



Cedar Rapids

Civil Rights Commission Newsletter

VOLUME 3, ISSUE 5

MAY, 2009

Area Events

CONVERSATIONS WITH THE CITY COUNCIL

When: May 21, 5:30pm - 6:30pm
Where: Roosevelt Middle School
Description: Citizens are invited to come chat with some Cedar Rapids City Council members prior to the Northwest Neighborhood Assn. meeting.

CULTURAL COMPETENCY TRAINING

When: June 20, 9am - 4pm
Where: Prairiewoods Franciscan Spirituality Center
Speaker: LaSheila Yates, Civil Rights Investigator and Diversity Consultant
Cost: \$10, includes lunch
To register: Call 395-6700

FAIR HOUSING CONFERENCE

When: June 25, 1 day conference
Where: Crowne Plaza
Cost: \$25, includes lunch
Speakers: *Stella Adams*, Founder & CEO of S J Adams Consulting, which performs research and policy development in the areas of fair housing and fair lending.
Timothy Butz, Assistant Director- Investigations for the Fair Housing Center of Nebraska-Iowa.
To register: Call the Civil Rights Commission at 286-5036 or e-mail [Stefanie Robinson](mailto:Stefanie.Robinson@cedar-rapids.org) at s.robinson@cedar-rapids.org

JUNETEENTH

Taste of Freedom
When: June 19, 5 pm - 8 pm
Where: African American Historical Museum & Cultural Center of Iowa
Featuring: Unbelievable soul food and keynote by LaSheila Yates
Tickets - \$10 Veterans - \$5
Tickets must be purchased in advance at the Museum.

JUNETEENTH

Freedom Dance
When: June 19, 9 pm - 2am

JUNETEENTH

Celebration Day
When: June 20, 10 am - 5 pm
Where: Viola Gibson Park, corner of 12th Ave SE & 9th St. SE
Featuring: Food, Vendors, Games, Music, The New KOJC

Asian Pacific American Heritage Month

Asian Pacific American Heritage Month is celebrated in May to commemorate the contributions of people of Asian and Pacific Islander descent in the United States. Congress passed a joint Congressional Resolution in 1978 to commemorate Asian American Heritage Week during the first week of May. This date was chosen because two important anniversaries occurred during this time: the arrival of the first Japanese immigrants in America on May 7, 1843 and the completion of the transcontinental railroad, by many Chinese laborers, on May 10, 1869. Congress later voted to expand it from a week long to a month long celebration.

COMMUNITY CONNECTIONS: TAKING OWNERSHIP FOR WHERE WE LIVE

Over 250 people gathered to discuss social issues on April 14 at St. Paul's United Methodist Church. The discussion included concerns about parenting, absent landlords, and issues concerning the police and the people they serve.

Every person in Cedar Rapids needs to be responsible and help work together to be able to solve these problems.

Panelist, Lloyd Smith summed this up by stating "the solution is out there," indicating the audience. "Not up here. It has to be worked out there."

The forum was recorded and is on DVD. If you were not able to attend the forum and wish to purchase a copy, please contact our office. Cost: \$5/DVD.

Panelists included:

Terry Bilisland, President of Wellington Heights, Neighborhood Association

Dedric Doolin, Iowa/Nebraska NAACP State Conference Secretary

Pastor Harlan Gillespie, Senior Pastor of St. Paul's United Methodist Church

Greg Graham, Cedar Rapids Police Chief

Dr. Dave Markward, Cedar Rapids Community School District Superintendent

Lloyd Smith, Retired Juvenile Officer

Dr. Ruth White, Executive Director of The Academy for Scholastic and Personal Success

Event moderated by:

Beth Malicki, News anchor/reporter for KCRG TV Channel 9

Dean Borg, Senior Correspondent for Iowa Public Radio and public affairs anchor for Iowa Public Television



What do we do now?

Where do we go from here?

Please send ideas and/or suggestions to

s.robinson@cedar-rapids.org



IOWA SUPREME COURT RULES IN MARRIAGE CASE

On April 3, 2009, in an unanimous decision, the Iowa Supreme Court ruled that the Iowa statute limiting civil marriage to a union between a man and a woman violates the equal protection clause of the Iowa Constitution.

The court, citing historical as well as present day examples, concluded that gay and lesbian people as a group have long been the victim of purposeful and invidious discrimination because of their sexual orientation.

