

From: [Gary Prudhomme](#)
To: [MCRC-Comments](#)
Subject: Adding to civil right definition
Date: Tuesday, August 15, 2017 8:57:49 PM

No. no. No. Never.
Sincerely, Marie Prudhomme.
Jesus is L..d

From: [Judy Stone](#)
To: [MCRC-Comments](#)
Subject: Clarify Elliot Larsen Act
Date: Tuesday, August 15, 2017 6:39:00 PM

Please make sure that the the Eliot-Larsen Civil Rights Act protects *all* Michigan citizens regardless of sexual orientation or gender identity. There is no room for ambiguity in this. Regardless of sexual orientation or gender identity, all citizens deserve full respect and protection of the law. The fact that some people are uncomfortable with people who are different than them or believe any person deserves less protection under the law is irrelevant.

Please do the right thing and make sure this Act is clarified so that the ambiguity that exists surrounding the scope of sex discrimination currently prohibited by the Elliott-Larsen Civil Rights Act is removed and discrimination based on sexual orientation and gender identity is clearly prohibited.

Sincerely,

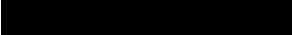
Judy Stone



Ann Arbor, MI 48104

From: [Sharon Brown](#)
To: [MCRC-Comments](#)
Subject: Comment from Kalamazoo Community Foundation
Date: Tuesday, August 15, 2017 3:03:14 PM
Attachments: [MCRC Comment 081517.pdf](#)

Please review the attached comment regarding ELCRA, thank you.

Sharon Brown | Executive Assistant to the President/CEO | Kalamazoo Community Foundation
402 East Michigan Avenue | Kalamazoo, MI 49007 | t (269) 381-4416 | f (269) 381-3146


Love where you live

[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Pinterest](#) | [Instagram](#)

Due to its sensitive nature, please keep the information shared in this email confidential.



August 15, 2017

Co-Chairs Laura Reyes Kopack and Rasha Demashkieh
Michigan Civil Rights Commission
110 West Michigan Avenue, Suite 800
Lansing, MI 48913

Dear Co-Chairs Reyes Kopack and Demashkieh:

As an organization dedicated to the vision of a community in which every person can reach full potential, the Kalamazoo Community Foundation strongly urges the Michigan Civil Rights Commission to issue an interpretive statement to clarify that the prohibition against sex discrimination in the Elliott-Larsen Civil Rights Act (ELCRA) includes protection against discrimination on the basis of gender identity and sexual orientation.

At the Kalamazoo Community Foundation, we've come to the fundamental understanding that achieving our vision depends on recognizing who in our community is not able to reach their full potential and why. As a community, we must address the causes of inequities by changing discriminatory laws, policies, and procedures. We must ensure all people can live authentically, embracing and celebrating their identities and cultures. Though we work locally, these efforts are within the context of statewide laws, and legal protections are the first defense as we work to correct systemic inequities.

Currently, there is not clarity in our laws – leaving those with marginalized identities vulnerable to discrimination. Within this ambiguity, employers and employees, landlords and tenants, are left to wrestle with fundamental issues of access and liberty on an individual basis – unprotected by legal guidance to prevent abuse.

This is a pivotal moment for our community, our state. Clarifying the legal prohibitions against discrimination will provide security and protection for our lesbian, gay, bisexual, and transgender residents in Michigan. Failure to do so will pave a path for oppression, discrimination, and marginalization.

We urge you to strongly and clearly assert the prohibitions in the ELCRA include protections against discrimination on the basis of gender identity and sexual orientation.

Sincerely,

Carrie Pickett-Erway
President/CEO
Kalamazoo Community Foundation

From: [Nicole Hope](#)
To: [MCRC-Comments](#)
Subject: Comment on ELCRA and gender identity/sexual orientation
Date: Tuesday, August 15, 2017 1:54:16 PM

Yes, the prohibition against sex discrimination should extend to gender identity and sexual orientation. There's existing cases that have been successfully argued using this logic. Price Waterhouse v Hopkins has likely been cited many times already. While that applies to Title VII, the same logic should apply here.

What's more concerning about this public comment process is the message that the MDCR is sending to folks like me. That our civil rights are up for public debate in the first place. If the argument is that ELCRA does not need to be amended because LGBTQ folk are already protected, this public comment period is only necessary if you believe we in fact are not deserving of protections.

From: [Heron Greenesmith](#)
To: [MCRC-Comments](#)
Cc: [Molly Tafoya](#); [REDACTED]
Subject: Comments regarding clarification that the ELCRA prohibits discrimination on the bases of sexual orientation and gender identity
Date: Tuesday, August 15, 2017 2:44:51 PM
Attachments: [Movement Advancement Project Letter to Michigan Civil Rights Commission on Clarifying ELCRA 8.15.17.docx](#)

To whom it may concern,

Attached please find comments from the Movement Advancement Project urging the Commission to clarify that the Elliott-Larsen Civil Rights Act prohibits discrimination on the bases of sexual orientation and gender identity. If you have any questions regarding our comments, please don't hesitate to reach out.

Best,
Heron Greenesmith

Heron Greenesmith, Esq.
Senior Policy Analyst
Movement Advancement Project

[REDACTED]
[REDACTED]
[REDACTED]
www.lgbtmap.org

August 15, 2017

Michigan Civil Rights Commission
Michigan Department of Civil Rights
Capital Tower Building
110 W. Michigan Avenue, Suite 800
Lansing, MI 48933
MCRC-Comments@michigan.gov

To Whom It May Concern:

I'm writing to you today regarding the Department's request for public input on clarifying the Elliott-Larsen Civil Rights Act (ELCRA) and its current prohibition on sex discrimination to include discrimination based on both gender identity and sexual orientation. The Movement Advancement Project (MAP) is a think tank focused on advancing equality for lesbian, gay, bisexual, and transgender (LGBT) people. Based on our experience as researchers and advocates, we ask that you do issue agency clarification to ensure that all Michiganders are protected under the ELCRA.

