Beat: News

No Fairness for All in Maryland

Sen. James Brochin casts fatal vote

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USPA NEWS - The Fairness for All Maryland's Act of 2013 (Senate Bill 449), was introduced by state Senator Richard Madaleno in early February with twenty-two co-sponsors. The Montgomery County Democrat called the bill the last big victory needed for LGBT rights in Maryland.

At a rally of over 150 civil rights activists in mid-February, Sen. Madaleno told supporters that "The Fairness for All Marylanders Act of 2013" would place Maryland at the top of a handful of states (VT, CT, and WA) that have the full panoply of protections for every part of the LGBT Community.

Supporters of the bill testified for almost three hours before the Senate Judicial Proceedings Committee last month. The stories of discrimination recounted by victims, parents, friends, and community leaders were heart breaking, unfortunately they were not compelling enough for the senate committee to give SB 449 a favorable report, allowing it to proceed to the full Senate for a vote.

While Senators Richard Madaleno (D-Montgomery) and Jamie Raskin (D-Montgomery), the lead sponsors of the bill, worked tirelessly to ensure that any and all concerns were addressed, and the votes needed to pass the critical legislation were in place, there was one unforeseen and insurmountable hurdle they simply couldn't overcome; Sen. James Brochin.

The Baltimore County Democrat cast the bills fatal sixth vote in committee on Thursday, making it's committee status "unfavorable."

Despite strong support in both the Senate and the House of Delegates, and a commitment from Governor Martin O'Malley to sign the bill into law, without a favorable vote from committee the bill will not proceed to the full chambers for a vote, thus not becoming law.

The purpose of SB 449, the Fairness for All Marylanders Act of 2013 was to prohibit descrimination based on gender identity with regard to public accomodations, housing, and employment.

It defined "Gender Identity" in the law as "A Gender-Related Identity, Appearance, Expression, or Behavior of an individual regardless of the individuals assigned sex at birth."

It prohibited anyone licensed or regulated by the Department of Labor, Licensing, and Regulation in Section 2-108 of the Business Regulation Article from discriminating against a person or persons due to their "Gender Identity". This is the same law that currently prohibits discrimination base on race, color, religion, sex, age, disability, marital status, and sexual orientation.

Carrie Evans, the Executive Director of Equality Maryland, the states largest civil rights organization on LGBT issues said in a message to supporters late Thursday evening "It is terribly disappointing that this committee failed to stand up for fairness and protect transgender Marylanders. In the past month more than 300 people visited their legislators in support of this bill. Additionally, more than 400 constituents called their senators on this committee and almost 2,000 constituent letters, petitions and postcards in support of SB 449 were given to the 11 members of the committee."

"We are particularly incensed with Senator Jim Brochin´s vote. He had at least 1,000 constituents contact him asking him to support this bill. Despite this, he turned his back on these voters. It ironic that transgender people in his own district [Baltimore County] have protections yet he wouldn´t cast a vote to extend these protections to individuals in the 20 counties that aren´t so fortunate," Evans said.

Senator Brochin did not respond to our repeated requests for comment.

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