in Colorado Springs to help illuminate the current situation. Human Relations Commissions were established in cities across the country in response to the Civil Rights movement. The United States Department of Justice now recommends the establishment of a government-funded commission with the support of local government officials, as well as the adoption of an ordinance giving the commission "legal status as an official unit of the government". Almost every major city across the country currently has an HRC to help address and eliminate discrimination. An HRC was established in Colorado Springs in 1967, and in 1970 the City Council approved its request to hire a director.

Not surprisingly, the HRC was no stranger to controversy in the community, but it began to attract its most vocal opposition in 1991 when it proposed an ordinance that would give the HRC local enforcement authority over civil rights violations. The HRC and its supporters believed that such an ordinance would enable the city to confront civil rights issues, educate the city about diversity, and resolve complaints of discrimination quickly with mediation. At that time, Colorado Springs was one of only seven cities of comparable size without HRC authority to resolve complaints of discrimination. (It was also among a minority of cities whose HRC nondiscrimination statement did not include sexual orientation. While sexual orientation was initially included in the proposed ordinance, it was removed after proving too controversial. Gay rights groups and the HRC decided that an incomplete ordinance was better than none at all.)

The proposal caused an uproar from much of the community, particularly from Colorado for Family Values, who claimed that the ordinance would be a source of unchecked power for HRC commissioners, a potential source for furthering the "homosexual agenda", a violation of Fourth Amendment rights, and a waste of taxpayers' money. An opposition campaign was launched and John Hazelhurst, a council member at the time, received over 100 postcards opposing the ordinance and reminding him of the votes he would lose if he supported it. Even without the inclusion of sexual orientation, the city council ultimately voted 8-1 to reject the ordinance. At about this time, the council also voted to eliminate the position of HRC director. Then, in 1992, the HRC's activities in response to a KKK rally and Amendment 2 led to concerted efforts by HRC opponents to eliminate it.

In response to the planned KKK protest in Colorado Springs' Wasson Park neighborhood, the HRC, Wasson residents, and minorities requested that City Council publicly denounce the presence of the KKK in Colorado Springs. The City Council decided against such a statement. Larry Small and Randy Purvis, who were on City Council at the time, voted with the majority to reject the statement. As an alternative, then-mayor Mary Lou Makepeace sponsored a diversity day event that included activities about respecting diversity while making no reference to the KKK protest taking place two miles away.

Also in 1992 came Amendment 2, a ballot measure to ban laws protecting gays and lesbians from discrimination. Its co-author Kevin Tebedo later attributed his motivation for the amendment to the HRC's initial inclusion of sexual orientation in the anti-discrimination policy. The HRC unanimously adopted a statement opposing Amendment 2. At about this time, the HRC lost its autonomy and was folded into the Neighborhood Resources division of the City Government.

HRC opponents, including Will Perkins, then began recruiting community members to join the commission in order to destroy it. They succeeded in getting new anti-commission members appointed and the ensuing infighting rendered the HRC totally ineffective. In 1994, the HRC was given a six-month hiatus by the city council, for the commission to reevaluate the purpose of the HRC and make suggestions on how to improve it. Although the HRC came back with a plan to overhaul its membership, vocal opposition remained and the HRC soon disbanded.

Opponents like Kevin Tebedo claimed that the HRC was no longer needed in the community, but reality said otherwise. During 1996-1997, the Colorado Civil Rights Division investigated 196 cases related to discrimination in Colorado Springs. A Cultural Climate Survey of Colorado Springs taken in 2000 reported that 35.3% of city employees saw discrimination in their workplace. In addition, minorities were more likely to report a lack of opportunity for promotion and a sense of inequality among staff.