Current legal understanding of sex discrimination includes discrimination based on sexual orientation and gender identity. A series of cases brought in federal courts have established that discrimination based on sex, prohibited under federal employment law, includes discrimination based on an individual's actual or perceived gender identity or sexual orientation. At the heart of these cases – and laws prohibiting discrimination based on sex – is the notion that one should not be discriminated against for failing to adhere to a stereotype about how individuals of a particular sex should act. For example, if a supervisor fired a woman for wearing pants to work because he believed that women should wear dresses that constitutes sex discrimination.¹ The employee failed to adhere to the supervisor's notions of what how women should dress.

This same basic principle applies to discrimination against people who are, or may be perceived to be, LGBT. A woman who is fired from her job because her employer heard she was in a relationship with another woman discriminated against because of her sex – for, if her male colleague entered into a relationship with a woman he would not have been fired.² And if a transgender woman is denied a position after she informs the hiring director she is transitioning

¹ As the U.S. Supreme Court ruled in *Price Waterhouse v. Hopkins* in 1989 where a female senior manager was denied a promotion because she wasn't "feminine enough."

² As was held the Seventh Circuit Court of Appeals in 2017 in *Hively v. Ivy Tech Community College*.

from male to female, that is also discrimination based on sex, as she was hired as a man and fired as a woman despite her experiences and qualification being equal.³

LGBT people report high rates of discrimination. As the Commission itself has concluded from several studies and reports, discrimination against LGBT people in the State of Michigan “exists and is significant.”⁴ For the more than 294,000 adult LGBT Michiganders,⁵ the lack of protection under state law against discrimination in employment, housing, and public accommodations has substantial impact.

And this discrimination does not simply harm LGBT Michiganders. It also impacts the state economically.⁶ Michigan ranks among the lowest of the states in the United States for LGBT equality,⁷ and this lack of legal protections for LGBT people sends a message to potential employers and people seeking to relocate that the state does not value diversity.

In closing, we support Equality Michigan’s request that the Michigan Civil Rights Commission issue an interpretative statement clarifying that the prohibition on sex discrimination in the Elliott-Larsen Civil Rights Act includes a prohibition on discrimination based on gender identity and sexual orientation. Doing so would ensure that all Michiganders are treated fairly and equally by the laws of the state and have the opportunity to earn a living and provide for themselves and their families.

Please let us know if you have any questions or if we can provide any further information on any of the statistics or cases we have shared here.

Best,

Ineke Mushovic
Executive Director
Movement Advancement Project

³ As the U.S. Commission on Civil Rights found in *Macy v. Holder* in 2012 and several federal courts have concluded, including the Eleventh Circuit Court of Appeals in *Glenn v. Bumbry* in 2011.

⁴ Michigan Department of Civil Rights, MDCR Report Finds Negative Economic Impact to Allowing Discrimination Against LGBT in Michigan (accessed May 25, 2017).

⁵ Movement Advancement Project, Michigan’s Equality Profile, http://www.lgbtmap.org/equality_maps/profile_state/MI (accessed August 14, 2017).

⁶ *Ibid.*

⁷ Movement Advancement Project, Michigan’s Equality Profile, http://www.lgbtmap.org/equality_maps/profile_state/MI (accessed August 14, 2017).

From: [Richard Bowman](#)
To: [MCRC-Comments](#)
Subject: Definition of Man/Woman
Date: Tuesday, August 15, 2017 3:06:50 PM

God made Man in his own image. Changing any attribute of a man or a woman is an abomination to God and God promises that he will vomit the people out of the land that tries to alter his original design. Please, for your own and our well-being do not change or try to change any definition of a man or a woman from God's given design. Thank you.

Sincerely,
Rick Bowman

From: [Jarl Nischan](#)
To: [MCRC-Comments](#)
Subject: Deny the request to redefine "sex" as a gender-neutral stance
Date: Tuesday, August 15, 2017 4:36:05 PM

The pending request to redefine sex as a gender-neutral stance for civil rights purposes should go through the usual legislative process so that it receives the attention to alternate points of view that the issue requires. Redefining sex into a gender-neutral concept undermines the intent of the sex-discrimination portion of the civil rights act and adds complexities that are unworkable, unnecessary, and objectionable for a variety of reasons. Please do not subvert the normal legislative process for this issue.

Jarl Nischan

From: [REDACTED]
To: [MCRC-Comments](#)
Subject: Discrimination Statement Comment
Date: Tuesday, August 15, 2017 1:20:50 PM

Hello,

I am writing to express my support for the prohibition against discrimination based on sex in the state's civil rights law to encompass sexual orientation and gender identity. Gender and sexual orientation should be included in the discrimination statute.

Thank you.

Dr. Jjenna Andrews

[REDACTED]

From: [Barbara Weber](#)
To: [MCRC-Comments](#)
Subject: Don't redefine "sex"
Date: Tuesday, August 15, 2017 4:27:39 PM

Michigan Civil Rights Commission,

Those who advocate for so-called "equal rights" related to sexual orientation and gender identity (SOGI) laws are trying again to push their agenda in Michigan. Last year, the Michigan State School Board adopted a "gender neutral" bathroom policy even though thousands of Michigan residents objected!

At the root of this new push is a realization by the proponents of this policy that their previous attempts at changing the Elliott Larson Civil Rights Act through legislative action have failed. And now, the SOGI law supporters have turned their attention to a new strategy.

