



**KENTUCKY EQUALITY
FEDERATION**

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Equality.*

(877) KEF-5775 | www.kyequality.org



March 06, 2013

The Honorable Steve Beshear
Governor and Commander-in-Chief of the Commonwealth of Kentucky
Capitol Office
700 Capitol Avenue
Suite 100
Frankfort, Kentucky 40601

The Honorable Steve Beshear
Governor and Commander-in-Chief of the Commonwealth of Kentucky
The Governor's Mansion
704 Capitol Avenue
Frankfort, KY 40601

RE: House Bill 279

Governor Beshear:

Kentucky Equality Federation, a non-government (NGO), non-profit organization with United Nations NGO observer and consultative status for minority issues hereby urges you to veto House Bill 279 for reasons outlined below. Kentucky Equality Federation has no doubt this legislation will pass the Senate having passed the House of Representatives.

Kentucky Equality Federation is Kentucky's largest all-volunteer grassroots lesbian, gay, bisexual, transgender, and intersex ("LGBTI") civil rights and advocacy organization for both social and political equality. Kentucky Equality Federation believes all people are endowed with inalienable rights to life, liberty, property, and the pursuit of happiness and fulfillment free from oppression, discrimination, school bullying, and hate crimes regardless of gender identity, sexual orientation, race, creed, veteran status, political affiliation, or any other defining characteristic.

The end of discrimination is not simply the elimination of flagrant abuses, rather it is



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the ability of a person to fully exercise their Kentucky human rights to the same full extent enjoyed by their peers, without fear of retribution, aspersion, or harm, be that harm political or social.

We assist and act as public advocate for people who have been bullied, discriminated against, or victimized in addition to assisting them with legal remedies.

When the laws have not caught up to the moral needs of society, we will seek their modification, pursuant to the creation of a just society.

Kentucky Equality Federation also asks if House Bill 279 would violate your executive order 2008-0473, prohibiting discrimination based on sexual orientation or gender identity in Kentucky's Government.

The emancipation of slaves, voting rights for women, and the civil rights movements were landmark victories for the cause of equality, but this struggle continues today and House Bill 279 is nothing short of legal discrimination against a minority group otherwise unprotected by the laws of this commonwealth.

House Bill 279 represents a clear and present danger to the gay and lesbian community and other minority groups around the commonwealth.

Both the Kentucky and U.S. constitution provide for freedom of religion and Kentucky Equality Federation supports freedom of religion.

As you know, in 2010 the Kentucky House of Representatives passed Resolution 232, the Manhattan Declaration making Christianity the official religion of the Commonwealth.

House Bill 279 does nothing more than give people permission to discriminate based on their religious beliefs thereby taking it beyond 'freedom of religion' to 'forced religion' because they have imposed their religious beliefs on others with legal authority to do so.



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The head of our legal department, Jillian Hall, Esq., our vice president of legal has outlined additional reasons:

House Bill 279 has the potential to harm local ordinances in place in Covington, Louisville, Lexington and Vicco.

Essentially, an individual can continue to discriminate against a gay individual in violation of the ordinance and be protected under this new law by showing that it is in conflict with their closely held religious beliefs. While the language adding “substantial” to the burden (via an amendment to the bill) does add some protections, the law still is a major step backward for the equality movement.

Right now, people discriminate freely and openly against the gay community without recourse due to the lack of a Kentucky statewide equality law.

Similar laws to this proposed bill have been passed in several other states after the U.S. Supreme Court struck down the U.S. Religious Freedom Restoration Act in 1997 (as applied to the states).

This law is nothing more than a poor recitation of the First Amendment, and is a thinly veiled move by the legislature showing their lack of respect or tolerance for the lesbian, gay, bisexual, transgendered, and intersex community (LGBTI).

While I do not feel that this will significantly affect anything in the courts, this law, along with the Manhattan Declaration of 2010 acts to block forward progress and is a continued embarrassment for the Commonwealth.

Governor, today the U.S. President signed domestic violence protections which included the LGBTI community. Though we support the sovereignty of the commonwealth of Kentucky against an oversized and intrusive federal government, we have no choice but to continue to turn to them for protections because our Kentucky lawmakers continue to fail us.



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We again appeal to you to as our chief of state and chief of government to veto House Bill 279.

Please feel free to contact us with any questions you may have regarding this matter toll-free at (877) KEF-5775 – Ext. 5.



Jordan Palmer
President

Jillian Hall, Esq.
Vice President of Legal