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SR-26 (2023-2024)

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ENROLLED MAY 18, 2023

PASSED IN SENATE MAY 18, 2023

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

SENATE RESOLUTION

NO. 26

Introduced by Senator Eggman
(Principal coauthors: Senators Atkins, Laird, Menjivar, Padilla, and Wiener)

April 11, 2023

Relative to Harvey Milk Day.

LEGISLATIVE COUNSEL'S DIGEST

SR 26, Eggman.

WHEREAS, Harvey Bernard Milk was born on May 22, 1930, in Woodmere, New York. He was the first openly gay man to be elected to public office in a major city of the United States. He was assassinated in 1978 at San Francisco's City Hall by a political rival. Perhaps more than any other modern figure, Harvey Milk's life and political career embody the rise of the lesbian, gay, bisexual, transgender, queer, or questioning (LGBTQ+) civil rights movement in California, across the nation, and throughout the world; and

WHEREAS, Harvey Milk graduated from the State University of New York at Albany, in Albany, New York in 1951. Thereafter, he served for a short time in the United States Navy; and

WHEREAS, During the 1960s, Harvey Milk lived in New York City, first working on Wall Street as an investment banker and later as a theater producer; and

WHEREAS, In 1972, Harvey Milk moved with his partner, Scott Smith, to San Francisco, California and opened a camera shop called Castro Camera; and

WHEREAS, Harvey Milk soon emerged as a community leader in the Castro neighborhood of San Francisco, founding the Castro Valley Association of Local Merchants, and representing that association's interests before city government; and

WHEREAS, Harvey Milk unsuccessfully ran for the Board of Supervisors of the City and County of San Francisco in 1973, and unsuccessfully ran for the Assembly in 1975. With each race, he gained more prominence and eventually became known endearingly by his neighbors as the "Mayor of Castro Street"; and

WHEREAS, After San Francisco adopted a district election system in 1977, Harvey Milk was elected to the Board of Supervisors of the City and County of San Francisco representing District 5. It was the first time in the history of the United States that an openly gay man was elected to a prominent political office; and

WHEREAS, During his term on the board of supervisors, Harvey Milk sponsored and successfully passed a gay rights ordinance; and

WHEREAS, Harvey Milk was instrumental in defeating Proposition 6, commonly known as the Briggs Initiative, at the General Election on November 7, 1978, that would have banned gays and lesbians from teaching in the public schools of this state; and

WHEREAS, As an openly gay leader, Harvey Milk encouraged LGBT individuals to be visible in society. During the Gay Freedom Day Parade of June 25, 1978, he told the crowd, "Gay people, we will not win their rights by staying quietly in our closets"; and

WHEREAS, Harvey Milk was also successful in forging coalitions with San Francisco's other minority leaders. His message was one of unity against oppression in all its forms. In the same Gay Freedom Day speech, he said, "I call upon all minorities and especially the millions of lesbians and gay men to wake up from their dreams ... to gather on Washington and tell ... their nation: 'Wake up ... wake up, America ... no more racism, no more sexism, no more ageism, no more hatred ... no more'"; and

WHEREAS, In 1978, Dan White, who represented District 8 on the Board of Supervisors of the City and County of San Francisco, resigned from his seat due to financial hardship, thus allowing the Mayor of San Francisco, George Moscone, to appoint a successor; and

WHEREAS, Dan White later asked Mayor Moscone to be reappointed to his seat. Mayor Moscone declined after having been lobbied by several city leaders, including Harvey Milk, who often clashed with Dan White due to their political differences; and

WHEREAS, On November 27, 1978, Dan White went to San Francisco City Hall to meet with Mayor Moscone and make a final plea for reappointment. When the mayor declined the request, Dan White shot and killed Mayor Moscone, then went to Harvey Milk's office and also shot and killed him; and

WHEREAS, Dan White subsequently surrendered to the authorities. Though he had carried a gun, 10 extra rounds, and crawled through a window to avoid metal detectors, Dan White denied that the shootings were premeditated; and