In July, Equality Michigan submitted a request to the Michigan Civil Rights Commission asking that the commission redefine "sex" in current anti-discrimination law to include sexual orientation and gender identity. This bypass of the normal legislative processes would accomplish the same effect as amending the law to specifically include sexual orientation and gender identity as protected classes. This is another attempt to circumvent state lawmakers-who have shown that they do not want to take this action-and enact this policy change through an unelected state board.

Gary Glenn says "So-called 'sexual orientation' and 'gender identity' laws in other states and jurisdictions have proven themselves to be discriminatory and punitive against individuals, churches, and civic organizations which believe as a matter of sincere religious conviction homosexual behavior is wrong."

We do not support this trend of redefining sexual orientation, etc. That the Michigan State School Board adopted a "gender neutral" bathroom policy is beyond my comprehension! How is that providing a safe environment for our children. We were created male and female. Just because you want to say it is so, doesn't change the facts. And passing such a law as is being submitted causes more discriminatory actions by these individuals and advocacy groups towards individuals, churches and civic organizations than ever before. These special interests groups are causing havoc throughout the country!

Please deny this request for the benefit of Michigan and across our country.

Jack and Barb Weber
Shepherd, MI 48883

From: [Cecilia DeLave-Tombelli](#)
To: [MCRC-Comments](#)
Subject: Don't redefine sex
Date: Tuesday, August 15, 2017 7:40:18 PM

From a friend, Jarl Nischan, and I agree with this point of view: "The pending request to redefine sex as a gender-neutral stance for civil rights purposes should go through the usual legislative process so that it receives the attention to alternate points of view that the issue requires. Redefining sex into a gender-neutral concept undermines the intent of the sex-discrimination portion of the civil rights act and adds complexities that are unworkable, unnecessary, and objectionable for a variety of reasons. Please do not subvert the normal legislative process for this issue."

From: [Lorraine Norton](#)
To: [MCRC-Comments](#)
Subject: EQMI
Date: Tuesday, August 15, 2017 5:34:27 PM

Dear Sir,

Regarding the need to clarify that the prohibition against sex discrimination in the Elliot Larsen Civil Rights Act; that this includes protection against discrimination on the basis of gender identify and sexual orientation; I believe that this should be interpreted in the most inclusive way.

It seems to me that gender identify and sexual orientation are personal aspects that cannot be dictated or chosen by another person. It is no different than the color of skin and the shape of your nose. You are what your genes dictate and it is not a choice that others should be allowed to show their bias in denouncing your circumstances.

I would never consider telling my neighbors when and how to have sex. When they should plan a family. How they should think of themselves. It is simply not an option to control another person.

Therefore, it would be discriminatory to give that objection to landlords, teachers, or others that people interact with in their community.

Sincerely,

Lorraine Norton

[REDACTED]

Livonia, MI 48150-3279

From: [Jennifer LaTosch](#)
To: [MCRC-Comments](#)
Subject: Elliott Larsen
Date: Tuesday, August 15, 2017 2:18:31 PM

Good afternoon,

I am writing to ask you to issue an interpretative statement that says the prohibition against sex discrimination in the civil rights act includes protections against discrimination based on gender identity and sexual orientation.

Thank you,

Jennifer LaTosch
Michigan resident

Sent from my iPhone

From: Marty Stuck
To: MCRC-Comments
Subject: Elliott-Larsen Civil Rights Act and the Definition of Sex
Date: Tuesday, August 15, 2017 12:41:41 pm.

Please don't cave in to the lies and pressure of Equality Michigan's request to redefine "sex" in current anti-discrimination law to include sexual orientation and gender identity.

So-called 'sexual orientation' and 'gender identity' laws in other states and jurisdictions have proven themselves to be discriminatory and punitive against individuals, churches, and civic organizations which believe as a matter of sincere religious conviction homosexual behavior is wrong.

While it is unfortunate that some people are confused about this issue, a person has only to look below their waist to properly determine their sex, no further definition is required!

--

Marty Stuck
Freeland, MI 48623

From: [Catherine Daligga](#)
To: [MCRC-Comments](#)
Subject: Elliott-Larsen Act protections
Date: Tuesday, August 15, 2017 4:51:31 PM

Dear MI Civil Rights Commissioners:

Please clarify that the protections afforded to Michigan residents under the Elliott-Larsen Civil Rights Act apply to ALL people who might be subject to discrimination on the grounds of their sexual orientation and/or gender identity.

Once, Michigan was at the forefront of civil rights. It's long past time for us to rejoin the majority of states that do now afford all citizens these safeguards. As a life-long Michigan resident, I am eager to live in a state that respects the dignity of all people.

Thank you.

Catherine Daligga
Ypsilanti, MI

From: [Joyce Olmsted](#)
To: [MCRC-Comments](#)
Subject: Elliott-Larsen Civil Rights Act interpretation
Date: Tuesday, August 15, 2017 6:17:15 PM

Hello,

I am asking the Michigan Civil Rights Commission to clarify that the state's prohibition on sex discrimination currently contained in the Elliott-Larsen Civil Rights Act prohibits discrimination based on both sexual orientation and gender identity. Please clarify the ambiguity that exists surrounding the scope of sex discrimination currently prohibited by the Elliott-Larsen Civil Rights Act and bring Michigan law into alignment with the growing body of understanding from federal judges and legal scholars."

Sincerely,

Joyce Olmsted

From: Charlie Ryskamp

To: MCRC-Comments

Subject: Equal rights for ALL Michigan citizens

Date: Tuesday, August 15, 2017 3:40:18 pm

Please vote to include the LGBTQ community in the 1976 Elliot- Larsen Civil Rights Act. Having been personally discriminated against because of who I am, I feel it is very important to have equal rights for all Michigan citizens.

Thank you.

Sincerely,

Charles Ryskamp

A solid black rectangular box used to redact the signature of Charles Ryskamp.