The Iowa Supreme Court analyzed several arguments made by the County before their decision was made, including:

1. **Maintaining Traditional Marriage:** No underlying governmental reason was given for the tradition of limiting marriage to heterosexual couples.
2. **Promotion of Optimal Environment to Raise Children:** The court found this argument to be under-inclusive because it does not exclude other groups of parents from marriage, such as child abusers, sexual predators, violent felons, etc. It was also found to be over-inclusive because not all same sex couples choose to raise children in Iowa. The court also noted that the County failed to show how the ban of same sex marriage supports the best interest of children of gay and lesbian parents or how the ban benefits the interests of children of heterosexual parents. Research was also shown that the best interests of children are served equally by same sex parents and opposite sex parents.
3. **Promotion of Procreation:** The court found no argument to support the conclusion that the exclusion of gays and lesbians from civil marriage would lead to more procreation.
4. **Promoting Stability in Opposite-Sex Relationships:** The court found no evidence to support that excluding gay and lesbian people from civil marriage makes opposite sex marriage more stable.
5. **Conservation of Resources:** The County argued that civilly married couples enjoy numerous governmental benefits, so the state's fiscal burden associated with civil marriage is reduced if less people are allowed to marry. The

ban on same sex marriage may conserve some resources but so also would excluding other groups. The court found that this argument was over and under-inclusive and did not further this argument.

6. **Religious Opposition to Same Sex Marriage:** This argument was not brought by the County but it is a commonly stated reason for rejecting same sex marriage. The court said "Our constitution does not permit any branch of government to resolve these types of religious debates and entrusts to courts the task of ensuring government *avoids* them...The statute at issue in the case does not prescribe a definition of marriage for religious institutions. Instead, the statute, declares 'Marriage is a civil contract' and then regulates that civil contract...Thus, in pursuing our task in this case, we proceed as civil judges, far removed from the theological debate of religious clerics, and focus only on the concept of civil marriage and the state licensing system that identifies a limited class of persons entitled to secular rights and benefits associated with marriage.

C o n s t i t u t i o n a l I n f i r m i t y

In conclusion, the court stated, "we are firmly convinced the exclusion of gay and lesbian people from the institution of civil marriage does not substantially further any important governmental objective. The legislature has excluded a historically disfavored class of persons from a supremely important civil institution without a constitutionally sufficient justification. There is no material fact, genuinely in dispute, that can affect this determination, we have a constitutional duty to ensure equal protection of the law.

Faithfulness to that duty requires us to hold Iowa's marriage statute, Iowa Code section 595.2, violates the Iowa Constitution. To decide otherwise would be an abdication of our constitutional duty. If gay and lesbian people must submit to different treatment without an exceedingly persuasive justification, they are deprived of the benefits of the principle of equal protection upon which the rule of law is founded. Iowa Code section 595.2 denies gay and lesbian people the equal protection of the law promised by the Iowa Constitution."

Submitted by Stefanie Robinson

Source: http://www.judicial.state.ia.us/Supreme_Court/Recent_Opinions/20090403/07-1499.pdf



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Cedar Rapids Civil Rights Commission Areas of Civil Rights Coverage

Simply being treated unfairly may not be discriminatory. While it may be unfair, morally unjust or simply wrong, it may not necessarily be an illegal practice.

Unlawful Discrimination does not cover all things or all circumstances. Cedar Rapids City Ordinance 2-99 covers unlawful discriminatory practices only in the areas of Employment, Education, Public Accommodations, Credit, and Fair Housing.

Generally speaking, complaints of unlawful discriminatory treatment must be based on a person's **Age, Race, Color, Creed, Religion, Mental or Physical Disability, Sex (gender), National Origin or Sexual Orientation**. These categories are called *protected classes*.

Additionally, the Commission enforces local civil rights laws in the area of housing on the basis of familial status (families with children under 18 years), and in the area of credit on the basis of marital status.

If you wish to be included on the newsletter distribution list, please contact Stefanie Robinson: s.robinson@cedar-rapids.org or call 286-5036.

Editor, Stefanie Robinson

FROM DARRYL'S CORNER

I am pleased to announce that the 2009 Iowa School Climate Survey is now online! Please use this unique link below to direct people within your network to the survey.

Iowa Pride Network's Iowa School Climate Survey is the only statewide survey to document the experiences of students who identify as lesbian, gay, bisexual, transgender or straight allied (LGBTQA) as well as the levels of racism and sexism in Iowa's secondary schools.

Conducted biennially since 2005, the Iowa School Climate Survey (ISCS) fills a crucial void in our collective understanding of the contemporary high school experience. The results of this survey are intended to serve as a guide for every legislator, educator, school board and community leader concerned with ensuring safe and effective schools for ALL students.

http://www.surveymonkey.com/s.aspx?sm=Jl5VHxho2Wu4y36awcqOig_3d_3d

Submitted by Darryl Lipscomb