

Targeted News Service

Election 2008: Gains and Losses on Key Contests Impacting LGBT People Nationwide

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The National Gay & Lesbian Task Force issued the following news release:

Election 2008 results in presidential, congressional and state legislative races may bode well for advancing issues of particular relevance to lesbian, gay, bisexual and transgender (LGBT) people throughout the United States. Outcomes from some of yesterday's contests will lead to gains in LGBT rights, reproductive freedoms and other issues. Statewide ballot initiative results on marriage, adoption/foster care, reproductive rights, immigration and affirmative action were mixed, however.

Welcoming a new administration

The **Task Force Action Fund** responds to the election of Barack Obama to become the 44th president of the United States. Obama was considered to be the most LGBT-friendly presidential candidate in this country's history.

"This is the dawn of a new political era of hope and engagement in the life of this country. A new administration brings a promise for a sea change in the tenor of the national dialogue on lesbian, gay, bisexual and transgender issues," says Rea Carey, executive director of the National Gay and Lesbian Task Force Action Fund.

"For eight years, we have endured a hostile administration that treated us with contempt, rather than as part of the strength, talents and spirit of this country. It's long past time our country said goodbye to those destructive, divisive ways and ushers in an era in which each of us is encouraged and inspired to recognize our common humanity." [Read the full statement.](#)

Anti-marriage constitutional amendments

Anti-marriage amendments were on the ballot in Arizona, Florida and California this election, and passed in Arizona and Florida. In California, as of 3 p.m. (EST) on Nov. 5, Prop. 8 had a margin of 52 percent in favor and 48 percent opposing it, with 95 percent of the precincts reporting. Voters in Arizona approved Prop. 102 by a 56-44 percent margin, banning legal marriage for same-sex couples. In Florida, voters passed Amendment 2, which would not only ban marriage rights for same-sex couples, but would also limit any partner recognition rights to unmarried heterosexual and same-sex couples. Opponents of Amendment 2 needed to win 40 percent of the vote and came close, with 38 percent.

In California, an estimated 400,000 votes were separating yes from no on Prop. 8 -- out of 10 million votes tallied. Prop. 8 opponents, including the Equality for All campaign, are waiting to hear from California's secretary of state regarding the tally of outstanding votes.

In Connecticut, voters rejected a constitutional convention that would have provided an opportunity to undermine the recent court decision in support of marriage equality, preserving marriage rights for same-sex couples for the foreseeable future.

Arkansas voters, meanwhile, passed Act 1, which changes state law to ban all unmarried cohabiting couples, both opposite-sex and same-sex, from adopting or serving as foster parents. Voters passed the measure by a 57-43 percent vote.

Election of openly gay member of Congress

Jared Polis (D-Colo.) won election to the U.S. House of Representatives and will join U.S. Reps. Tammy Baldwin (D-Wis.) and Barney Frank (D-Mass.), bringing to three the number of openly lesbian and gay members of Congress. Both Baldwin and Frank were re-elected to the House.

Polis defeated Republican Scott Starin. The electoral victories of all three openly gay and lesbian candidates reflect that voters, from very different parts of the country, support LGBT candidates for higher offices.

These victories could have a tremendous impact on a broad range of issues. Like Frank and Baldwin before, Polis will represent the interests of LGBT people in diverse areas. He will have the opportunity to be a leader on LGBT issues but on other issues as well, such as energy, health care and tax reform. Polis has been an outspoken advocate for a fully inclusive Employment Non-Discrimination Act (ENDA) and a critic of the war in Iraq, an issue of great concern to many LGBT people.

Frank and Baldwin have changed the hearts and minds of their congressional colleagues by building strong working relationships with some colleagues who had been hesitant to support LGBT issues, helping to advance the rights of LGBT people.

Strong allies of LGBT people also scored important victories on Election Day. Across the country, voters are supporting and electing pro-LGBT candidates. The message is clear that LGBT people are neighbors and colleagues, families and friends whose lives are valued and whose equality is defended. In Colorado's District 4, Betsy Markey defeated incumbent Marilyn Musgrave. Markey is an outspoken supporter of LGBT rights, including a fully inclusive ENDA. Musgrave, the author of the Federal Marriage Amendment, is perhaps the most vocal anti-LGBT member of the House. The people of Colorado's District 4 spoke with their votes and chose equality over bigotry.

Gains in state legislatures

In New York, Democrats have reclaimed the New York Senate, after 43 years of Republican dominance. GOP leadership in the Senate repeatedly blocked action of key pro-LGBT bills, including the Gender Expression Non-Discrimination Act (GENDA), Dignity for All Students Act and a marriage equality bill. Each of these bills has already passed the Democrat-controlled Assembly. GENDA, which would protect transgender people from discrimination, passed overwhelmingly in June by a vote of 108 to 34; the Dignity for All Students Act has passed the Assembly four times; and the marriage bill passed last year. Gov. David Paterson, a Democrat, has been outspokenly supportive of LGBT issues and legislation.

In Wisconsin, Democrats have gained control of the state Assembly, raising hopes for passage of pro-LGBT legislation. LGBT advocates and allies in Wisconsin have been working to shift control of the state Assembly to Democrats so that legislation related to relationship recognition and transgender discrimination could potentially pass the Legislature in 2009. The state Senate is currently controlled by Democrats and Gov. Jim Doyle is also a Democrat.

Local discrimination measures have mixed results

In King County, Wash., voters approved an amendment to the county charter that would make it illegal for the county to discriminate in hiring based on disability, sexual orientation or gender identity or expression. Voters passed the amendment by a margin of 71 percent to 29 percent. The amendment is similar to protections adopted by the state two years ago, but the King County provision marks the first time that protections based on gender identity and expression have been explicitly named. Twenty-nine percent of Washingtonians live in King County.

In Hamtramck, Mich., voters repealed a nondiscrimination ordinance by a margin of 55 percent to 45 percent. Earlier this year, the City Council passed the ordinance, which added protections against discrimination based on sexual orientation, gender identity and gender expression in the areas of public services and employment. Opponents, however, gathered signatures to put the new law on the ballot so that it would only take effect if the citizens of Hamtramck voted for it.

Affirmative action

In Colorado, Amendment 46 remains undecided, with 91 percent of precincts reporting the race is deadlocked at 50 percent for each side. Amendment 46 would end affirmative action in public employment, public education or public contracting. In Nebraska, affirmative action was rejected by voters, by a margin of 58 percent to 42 percent.

Anti-immigrant measures

In Arizona, voters rejected Prop. 202 by a margin of 59 percent to 41 percent, which would have penalized businesses that hire undocumented workers. In Oregon, voters rejected an English-only proposal; in Missouri, voters approved a measure to establish English as the official language in the state.

Reproductive freedoms

In three states, voters considered initiatives related to reproductive freedoms. In California, results on Prop. 4 are inconclusive at this time. Prop. 4 would prohibit a minor from having an abortion until 48 hours after they have notified a parent or a legal guardian. In Colorado, voters rejected a measure that would have changed the state Constitution to define that a fertilized egg constitutes a person, defining life as beginning at the moment of conception. And in South Dakota, voters rejected a ban on all abortions except in cases of rape, incest, or because of the woman's health.