From: [David Lossing](#)
To: [MCRC-Comments](#)
Subject: Expanded definition of sexual discrimination
Date: Tuesday, August 15, 2017 12:19:15 PM

Dear Sirs and Madams: I am submitting this comment for the public record asking that you adopt the expanded definition of language as submitted by Equality Michigan for your consideration.

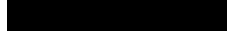
As the former Mayor of the City of Linden, our city council adopted an non-discrimination ordinance in 2014 that would ban discrimination, based on sexual orientation or gender identity for housing and employment purposes. The vote was 7-0. It gave our citizens a path to justice.

The city was the 27th local unit of government in Michigan to adopt such language. While we had not had Complaints from citizens, it certainly doesn't mean it may not have taken place in our community.

I ask that adopt the language submitted by Equality Michigan so that none of the citizens of our great State have to face any further discrimination based on their sexual orientation or gender identification. Please give the citizens of this State a path to justice as well.

Thank you for your time and consideration.

David E. Lossing, M.P.A., Ed.S.



Sent from my iPhone

From: [MDCR-INFO](#)
To: [MCRC-Comments](#)
Subject: FW: Hi there! Don't know where exactly to send this message...
Date: Tuesday, August 15, 2017 4:11:16 PM

-----Original Message-----

From: Tracy Owen [REDACTED]
Sent: Saturday, August 12, 2017 9:44 PM
To: MDCR-INFO <MDCR-INFO@michigan.gov>
Subject: Hi there! Don't know where exactly to send this message...

Just wanted to say to keep fighting for LGBT rights!!!! I am not from the LGBT community but I do have serious mental health needs. I would like to think I understand what it means to be discriminated against and though discrimination is a live and well in this country people need to stand up to it no matter who it is directed at or in what form it takes! Thank you and sorry if this message went to the wrong person:)...

Sincerely Tracy t Owen
Sent from my iPhone

From: [MDCR-INFO](#)
To: [MCRC-Comments](#)
Subject: FW: LGBTQ civil rights
Date: Tuesday, August 15, 2017 4:12:45 PM

From: Kurt Ross [REDACTED]
Sent: Friday, August 11, 2017 7:36 AM
To: MDCR-INFO <MDCR-INFO@michigan.gov>
Subject: LGBTQ civil rights

Hi,

I want to add my voice encouraging the commission to issue an interpretive statement clarifying the prohibition of discrimination against LGBTQ rights as part of the Elliot Larsen Civil Rights Act. I think it's very important to ensure their protection.

Sincerely,
Kurt Ross
Plymouth, MI

From: [MDCR-INFO](#)
To: [MCRC-Comments](#)
Subject: FW: LGBTQ rights.
Date: Tuesday, August 15, 2017 4:11:35 PM

-----Original Message-----

From: Catherine Sweeney [REDACTED]
Sent: Saturday, August 12, 2017 2:46 PM
To: MDCR-INFO <MDCR-INFO@michigan.gov>
Subject: LGBTQ rights.

Commissioners,

You requested public feedback about whether “sex” discrimination should also guarantee protections for the LGBTQ community. My feedback is an unequivocal yes! Although I believe as citizens a more delineated explanation of equal rights should not be necessary but it has become necessary. Saying that sex discrimination applies to all citizens as well as gay and transgender citizens is an oxymoron but needs to be said to protect these good Americans. Please use this and keep them in place.

Thank you for allowing me to express my opinion before you make a final decision.

Catherine Sweeney RN CHPN

From: [MDCR-INFO](#)
To: [MCRC-Comments](#)
Subject: FW: do not amend the current prohibition on sex discrimination
Date: Tuesday, August 15, 2017 4:10:48 PM

From: Rick & Marcia [REDACTED]
Sent: Tuesday, August 15, 2017 7:51 AM
To: MDCR-INFO <MDCR-INFO@michigan.gov>
Subject: do not amend the current prohibition on sex discrimination

To Whom it may Concern,

As a resident of Michigan for the 71 years of my life, I have felt protected against people who are trying to destroy the foundation that this great nation and state were founded on.

Living in a neighborhood of 30 families only one of them is homosexual. Therefore, 29 families agree with the ethics that the USA was founded on. Do not let the small minority change everything this nation was founded on. We were founded on a Christian ethic, which says to love all but don't conform to sinful ideas.

Therefore, please don't let the Equality Michigan group change the ethics that we live by in the State of Michigan.

Sincerely, Marcia Wilcox

[REDACTED]
Coldwater, MI
[REDACTED]

From: [Amy Mello](#)
To: [MCRC-Comments](#)
Subject: Freedom for All Americans Public Comment - MI Civil Rights Commission
Date: Tuesday, August 15, 2017 1:20:10 PM
Attachments: [FFAA Comment to MI Civil Rights Commission.docx](#)

Please accept this comment from Freedom for All Americans.

Thank you,
Amy Mello

--

AMY MELLO

Freedom for All Americans / Freedom for All Americans Education Fund

[C]

[E]

[O] freedomforallamericans.org

[P] she, her, hers

Follow FFAA on [Facebook](#) and [Twitter](#)!

Freedom for All Americans

August 15, 2017

Co-Chairs Laura Reyes Kopack and Rasha Demashkieh
Michigan Civil Rights Commission
110 West Michigan Ave., Suite 800
Lansing, MI 48913

Dear Co-Chairs Reyes Kopack and Demashkieh ,

In June, a coalition of organizations led by Equality Michigan, requested that the Michigan Civil Rights Commission issue an interpretive statement finding that discrimination against LGBT people in employment, housing or public accommodations constitutes unlawful conduct within the meaning of sex discrimination in the 1976 Elliott-Larsen Civil Rights Act.

Freedom for All Americans, the nationwide, bipartisan campaign to secure nondiscrimination protections nationwide for lesbian, gay, bisexual and transgender Americans, supports this interpretation.