After the HRC disbanded, a group of community members met to discuss the possible alternatives to a city-run HRC. Realizing the danger of losing the HRC forever, they formed the Human Relations Coalition, a group co-led by Mike Miles and Catherine Coulter Calvin to fill the void. As a group of private citizens, the coalition was limited to holding educational forums, attending city council meetings dealing with diversity issues, organizing letter-writing campaigns,

and referring cases of discrimination to nonprofits, attorneys, and the state commission. Ideally, a commission is supposed to mediate cases of discrimination and be included in all aspects of local government in order to ensure the inclusion of minority groups in all decisions that the City Council makes. The coalition ended three years ago when it became clear that the limitations of the organization would not let it do those things.

The void left by the Human Relations Commission continues to be felt in Colorado Springs, as evidenced by the controversy over the recent Strategic Plan and Cultural Diversity Advisory Board proposal. Notwithstanding the Diversity Forum hosted by the Colorado Springs Chamber of Commerce, in fact there is no city-recognized board to help protect respect for diversity in Colorado Springs. Perhaps the renewed debate will lead to a greater consensus that it is time for Colorado Springs to protect the rights of all people and make it clear that discrimination is not just a private issue, but a community problem as well.

Citizens Project plans a community forum to discuss reviving the Human Relations Commission. If you would like to participate, please contact Sara Thomas at 520-9899 or [sara@citizensproject.org](mailto:sara@citizensproject.org).

## **Gay Rights at the Ballot Box** *by Erin Bennett*

This November, at least four initiatives concerning GLBT rights could appear on your Colorado ballot. As the campaigns for and against the initiatives prepare to launch, it is important first to understand the initiatives and how they affect one another, and then to recognize which strive to provide equal rights for all citizens.

Here are descriptions of the four initiatives and our analysis of their impact on equality. We hope this is useful in helping you understand each initiative and consider how you will vote in the fall.

The four proposed initiatives regarding GLBT rights are:

- ♦ Colorado Marriage Amendment
- ♦ Domestic Partnership Referendum
- ♦ Domestic Partnership Ban Amendment
- ♦ Domestic Partnership Protection Amendment

The Domestic Partnership Referendum has been referred to voters by the Colorado Legislature and, if passed, will become a statutory law. The other three are proposed constitutional amendments, and need 68,000 valid signatures by August 7th to qualify for the ballot.

### **Colorado Marriage Amendment (Amendment 83)**

Although the Colorado Legislature enacted a law banning same-sex marriages in 1996, opponents want to make it harder to overturn by making this ban part of Colorado's Constitution. Coloradans for Marriage (CFM), a newly formed group aligned with Focus on the Family, is promoting this amendment, which states, "Only the union of one man and one woman shall be valid or recognized as a marriage in the state of Colorado."

Historically, constitutions have been amended in order to grant and protect basic rights and responsibilities, not to prohibit citizens from enjoying these rights. Same-sex marriage is already banned under state law; an amendment to the constitution only serves to write discrimination into

the constitution. Proponents assert that same-sex marriage threatens heterosexual marriage, but there is no logical argument or evidence to support this assertion. Banning same-sex marriage will not strengthen the institution of marriage for heterosexuals or protect marriages from divorce.

The CFM website ([www.marriageforcolorado.com](http://www.marriageforcolorado.com)) includes a page that lists the "Great Things about Marriage", arguing that married people are happier and have more fulfilling lives than unmarried people. This appears to serve as a reminder of the rights and opportunities denied to the GLBT community. Coloradans for Fairness and Equality ([www.fairnessandequality.org](http://www.fairnessandequality.org)) is coordinating state-wide opposition to the Marriage Amendment.

***Citizens Project believes that all people deserve equal rights and opposes this attempt to write discrimination into the constitution.***

#### **Colorado's Domestic Partnership Referendum (HB 06-1344)**

There are over 1000 rights and responsibilities under civil marriage that are denied to the GLBT community. Colorado's Domestic Partnership Referendum, introduced by Representative Plant and Senator Fitz-Gerald, will allow for a registered legal contract for same-sex couples. This Referendum is one of the most comprehensive in the nation and, if passed, will offer a greater degree of security to members of the GLBT community. It provides many of the benefits, protections, and responsibilities of traditional marriage to same-sex couples.

