

# The Legal and Political Rights of LGBT People

## Local Laws and Policies

### University of Missouri-Columbia

The university's nondiscrimination policy includes sexual orientation, but not gender identity. The university does not currently offer domestic partner benefits to staff and faculty with same-sex partners. In addition, the sexual-orientation inclusion policy has often been under fire by the Missouri legislature.

### State of Missouri

The state currently provides no protection for LGBT people. Almost every legislative session, Missouri congress introduces a bill to extend protection to cover sexual orientation, however the bill has died every time.

## Laws in Other States

### Anti-Discrimination

- Ten states ban discrimination on sexual orientation but not gender identity: Connecticut, Hawaii, Maryland, Massachusetts, Nevada, New Hampshire, New Jersey, New York, Vermont, and Wisconsin.
- Five states and the District of Columbia ban discrimination based on sexual orientation and gender identity: California, Illinois, Minnesota, New Mexico, Rhode Island, and D.C.

### Marriage./Domestic Partnership Rights

- Same-gender couples can only be legally married in one state, Massachusetts, and 36 states have passed laws that would deny recognition to same-gender marriages performed elsewhere.
- The only other state to offer something similar to same-sex marriage benefits is Vermont, which enacted a civil unions law in 2000 that gives same-gender couples the many similar benefits and protections under state law as those who are legally married.
- Internationally, the Netherlands allows same-gender couples to be legally married, as do 7 Canadian Provinces. Denmark, Norway, Sweden, Finland, and Iceland have laws that grant same-gender couples virtually all of the benefits of civil marriage. Additionally, France, Germany, and Brazil provide many legal benefits to same-gender couples.

### Hate Crime Laws

- Twenty-eight states and the District of Columbia have enacted hate crimes legislation that includes crimes based on real or perceived sexual orientation.
- Five of these states (and the District of Columbia also explicitly include gender identity and expression in their hate crimes laws.

### Sodomy Laws

- Until 2003, thirteen states had laws that make anal and/or oral sex between consenting adults illegal: Alabama, Florida, Idaho, Kansas, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Texas, Utah

and Virginia. In four of these states (Oklahoma, Kansas, Texas, and Missouri), the sodomy law only applied specifically to same-gender couples. While sodomy laws were rarely enforced, the existence of these laws was used in court rulings, especially child custody cases, to deny rights to lesbians and gay men because of their "criminal" behavior.

## **Federal Laws and Policies**

### Anti-Discrimination

- Since 1975, a lesbian, gay, and bisexual civil rights bill has failed to pass in Congress.
- In the last few years, congressional supporters of LGB rights have tried to pass a law that only bans sexual orientation discrimination in employment (known as ENDA, or the Employment Non-Discrimination Act), but this effort too has been unsuccessful.

### The Military

- Although the "Don't Ask, Don't Tell" policy was supposed to make it easier for lesbians, gay men, and bisexuals to serve in the military, there was a 92% increase in the number of people discharged because of their sexual orientation in the first five years of the policy.
- More people were dismissed on sexual orientation grounds in 2000 than in any year since 1987, when a complete ban existed on lesbians, gay men, and bisexuals serving in the military.
- Among NATO countries, only the U.S. and Turkey do not allow lesbians, gay men, and bisexuals to serve openly in their militaries.

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