In 2013, a report by this Commission found that discrimination against LGBT Michiganders “exists and is significant,” and that it has a “direct negative” impact on the state’s economy. Sadly, even with the advancement of marriage equality, discrimination against LGBT individuals and their families still persists, and, in some cases, has worsened in Michigan.

One of the most disappointing examples of LGBT discrimination in Michigan took place when a pediatrician refused to treat a baby simply because her parents are lesbians. Thankfully, another doctor was able to see the baby. This is just one example of why families need the Commission to interpret the state’s civil rights laws to protect LGBT residents and visitors, and the sex discriminations provisions present a commonsense vehicle for doing just that.

The fact is that everyone residing in Michigan deserves to earn a living and to live their lives without having to fear discrimination — The majority of Michigan residents agree. According to a poll conducted for the Michigan Competitive Workforce Coalition (MCWC), 75 percent of Michiganders favor legally protecting LGBT individuals from discrimination in housing, employment and public accommodations.

Businesses also oppose discrimination; in fact, MCWC reports that 60 percent of small businesses support protecting LGBT individuals from discrimination. Businesses oppose LGBT discrimination because they want to work in states where there is a strong and diverse talent pool, and where their employees, customers, and families will be protected from discrimination.

We strongly urge the Commission to stand for the rights and liberties of all Michiganders and to interpret Michigan’s civil rights laws to prohibiting sex discrimination to include LGBT individuals.

Sincerely,



KASEY SUFFREDINI

Acting CEO & President of Strategy

Freedom for All Americans / Freedom for All Americans Education Fund

From: [Barb Stoub](#)
To: [MCRC-Comments](#)
Subject: Freedom of Religion
Date: Tuesday, August 15, 2017 2:46:51 PM

To: Civil Rights Commission

Please, Civil Rights Commission, do not redefine sex. So-called 'sexual orientation' and 'gender identity' laws in other states and jurisdictions have proven themselves to be discriminatory and punitive against individuals, churches, and civic organizations which believe that as a matter of sincere religious conviction homosexual behavior is wrong. Please support freedom of religion in our state.

Thank you in advance for your consideration,
Marvin and Barbara Stoub

Sent from my iPad

From: Susan McKee

To: MCRC-Comments@michigan.gov

Subject: Interpretation of Elliott-Larsen

Date: August 15, 2017 8:34 pm

To Whom It May Concern: I am writing this in support of the effort to clarify the wording of this civil rights law. It is my understanding that the LGBT community has requested that the statute be interpreted to include LGBT protections based on the word gender that currently exists in the law.

I agree with this effort. The US Supreme Court has ruled that same-sex marriage should be recognized, the U.S. military accepts LGB folks to serve (apparently transgender folks might no longer be welcome) and the business community certainly supports the full inclusion of LGBT folks into our society.

The Republicans have consistently refused to extend legal protections to this group. It is time to rectify this egregious refusal.

Please rule in favor of this request. It is only fair. BTW, I am a retired heterosexual female.....this is the right thing to do.

Susan McKee

[REDACTED]

Chelsea, MI. 48118

[REDACTED]

From: [Brent Collins](#)
To: [MCRC-Comments](#)
Subject: Interpretive statement
Date: Tuesday, August 15, 2017 2:35:28 PM

Please include full protections LGBTQ individuals, no one should be discriminated against because of their gender or preferences.

Thank you.
Brent L. Collins

From: Anne Di Iorio

To: MCRC-Comments@michigan.gov

Subject: LGBTQ Discrimination

Date: August 15, 2017 2:55PM

To Whom it May Concern,

I am writing to support the efforts of Equality Michigan to get an interpretive statement from the MCRC regarding anti LGBTQ discrimination. It is unconscionable to me that anyone would be narrow minded enough to suggest that the LGBTQ community would not be protected to the fullest extent allowable under any and ALL civil rights laws or legislations.

Please do the right thing and be on the right side of history and provide this statement so we can protect all citizens of Michigan.

Thank you,

Anne C. Di Iorio

GC5210@Wayne.edu

Wayne State University School of Social Work '19

From: [JH](#)
To: [MCRC-Comments](#)
Subject: LGBT Protections
Date: Tuesday, August 15, 2017 2:25:46 PM

As we all witnessed the Charlottesville violence this past weekend I am not sure how Michigan as a state cannot protect a class of traditionally discriminated against people from basic rights to be employed, live, or the right to stronger charges brought against an attack that stems from hate and evil. Now that marriage has passed and the world did not end the state must act in the best interest of these minority's individuals and offer them the same protections as other protected minority classes if citizens. The state must pass protection legislation and reaffirm its commitment to protect all classes of people regardless of their differences. As one of these individuals I deserve this, and most important my children deserve this.

Thank you for your time.

Jennifer Hannant
Caledonia, MI

Sent from my iPhone

From: [Betty Chatfield](#)
To: [MCRC-Comments](#)
Subject: LGBTQ "civil rights"
Date: Tuesday, August 15, 2017 3:53:57 PM

You are not the legislature. You have no authority to "reinterpret" civil rights. Please do not try to expand your authority beyond what the Constitution allows.

Thank you,
Betty Chatfield
Levering, MI
Sent from my iPhone

From: [Snow-Buckner, Amy](#)
To: [MCRC-Comments](#)
Subject: Letter of support for interpretive statement
Date: Tuesday, August 15, 2017 12:59:10 PM
Attachments: [Letter of support-Mayor Bliss, 8.14.17.pdf](#)

Good afternoon.

Please find attached a letter from Grand Rapids Mayor Rosalynn Bliss supporting the issuance of an interpretive statement that extends nondiscrimination protections in housing, employment and public accommodations under the Elliott-Larsen Civil Rights Act to lesbian, gay, bisexual and transgender residents of our state.