The rights and responsibilities provided by the Referendum include:

- ◆ Adoption of a partner's child(ren)
- ◆ Protection and coverage under domestic abuse and violence laws
- ◆ Ability to inherit property
- ◆ Protection, responsibilities, and decisions in medical care, treatment, and hospital visitation
- ◆ Legal process similar to divorce in the case of a partnership ending
- ◆ No obligation for religious communities, such as churches, to be involved
- ◆ No requirement for other states to recognize Colorado domestic partnerships
- ◆ Inclusion in the terms spouse, family, dependent, and next of kin, when those terms are used in legal documents

This Referendum is a major step toward equality, despite creating the condition of "separate but equal".

***Although this Referendum does not create full equality for same-sex couples, Citizens Project supports it because it is a major step toward providing more equal rights, benefits, and responsibilities for the GLBT community.***

Two other recently proposed amendments relate to domestic partnerships: one seeks to invalidate the Domestic Partnership Referendum while the other protects the Referendum if it passes.

#### **Lundberg-Perkins Domestic Partnership Ban (Amendment 109)**

In response to the Domestic Partnership Referendum, former dealer Will Perkins and Representative Kevin Lundberg are proposing an amendment to the Colorado constitution that is intended to ban domestic partnerships. This amendment would prohibit the state from creating any legal status for same-sex couples similar to that for marriage. If this amendment passes, it would likely invalidate the Domestic Partnership Referendum because a constitutional amendment supersedes a statutory law, which the Referendum would create.

Perkins authored Amendment 2, which prohibited Coloradans from being protected from discrimination based on their sexual orientation. It was passed by voters in 1992 and struck down by the U.S. Supreme Court. Opponents of the newly proposed Amendment 109 are calling it the "Son of Amendment 2". The Domestic Partnership Ban is Perkins's latest attempt to deny equal

rights to the entire GLBT community. Proponents' arguments can be found at [www.protectingcoloradochildren.org](http://www.protectingcoloradochildren.org)

### **Domestic Partnership Amendment (Amendment 139)**

This newly proposed amendment is billed as an insurance policy, of sorts, to avoid the nullification of the Domestic Partnership Referendum if the Lundberg-Perkins amendment were to pass. It declares that "domestic partnerships do not affect [and are not similar to] the institution of marriage between one man and one woman" and labels a domestic partnership "as a unique and valid relationship between eligible adults of the same sex" (<http://www.elections.colorado.gov/DDefault.aspx?tid=274&vmid=666>). This proposed amendment categorizes domestic partnerships as separate from and dissimilar to marriage so that the Lundberg-Perkins amendment would not apply to domestic partnerships and therefore not invalidate them.

The Domestic Partnership amendment is needed to protect domestic partnerships from being immediately banned by the Lundberg-Perkins amendment. Although this amendment may sound like discrimination because it is clearly labeling domestic partnership as separate from traditional marriage, it is attempting to encourage equality for same-sex couples by allowing domestic partnerships to be permitted.

***Citizens Project has not yet taken a formal position on these last two amendments.***

Look for additional and updated information in future Freedom Watches and on our website as the summer progresses and November 7th approaches.

For the text of the proposed amendments:

<http://www.elections.colorado.gov/DDefault.aspx?tid=274>

For text and history of the referendum process: [www.fairnessandequality.org](http://www.fairnessandequality.org) (And then click on the section about the Domestic Partnership Referendum)

To find more information on how to get involved with these issues, visit Coloradans for Fairness and Equality: [www.fairnessandequality.org](http://www.fairnessandequality.org)

## **Diversity in Action: The Creating Community Breakfast**

***by Kristy Milligan***

At 7:30 a.m. on Tuesday, June 13, over 300 friends, supporters, and neighbors from across the Pikes Peak region gathered in hope and solidarity to Celebrate Diversity and Create Community at Citizens Project's second annual Creating Community Breakfast. The event highlighted the profound impact of Citizens Project and inspired and motivated attendees to work together toward a more vibrant democracy in the Pikes Peak region.

