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Money flows to supporters of restroom accommodations law

By Christian M. Wade
Statehouse Reporter

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Advocates hoping to overturn a law that bans discrimination against transgender individuals in public bathrooms are far behind the law's supporters in fundraising, as the sides prepare to battle for public opinion ahead of the November elections.

Keep Massachusetts Safe, a ballot committee backing a statewide referendum to repeal the public accommodations law, raised about \$105,000 as of the end of last year, according to the latest reports to the state Office of Campaign and Political Finance.

The conservative Massachusetts Family Institute, which wants the law repealed, contributed about \$40,000.

By contrast, Freedom for All Massachusetts, which wants to keep the protections, has drummed up more than \$457,000.

Its largest donor was the 1199 Service Employees International Union's New York-based political committee, which gave \$100,000.

Freedom for All Americans, a Washington D.C. advocacy group aligned with Freedom Massachusetts, also contributed a sizable chunk. It has donated nearly \$88,000 to the Massachusetts committee over the past year.

The American Civil Liberties Union of Massachusetts chipped in \$6,555, while the D.C.-based Human Rights Campaign gave \$6,300, the campaign disclosures show.

But the ballot committee has also banked hundreds of small donations from individuals who support efforts to uphold the public accommodations law.

Phil Sherwood, campaign director for Freedom For All Massachusetts, said an early financial edge shows strong support for the law, but he said its advocates are leaving nothing to chance.

"Fundraising isn't always a sign of support, but we believe Massachusetts voters strongly support these protections," he said. "They don't want to be the first state in the country to vote by ballot to take away someone's civil rights."

Sherwood said he expects a crush of money from national conservative groups opposed to transgender protections.

"We know the other side's playbook," he said. "Their campaign coffers will be flooded at at the last minute with out-of-state money."

Chanel Prunier, a former state GOP committee member who chairs the Keep Massachusetts Safe campaign, didn't return a call seeking comment.

The law, signed by Republican Gov. Charlie Baker in 2016, prohibits discrimination on the basis of gender identity in public accommodations. It allows people to use restrooms or locker rooms based on their gender identity, not necessarily their anatomical gender.

Guidelines issued by Attorney General Maura Healey warn businesses to "not assume an individual's gender identity solely by appearance."

"The fact that a woman, whether transgender or not, is perceived as having a masculine appearance is not a legitimate reason to exclude her from, or question her presence in, a sex-segregated facility intended for women," Healey's office wrote in a notice to business owners. "Similarly, the fact that a man may appear feminine is not a credible basis to exclude him from, or question his presence in, a sex-segregated facility intended for men."

The guidelines also protect business owners, by forbidding individuals from entering restrooms that don't match their sex or gender-identity. If someone acts improperly, a business may remove that person and call law enforcement.

Debate on the law on Beacon Hill was long and divisive.

Supporters framed the issue as a matter of civil rights and closing loopholes in the state's anti-discrimination laws.

Opponents say the law endangers women and children in public bathrooms and locker rooms, by giving sexual predators an opportunity to claim confusion about their gender in order to gain access to private areas. They dubbed the proposal a "bathroom bill" that would jeopardize safety.

Keep Massachusetts Safe's campaign website includes blog posts about safety risks with links to news stories from other states about "men who use gender confusion to gain entry into private, women's only spaces."

"Since the law doesn't require a protected person to have a legitimate problem with gender confusion, there is no way to distinguish between those people that this bill is designed to help and those who will undoubtedly abuse its existence to prey on the vulnerable," Prunier posted on the website.

Sherwood said he expects repeal supporters to "falsely" portray it as an issue of safety.

"The other side has proven willing to use misinformation and fear to generate support," he said. "But in the end, this is about protection of equal rights, and we're confident Massachusetts voters will see this as an issue of fairness. They won't strip civil rights away from folks just because they're different."

http://www.eagletribune.com/news/merrimack_valley/money-flows-to-supporters-of-restroom-accommodations-law/article_e6bb4f4b-2c52-5783-99ff-9aff868523fc.html

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Massachusetts bill would bar companies from citing religious exemptions

"When faith and religion are used to hurt and discriminate, that freedom becomes a weapon against our community."

By STEVE LeBLANC, AP

BOSTON (AP) — Lawmakers are weighing a bill aimed at preventing corporations from being able to claim religious exemptions from state anti-discrimination laws for conduct that occurs in Massachusetts.

The bill is in part a reaction to the 2014 U.S. Supreme Court decision that enabled the Christian-owned Hobby Lobby chain to be exempt from a federal mandate to offer contraceptives as part of its employee health care plans.

The bill states that "the powers of a business corporation do not include assertion — based on the purported religious belief or moral conviction on the part of the corporation, its officers, or directors — of exemptions from, or claims or defenses against, federal or state law prohibiting discrimination."

Supporters say Massachusetts already prohibits many forms of discrimination in employment, housing, credit, and public accommodations on grounds that include race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, disability, ancestry, or veteran status.

"LGBTQ people across the commonwealth value the cornerstone of freedom of religion. It's a core belief we all share," Mason Dunn, Executive Director of Massachusetts Trans Political Coalition said in a statement. "However, when faith and religion are used to hurt and discriminate, that freedom becomes a weapon against our community — and that's not something we can allow here in Massachusetts."

Supporters also point to one of the biggest cases currently before the U.S. Supreme Court — Masterpiece Cakeshop v. Colorado Civil Rights Commission. At issue is whether a baker, citing his Christian faith, had the right to refuse to make a cake for a gay couple's wedding celebration.

The bill, sponsored by Democratic state Rep. Michael Day of Stoneham, also states that any foreign corporation authorized to do business in Massachusetts would be subject to the same "duties, restrictions, penalties, and liabilities now or later imposed on, a domestic corporation."

Catholic Action League of Massachusetts Executive Director C.J. Doyle opposes the measure and said the goal of the bill isn't to prevent discrimination, but instead has "everything to do with coercing the consciences of Christians and enforcing homosexual ideology on the rest of society."

"The same people who pleaded for tolerance and an end to discrimination when gay rights laws were being considered, now demand that Christians be punished, and if necessary, driven out of business if they refuse to service same-sex 'marriage' ceremonies," Doyle wrote in an email to the Associated Press.

"If this legal thuggery succeeds, conscientious religious believers will be effectively excluded — which is to say, discriminated against, in entire professions — such as those of printers, photographers, bakers, florists, wedding planners, along with jobs and businesses in the hospitality industry," he added.

Janson Wu, Executive Director of GLBTQ Legal Advocates & Defenders, however, said that Massachusetts has a vital interest in preventing discrimination through its state non-discrimination laws.

Wu said the bill "would work to ensure that corporations operating within Massachusetts cannot undermine these essential non-discrimination protections by asserting a religious exemption from our laws."

The bill has a dozen legislative co-sponsors, all Democrats.

<https://www.boston.com/news/politics/2018/02/11/massachusetts-bill-would-bar-companies-from-citing-religious-exemptions>