Thank you for your consideration.

Best,

Amy

Amy Snow-Buckner, CTA
Assistant to the Mayor

City of Grand Rapids

[REDACTED]

Grand Rapids, MI 49503

[REDACTED]

[REDACTED]



City of Grand Rapids, Michigan

OFFICE OF THE MAYOR

ROSALYNN C. BLISS
MAYOR

August 14, 2017

Co-Chairs Laura Reyes Kopack and Rasha Demashkieh
Michigan Civil Rights Commission
110 West Michigan Ave., Suite 800
Lansing, MI 48913

Dear Co-Chairs Reyes Kopack and Demashkieh:

I am writing to urge the Michigan Civil Rights Commission to issue an interpretive statement that extends nondiscrimination protections in housing, employment and public accommodations under the Elliott-Larsen Civil Rights Act to lesbian, gay, bisexual and transgender residents of our state.

An important part of my job as Mayor of Grand Rapids is to help bring new businesses, conventions and events to our city. Now, more than ever, business leaders and event organizers ask about Michigan's nondiscrimination protections, including those for LGBT individuals. They want their employees, customers and families to work and enjoy their time in our state without fear of discrimination.

While I am proud that Grand Rapids has comprehensive nondiscrimination protections in place, the state of Michigan does not. This factor has proven to be problematic – no business or organization wants its LGBT customers or employees to have to go to areas where they might not be legally protected from discrimination.

As Michiganders, we believe everyone should be treated equally and fairly under the law, including LGBT residents and visitors. The Michigan Civil Rights Commission has the power and authority to ensure LGBT individuals can visit, live and work anywhere in our great state without having to fear discrimination.

Thank you for considering this request to issue an interpretive statement that extends these important nondiscrimination protections to LGBT people in Michigan.

Sincerely,



Rosalynn Bliss

From: [Bonnie Applebeet Cameron](#)
To: [MCRC-Comments](#)
Subject: Michigan Civil Rights Commission to Address EQMI Request for Interpretive Statement on Sex Discrimination in Michigan Civil Rights Law
Date: Tuesday, August 15, 2017 2:57:29 PM

Hello,

Thank you for taking comments. As someone who grew up in the deep South, I have seen numerous instances of discriminatory gatekeeping and violence against LGBTQ citizens, and ALL of these instances have gone unrecorded and unaddressed by the justice and legal systems because there was no legal recourse for these actions

I have seen:

- Personal property (car) burned of a trans/cisgendered same-gender couple
- a friend be fired from an organization with a new manager, who only gave the explanation "this is a family establishment"
- someone physically assaulted (punched) in a bar because he was wearing a feminine top
- someone punched off of their bike as someone shouted "queer"

As renters, families would be vulnerable to new ownership/management of apartment buildings either invading their privacy or using nefarious methods to push them out.

As employees, individuals are unprotected in the same vein.

As families, our children are exposed to discrimination in the health system, by vendors, and in schools, through no fault of their own.

Please feel free to contact me if you have any questions or would like further clarification.

Thank you again!

Bonnie

From: [Michigan Family Forum](#)
To: [MCRC-Comments](#)
Subject: Michigan Family Comments
Date: Tuesday, August 15, 2017 4:13:55 PM
Attachments: [MFF Comments to MCRC.pdf](#)

Attached are comments from Michigan Family Forum regarding the requested interpretation of the Elliot-Larsen Civil Rights Act. Please contact us [REDACTED] and ask for Dan if you have any questions.

MICHIGAN FAMILY FORUM

Sound Public Policy for Stronger Michigan Families

Michigan Civil Rights Commission – Comments on Interpretive Statement

Submitted by Dan Jarvis, Director of Research and Policy

August 15, 2017

Contact: (517) 374-1171

Michigan Family Forum strongly urges the Michigan Civil Rights Commission (“Commission”) to decline to issue an interpretive statement that includes “gender identity” and “sexual orientation” in the prohibition on sex discrimination in the Elliott-Larsen Civil Rights Act. Such a determination would be a significant departure from existing public policy, and it should be left up to the Legislature, or to the people, to establish that new public policy.

The Michigan Constitution appropriately places the Commission in Article V, as a body within the executive branch. It is widely understood that the executive branch, at all levels of government, is responsible for executing the laws created by the legislative branch or by the people. It is not charged with creating law. The Commission would essentially be creating law by issuing a definition heretofore unrecognized.

Even the proponents “recognize that a statutory amendment will remain necessary, even if the Commission issues the interpretive statement.” Nonetheless, proponents argue, “the issuance of an interpretive statement...would provide LGBT Michiganders with access to the Commission’s administrative remedies when they face discrimination.” In other words, the Commission’s actions would have the force of law to do what the legislature has declined to do.

The legislature’s inaction is not a mere oversight. Even the advocates recognize that the measure being requested was first introduced over three decades ago. Legislation was introduced in both the House and the Senate again this session, allowing either body to discuss and to vote on the measure at any time. Like all previous versions introduced, the current bills retain the word “sex” and add the phrases “sexual orientation” and “gender identity or expression” as separate protected classifications. The intent is clear, the word “sex” in current law does not include “sexual orientation” or “gender identity or expression” and it would not be understood to include those classifications under the proposed laws. It is not the role of the Civil Rights Commission to go where the legislature has chosen not to go.

Existing law reinforces the clear understanding that the word “sex” does not include the proposed interpretations, particularly in the case of the phrase “sexual orientation.” The phrase “sexual orientation” appears three times in Michigan law. In all three instances, the word “sex” or “gender” also appears as a separate and distinct classification from that of “sexual orientation.” Elsewhere, existing law interchangeably uses the words “sex” and “gender” in a way that clearly denotes the biological sexes and could not reasonably be interpreted to include sexual orientation or gender identity without the legislature explicitly redefining those terms.