WHEREAS, Thousands attended a spontaneous candlelight memorial vigil the night of Harvey Milk's funeral; and

WHEREAS, Harvey Milk had anticipated the possibility of assassination and had recorded several audio tapes to be played in that event. One of the tapes included his now famous quote, "If a bullet should enter my brain, let that bullet destroy every closet door"; and

WHEREAS, Dan White's trial, which began four months after the killings, was one of the most closely watched trials in California at that time. The prosecution claimed that Dan White's motive was revenge. But Dan White's attorney, Douglas Schmidt, claimed that Dan White was a victim of pressure and had been depressed, a state exacerbated by his consuming a large quantity of junk food before the murders, which became known as the "Twinkie Defense"; and

WHEREAS, During the trial, the jury also heard Dan White's confession, which was tape recorded the day after the murders. During the confession, Dan White tearfully talked of how Mayor Moscone and Harvey Milk had opposed his reappointment to Supervisor; and

WHEREAS, Dan White was convicted of voluntary manslaughter on the grounds of diminished capacity and sentenced to seven years and eight months in prison, a sentence widely denounced as lenient and motivated by homophobia. During the jury selection process in the criminal trial, defense attorneys had excluded candidates they deemed "pro-gay"; and

WHEREAS, In protest of the lenient sentence, San Francisco's gay community erupted in what came to be known as the "White Night Riots." It began as a peaceful march from the Castro District to City Hall, but turned into a riot when marchers clashed with the police force outside of City Hall; and

WHEREAS, Harvey Milk's legacy as a civil rights leader is still felt today. He was named one of TIME Magazine's most influential people of the 20th century. Many institutions and organizations are named for Harvey Milk, including the Harvey Milk Recreational Arts Center, the Harvey Milk Civil Rights Academy, the Harvey Milk Institute, the Eureka Valley/Harvey Milk Memorial Branch Library, and the Harvey Milk Lesbian/Gay/Bisexual/Transgender Democratic Club in San Francisco; and

WHEREAS, Outside of San Francisco, a number of alternative schools in the United States are named for Harvey Milk, including Harvey Milk High School in New York City, and Oakes College at the University of California, Santa Cruz has an on-campus apartment building named for Harvey Milk; and

WHEREAS, In February 2007, the City of San Francisco agreed to erect a bust of Harvey Milk in City Hall in tribute to his service and to memorialize his life's work. A lengthy process to choose a design took place, and a gala installation event took place in May 2008, to coincide with Harvey Milk's birthday; and

WHEREAS, Harvey Milk's story as California's first openly gay elected official was the topic of a major motion picture released in 2008, which educated audiences worldwide about Milk's place in history as a trailblazer and civil rights pioneer; and

WHEREAS, In August 2009, President Barack Obama posthumously awarded Harvey Milk the Presidential Medal of Freedom for his contribution to the gay rights movement, stating, "he fought discrimination with visionary courage and conviction"; and

WHEREAS, In July 2016, United States Secretary of the Navy, Ray Mabus, advised Congress that he intended to name the second ship of the Military Sealift Command's John Lewis-class oilers USNS Harvey Milk. In November 2021, the ship was launched; and

WHEREAS, In April 2018, the San Francisco Board of Supervisors and Mayor Mark Farrell approved and signed legislation renaming Terminal 1 at San Francisco International Airport after Harvey Milk and planned to install artwork memorializing him. This followed a previous attempt to rename the entire airport after him, which was turned down. Officially opening on July 23, 2019, Harvey Milk Terminal 1 is the world's first airport terminal named after a leader of the LGBTQ+ community; and

WHEREAS, Harvey Milk's life and social contributions have left an indelible mark on the history of our nation and hold a special meaning for the people of California; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate recognizes the pioneering contributions of Harvey Milk to the cause of LGBTQ+ civil rights and commemorates May 22, 2023, as Harvey Milk Day; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.