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SR-96 (2023-2024)

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CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

SENATE RESOLUTION

NO. 96

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

May 14, 2024

Relative to Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

LEGISLATIVE COUNSEL'S DIGEST

SR 96, Eggman.

WHEREAS, Our great state and nation strives to promote the principles of equality and justice and the inalienable rights of all people to life, liberty, and the pursuit of happiness; and

WHEREAS, California's and America's diversity is one of our greatest strengths; and

WHEREAS, To achieve a more just and fair society, we must teach our children to respect one another, to appreciate our differences, and to recognize the common good in all of us; and

WHEREAS, Lesbian, gay, bisexual, transgender, and queer people come from all walks of life, regardless of race, ethnicity, color, religion, ancestry, national origin, economic status, physical or mental ability, medical condition, sex, or gender identity or expression; and

WHEREAS, More lesbian, gay, bisexual, transgender, and queer people are being elected to public offices across the country, playing in professional sports leagues, occupying the highest positions in business and government, and serving as role models for all; and

WHEREAS, Lesbian, gay, bisexual, transgender, and queer people have made important and lasting contributions to our great state and nation in every field of endeavor, including, but not limited to, business, medicine, law, humanities, science, literature, politics, education, music, philanthropy, sports and athletics, arts, and culture, that enrich our national life; and

WHEREAS, In 2012, for the first time in the history of the United States, a sitting president, former President Barack Obama, affirmed support for the fundamental right to marry, regardless of sexual orientation or gender; and

WHEREAS, The United States Supreme Court struck down a provision of the federal Defense of Marriage Act (DOMA), which barred the federal government from recognizing same-sex marriages, affirming that all loving and committed couples who are married deserve equal treatment and respect; and

WHEREAS, The United States Supreme Court ruled that Proposition 8 sponsors had no standing to appeal the federal trial court's decision that Proposition 8 is unconstitutional, thereby restoring marriage equality in California; and

WHEREAS, The United States Supreme Court has found a constitutional basis for marriage equality, granting millions of lesbian, gay, bisexual, transgender, and queer individuals across the country the ability to marry people whom they love; and

WHEREAS, Married same-sex couples now enjoy the same rights and privileges granted to other married couples, including joint tax filings, military benefits, family and medical leave, and the ability to sponsor a foreign spouse; and

WHEREAS, In 2023, the State of California passed ACA 5 (Resolution Chapter 125 of the Statutes of 2023), which will repeal the stain of Proposition 8 from the California Constitution and enshrine people's right to marriage equality; and

WHEREAS, An unprecedented number of adults in the United States identify as LGBTQ+, with a jump from 5.6 percent to 7.1 percent of Americans who identify as lesbian, gay, bisexual, transgender, or queer in 2022. Young people, especially Generation Z, are driving the increase; and

WHEREAS, The transgender, gender diverse, and intersex (TGI) community in particular has gained newfound prominence in media, entertainment, sports, and business, raising awareness about gender identity and the obstacles this community continues to face; and

WHEREAS, In 2021, President Joseph Biden became the first American president to issue a formal presidential proclamation recognizing Transgender Day of Visibility; and

WHEREAS, While our great state and nation have progressed in our journey toward dignity, understanding, and mutual respect for all, we still have a long way to go in eradicating the prejudice and discrimination that lesbian, gay, bisexual, transgender, and queer people and their families encounter, and to this end, we continue working for the passage of the inclusive federal Equality Act, comprehensive immigration reform, and increased awareness of the difficulties facing the transgender community; and

WHEREAS, Friends and allies of the LGBTQ+ community have shown considerable support and commitment to the struggles of lesbian, gay, bisexual, transgender, and queer people at home and abroad; and

WHEREAS, To build a more robust and better state and nation, we must continue to help advance the cause of equality for all people; and

WHEREAS, Each year, June marks the anniversary of the Stonewall Uprising that gave birth to the modern lesbian, gay, bisexual, transgender, and queer civil rights movement; and

WHEREAS, The first New York City Pride Rally occurred one month after the Stonewall Uprising in June 1969, when 500 people gathered for a "Gay Power" demonstration in Washington Square Park, followed by a candlelight vigil in Sheridan Square; and

WHEREAS, On the 50th anniversary of the Stonewall Uprising, the NYC Pride organization simultaneously hosted "WorldPride" during its 2019 season. This was the first WorldPride celebration hosted on United States soil, and the second North American WorldPride in the event's over 20-year history; and

WHEREAS, Around the same time as the Stonewall Uprising, LGBTQ+ people, and in particular trans women of color, led advocacy for the LGBTQ+ rights movement in the State of California and the United States, from the 1966 Compton's Cafeteria riot in the City of San Francisco to the 1958 Cooper Do-nuts riot, 1967 Black Cat Tavern protests, and 1968 Patch Bar "Flower Power" protest, all in the City of Los Angeles; and

WHEREAS, June 2019 marked the first annual proclamation of the month as LGBTQ+ Pride Month by the Governor of California; and

WHEREAS, In December 2022, President Joseph Biden signed the federal Respect for Marriage Act, repealing the federal DOMA and requiring the federal government and all states and territories to recognize the validity of same-sex and interracial civil marriages in the United States; and

WHEREAS, In January 2023, California became the first state legislature in the nation to reach 10-percent representation for LGBTQ+ individuals, matching the estimated 10 percent of people identifying as LGBTQ+ in California; and

WHEREAS, California now has nearly 200 openly LGBTQ+ elected officials across our great state; and

WHEREAS, While California is a leader in defending the rights and safety of LGBTQ+ people, our state is not immune to the national wave of LGBTQ+ hate, violence, and political attacks, which disproportionately impacts TGI people particularly. California's commitment to the LGBTQ+ community is needed even more in the face of rising extremism and hostility here and across the nation and globe; and