Most importantly, the Elliott-Larsen Civil Rights Act clearly uses the terms “gender”, “1 sex” and “both sexes” in a way that clearly means biological sex and not “sexual orientation” or “gender identity.” Again, it would be wrong for the Commission to impose on the legislature’s words a meaning which was never intended. To do so is to co-opt the role of the legislature.

The bulk of Equality Michigan’s argument to issue an interpretive statement relies on the use of federal law and court decisions. According to Equality Michigan, “the significant body of existing federal precedent can and should be used to interpret Michigan law...” We do not agree with this position and believe that such recommended action entirely undermines Equality Michigan’s assertion that “The issuance of an interpretive statement is not a substitute for legislative action.” If the Commission does use “federal precedent...to interpret Michigan law”, there is no need for a statute. In fact, such an approach by the executive branch would render the legislative branch, and the concept of federalism for that matter, largely meaningless.

Changes in public policy come slowly, but they must have the support of the citizenry in order to enjoy respect and legitimacy. Our system allows the citizenry to make those changes either through their elected representatives or directly through the ballot process. Implementing new public policy by circumventing the voting process, whether through a government agency or by a robed judge, seldom has satisfying results. We urge the Michigan Civil Rights Commission to exercise restraint and allow the proposed changes to occur through the established democratic process.

Respectfully Submitted,

Dan Jarvis

From: [Fettig, Ken](#)
To: [MCRC-Comments](#)
Subject: No to redefining sex!
Date: Tuesday, August 15, 2017 2:53:55 PM

Makes no sense, and is a trap for religious institutions and others.
Thank you.
Ken Fettig

Ken Fettig

[REDACTED]

Mason, MI 48854

[REDACTED]

From: [Tim Van Loh](#)
To: [MCRC-Comments](#)
Subject: Opposition to Redefining Sex
Date: Tuesday, August 15, 2017 12:02:08 PM

I am writing to state my opposition to Equality Michigan's request that the Michigan Civil Rights Commission redefine "sex" in current anti-discrimination law to include sexual orientation and gender identity. This is an attempt to circumvent state lawmakers—who have shown that they do not want to take this action—*and enact this policy change through an unelected state board.*

Sincerely,

Tim Van Loh
Lansing, MI

--

TV
Ephesians 3:20-21

From: [REDACTED]
To: [MCRC-Comments](#)
Subject: Please do not redefine "SEX"
Date: Tuesday, August 15, 2017 2:26:38 PM

Please do not redefine 'SEX'.

The effort by a small group, requesting the redefinition of 'sex' in anti-discrimination law to include sexual orientation and gender identity, if approved, will not result in equality or less discrimination, but just the opposite. This effort to bypass the normal legislative processes would negate the principle of representation in government, by enacting major policy change/law through an unelected state board.

I am sure you are aware that when the Michigan State Board of Education proposed new SOGI guidelines for the Michigan public school system, over 12,000 email comments were returned, the vast majority of which opposed those guidelines. The Board of Education then enacted those guidelines in spite of overwhelming opposition, a key reason why two of the supporting members (one the Chairman) were not reelected in November, 2016.

A policy of bypassing the proper representative channels for implementing major policy decisions, rather than minimizing discrimination, will ensure that a majority of society will be discriminated against.

IMPLEMENTING POLICY THAT AFFECTS THE PEOPLE WITHOUT SUFFICIENT PUBLICATION & REVIEW, WITHOUT THE PEOPLE'S SUPPORT, AND THROUGH INAPPROPRIATE CHANNELS IS OPPRESSIVE.

You would surely have many more comments in opposition if people realized a policy of this nature was being proposed in the middle of summer, with little publicity. (I only became aware of this yesterday. And to have a deadline of response of 5pm August 15 on an issue of this nature is GROSSLY UNFAIR to the public.)

Don't redefine 'sex'. That is not the function of the Civil Rights Commission.

Thank you.

Fred Kummer
Sterling Heights MI
</HTML>

From: [Jim & Paulette Olah](#)
To: [MCRC-Comments](#)
Subject: Please don't redefine "sex!"
Date: Tuesday, August 15, 2017 1:22:20 PM

To Whom It May Concern,

We are in a whole heap of trouble. So many are hurting! The bottom line of the reason is because we have turned our backs on our Creator, Who made us and loves us so. He knows what is best for us and has explained that to us in His Word. There are men and there are women. They are both good, but different, as it should be. Please contribute to the help and healing by affirming the way the Creator has made us!

Thanks and may God bless you with His peace and wisdom!

P.O.

Livonia, MI

From: [Calli McCain](#)
To: [MCRC-Comments](#)
Subject: Protect ALL Michigan workers
Date: Tuesday, August 15, 2017 4:45:08 PM

I am writing to implore that you include protections for Michigan workers based on sexual orientation and gender identity by interpreting the current sex discrimination laws to include those outside of the cis-gender binary and who identify as LGBTQ.

These citizens deserve our protection and should be free to work without fear and harassment. Please help Michigan take a step forward.

Thank you,
Calli McCain

From: [Roger Triplett](#)
To: [MCRC-Comments](#)
Subject: Public Comment on Interpretative Statement Request
Date: Tuesday, August 15, 2017 6:05:34 PM

I am writing to express my strong support for the request for an interpretative statement that has been submitted to you by Equality Michigan, with the support of 37 other LGBTQ organizations. The current confusion that exists regarding what constitutes prohibited sex discrimination under the Elliott-Larsen Civil Rights Act is unfair to those who are subject to the act and to victims of discrimination alike. Employers, landlords, and other business owners don't know with any certainty what the law requires of them. LGBTQ victims of discrimination don't know whether their complaints will be accepted by the commission, let alone acted on. Issuing an interpretative statement concluding that sex discrimination includes discrimination based on sexual orientation and gender identity would clarify this glaring ambiguity.