"It was empowering and invigorating," said Elizabeth Palmer, a community activist and volunteer table captain for the event. "The room was filled with so many people, from so many diverse backgrounds, all united by a shared goal to promote freedom and equality in the Pikes Peak region. It gives me hope."

Cynthia Nimerichter, Chair of Citizens Project Board of Directors, agreed. In her speech at the breakfast, she highlighted the organization's role in promoting community. "Our work is not only to preserve the traditional American values of freedom, equality, and the separation of church and state, but also to foster a sense of community and give voice to issues that you believe are

important to making our community thrive."

The Creating Community Breakfast featured several speakers representing the diverse populations that support the mission of Citizens Project, including: Benjamin Broadbent, Senior Minister of First Congregational Church; Sue Damour, VP of Internal and External Affairs of Planned Parenthood of the Rocky Mountain Region; Mary Ellen McNally, Civic Leader, 2006 KPWE "Unstoppable Woman," and Citizens Project board member; Mary Lou Makepeace, Director of the Gay and Lesbian Fund for Colorado and former Colorado Springs Mayor; Steve Kern, International Baccalaureate Program Coordinator for Palmer High School; Sara Horton, Air Academy High School student and organizer of her school's Gay Straight Alliance; and Una Ng-Brasch, Citizens Project board member.

Local musician and journalist Malcolm Lucard led the audience in "This Land is Your Land", and Colorado Springs Conservatory student Lauren Kumpf closed the ceremony with a beautiful a cappella version of "America the Beautiful." Even the Citizens Project youth volunteers were involved, passing out "I Created Community" stickers during the folk favorite "Free to Be".

The breakfast generated over \$42,000 in general operating support for Citizens Project's many programs, including: its bimonthly publication Freedom Watch, candidate surveys, and the Citizens Project Activist Network (which serves over 625 subscribers). Thanks to the longstanding generous support of the Gay and Lesbian Fund for Colorado, all new and increased donations received at the event were matched up to \$25,000.

"The event accomplished more than just raising money for Citizens Project," said Barb Van Hoy, Interim Executive Director. "It also heightened awareness about our mission and our impact, and it connected people from our community in profound ways."

Citizens Project would like to thank our dedicated volunteers who made the Creating-Community Breakfast possible.

If you are interested in attending next year's Creating Community Breakfast, please contact Barb Van Hoy at 520-9899.

## **New Staff**

Christina Student will be joining the Citizens Project team as Executive Director in mid-July. Christina brings to the organization extensive nonprofit leadership experience, including a record of successful fundraising, strategic planning, and communications initiatives. "I'm very excited to join such a dynamic and dedicated team," Student said of her new position at CP. Christina has worked with Partners in Housing for the last five years, first as an Americorps VISTA volunteer and later as Development Director. She holds a BS in Radio/Television/Film from Northwestern University and is currently pursuing her Masters in Public Administration at the University of Colorado, Colorado Springs.

Erin Bennett joined the CP staff in June as our new Colorado College Public Interest Fellow. She graduated in May 2006 from Colorado College with a BA in Biology and Women's Studies, and brings to her position a wealth of activism and organizing experience. Erin has served as co-chair for many local student organizations and events, and traveled to Kenya in 2005 through Boston University's School for Field Studies. Originally from Missouri, Bennett says she loves the Colorado outdoors and looks forward to sharing her time and talent with Citizens Project over the next year.

Sara Thomas, our returning summer intern, first came to know Citizens Project in her role as a student activist in creating a Gay-Straight Alliance at Palmer High School in 2002. Since then, Sara has served as a volunteer and intern for Citizens Project, researching policy, organizing events, and writing for Freedom Watch. Thomas will be returning to Grinnell College as a junior this fall. She plans to spend her fall semester participating in the Grinnell-in-Washington DC internship program, and will complete Grinnell's Peace Studies program in Ireland in the spring of 2007.