WHEREAS, Nationally, there were over 500 anti-LGBTQ+ bills introduced in state legislatures across the country during the 2023 legislative year, and there are already over 500 anti-LGBTQ+ bills introduced in state legislatures across the nation as of May during the 2024 legislative year; and

WHEREAS, The aforementioned anti-LGBTQ+ bills disproportionately target TGI people and include efforts to prohibit access to lifesaving gender-affirming medical care, prevent TGI youth from playing school sports alongside their friends, erase TGI identities from vital records and state driver's licenses, ban books that include TGI people and history, prohibit TGI people from using restrooms and facilities in accordance with their gender identity, and criminalize TGI people who bravely embrace their authentic selves amid rising hostility; and

WHEREAS, According to the Williams Institute at the University of California, Los Angeles School of Law, the legal landscape for trans youth shifted significantly in 2023, and 105,200 trans youth, about one-third of trans youth in the United States, live in states that ban access to gender-affirming care, 101,500 trans youth, about one-third of trans youth in the United States, live in states that restrict access to school sports for trans students, and 32,700 trans youth live in states that ban trans students from using school bathrooms and other facilities that align with their gender identity; and

WHEREAS, California has become a safe haven for many LGBTQ+ people across the United States, its territories, and beyond, including for its access to health care and robust civil rights laws allowing LGBTQ+ people to live their authentic lives; and

WHEREAS, Antitrans legislation, executive actions, local ordinances, school policies, practices, misinformation, and rhetoric endanger the psychological and physical well-being of TGI youth, with 86 percent of TGI youth reporting these actions negatively impacting their mental health, as well as 45 percent reporting they experienced online harassment, 24 percent reporting they were bullied in school, 27 percent reporting they have been physically threatened or harmed due to their gender identity, and 64 percent reporting that they have felt discriminated against due to their gender identity; and

WHEREAS, Discriminatory legislation, executive actions, local ordinances, school policies, practices, misinformation, and rhetoric across the country and here in California have all contributed to rising hate and violence directed against members of the TGI community, in particular Black trans women, prompting a number of civil rights organizations to declare an epidemic of violence against TGI people; and

WHEREAS, The latest Federal Bureau of Investigation (FBI) annual crime report showed that anti-LGBTQ+ hate crimes were up sharply from the prior year, with a 13.8-percent increase in reports based on sexual orientation and a 32.9-percent increase in reports based on gender identity; and

WHEREAS, The FBI-reported hate crime rates among LGBTQ+ victims, particularly TGI victims, are likely incomplete, as cities and states across the nation are reporting incomplete or inaccurate data, or no data at all, on hate crimes committed against the LGBTQ+ community; and

WHEREAS, The FBI reported that schools were the third most commonly known location for hate crimes against LGBTQ+ youth and community members, and that hate crimes more than doubled at elementary and secondary schools and universities from 2018 to 2022, inclusive; and

WHEREAS, The FBI noted that participation in the collection of the aforementioned data regarding hate crime reports in schools is voluntary for most agencies and is only mandatory for federal agencies, and is thus likely incomplete and underreported; and

WHEREAS, From June 2022 to April 2023, inclusive, there were over 350 incidents of reported hate and extremism against the LGBTQ+ community in the United States, with California having one of the highest total number of incidents in the country; and

WHEREAS, Lesbian, gay, bisexual, transgender, and queer people have had their resiliency tested in the face of a severe uprising in hate crimes across the nation, but are resolved to come back stronger than ever in the face of adversity; and

WHEREAS, The LGBTQ+ community is united now more than ever to combat hate and hostility against our community with community empowerment and education; and

WHEREAS, Several countries, states, municipalities, and territories will be celebrating Pride 2024, highlighting themes of empowerment, resiliency, unity, visibility, love, and more; and

WHEREAS, The annual recognition of LGBTQ+ Pride Month provides an opportunity for the community to come together, take stock, and recognize the advances and setbacks made in the past year, as well as providing a chance for the community to come together and celebrate in a festive, affirming atmosphere; and

WHEREAS, June 1 to June 30 spotlights LGBTQ+ people and their voices, increases awareness and knowledge of issues impacting the LGBTQ+ community, and commemorates lives lost to hate and violence as well as health epidemics, amongst additional efforts to support the diverse LGBTQ+ community; and

WHEREAS, Visibility for LGBTQ+ people comes in a variety of diverse forms, such as showcasing LGBTQ+ stories through art, storytelling, and media, LGBTQ+ people sharing their affirmed names with their families, loved ones, and colleagues, pushing back against attempts to erase the LGBTQ+ community by organizing demonstrations and moving throughout the world openly and authentically, and uplifting the power and beauty of LGBTQ+ people by elevating positive narratives that highlight trans joy, love, and community; and

WHEREAS, LGBTQ+ people include, but are not limited to, parents, siblings, children, family, friends, colleagues, congregants, parishioners, neighbors, and caretakers, all deserving of human dignity, safety, and support; and

WHEREAS, Lesbian, gay, bisexual, transgender, and queer people, their families and friends, and all those committed to justice and equality celebrate, during the month of June, the rich culture, the notable achievements, and the outstanding services that lesbian, gay, bisexual, transgender, and queer people make to our great state, nation, and territories; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate proclaims June 2024 as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month, urges all Californians to join in celebrating the culture, accomplishments, and contributions of two-spirit, lesbian, gay, bisexual, transgender, and queer people, and encourages the people of California to work to help advance the cause of equality for two-spirit, lesbian, gay, bisexual, transgender, and queer people, and their families; and be it further

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