It is important to remember that the Commission has already concluded that anti-LGBTQ discrimination "exists and is significant" in Michigan. Having already reached that conclusion, the Commission has an obligation to act to prevent this discrimination. Because our legislature has failed to enact an explicit prohibition on anti-LGBTQ discrimination and the scope of current law is unclear, LGBTQ Michiganders can still be fired for being gay, denied an apartment for being transgender, and refused service almost anywhere for who they are or who they love. You've identified anti-LGBTQ discrimination as a problem in our state and you have the legal authority to take action. I implore you to do so.

*Roger Triplett
Saugatuck, MI*

From: [Workplace Equality](#)
To: [MCRC-Comments](#)
Subject: Public Comment re Scope of Sex Discrimination Prohibited under ELCRA
Date: Tuesday, August 15, 2017 2:57:58 PM
Attachments: [P@WMI Public Comment re Sex Discrimination.docx](#)

Please see the attached public comment from P@WMI.

*Membership of
Pride at Work Michigan*



Virus-free. www.avast.com

Pride at Work Michigan
P.O. Box 36564
Grosse Pointe Farms, MI 48236

August 15, 2017

Michigan Civil Rights Commission
C/O Michigan Department of Civil Rights

Delivered via Email

Honorable Commissioners:

In response to your call for public comment through the Michigan Department of Civil Rights on the question of whether the prohibition against sex discrimination in Michigan should be interpreted to include prohibitions against discrimination based on sexual orientation and gender identity, Pride at Work Michigan says thus:

The written request made by Equality Michigan, which was joined by almost 40 other LGBT and civil rights organizations, is both reasonable and timely given that LGBT citizens of and visitors to Michigan constitute minority classes who are denied equal rights, equal access, and equal protections under law. Hence, the lack of specific protected classifications for LGBT Michiganders and visitors under the Elliott-Larsen Civil Rights Act (ELCRA) has created a state of inequality wherein some people in Michigan can be denied the right to employment for which they are qualified, the right to housing that they can afford, and the right to public accommodations—a core issue which was the basis of the historic Civil Rights Movement.

Pride at Work is an officially recognized constituency group of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) whose primary goal is to secure full equality for LGBTQ workers in their workplaces and in their unions. As the local chapter, Pride at Work Michigan opposes all forms of discrimination that infringe on a person's human and civil rights, including discrimination based on sexual orientation and gender identity. In

accordance with this mission, we believe it is vital that we add our collective voice to the public discourse.

As with racial and ethnic minorities, LGBT people have always had to face their fear of being ostracized, marginalized, and all too often physically victimized simply for being who they are. Historically, many did what other minority groups had done—hid and “passed” just as surely as some very light-skinned African Americans “passed” for White and some ethnic minorities changed their last names to hide their origins. Yet the fear always persisted—what if “the mask slipped” or one “slipped out of character?” What would the cost be: a lost job, a serious beating, death by one’s own hand or by the hand of another? Even if one escaped these fates, could one bear the constant barrage against one’s sense of self, one’s sense of dignity? What of the content of one’s character? Are LGBT people not endowed by their creator with certain inalienable rights, among these life, liberty, and the pursuit of happiness?

The progression of the law and cases cited by Equality Michigan lay out the legal foundation. The Commission’s own positions over a period of decades provide the moral foundation and continuity of thought. Now it is time for the State of Michigan to take the next step toward recognition of and protection against these types of institutionalized discrimination. Michigan cannot move forward as a strong, economically attractive state, while continuing to turn a blind eye to the lack of protections for its diverse population. ALL deserve to feel safe at work, in their homes, and in public spaces.

Therefore, Pride at Work Michigan strongly encourages the Michigan Civil Rights Commission to take a stand for the side of right by unabashedly declaring that LGBT people are people, and as such deserve equal protection under the law. To move Michigan closer to this goal, we ask that the MCRC issue the requested interpretive statement that discrimination based on sexual orientation and gender identity are forms of sex discrimination which are prohibited in employment, housing, and public accommodations for lesbian, gay, bisexual, and transgender people, as for others in Michigan.

From: [C.L.Thornton](#)
To: [MCRC-Comments](#)
Subject: Public Comment re Scope of Sex Discrimination under ELCRA
Date: Tuesday, August 15, 2017 4:59:59 PM
Attachments: [My Public Comment re Sex Discrimination.docx](#)

Honorable Commission,

Please see attached submission.

Cynthia L. Thornton

Cynthia L. Thornton
Detroit, MI 48224

15 August 2017

Michigan Civil Rights Commission
C/O Michigan Department of Civil Rights

Delivered by Email

Honorable Commissioners:

The work of Civil Rights has historically been one of growing pains, one of bucking the status quo and speaking truth to power in order to perfect our union. But with the victories of the 1960's and what seemed to be the inevitable demise of Jim Crow, civil rights advocacy lost its edge, settled into a state of complacency as if the momentum of past actions would carry every forward.

But, when we look at film of high-pressure hoses and police dogs set loose on Black youth juxtaposed against video of Black Lives Matter protests of today, we know the work of civil rights can only progress when advocates are not complacent and decision-makers exercise integrity. And so, just as African Americans went from being enslaved chattel to 3/5 of a person with no rights the law was bound to recognize to legal citizens with full rights *on paper*; LGBT equality is at a crossroads waiting for our laws to memorialize the truth: just as "men" once meant males and now means mankind, "mankind" includes LGBTQ people who only recently have stepped from the relative safety of the shadows to declare their humanity and claim the rights attendant to it.

As public servants who have accepted the mantle of civil rights leadership for the people of Michigan, do not fail in your duty: LEAD! Redeem the opportunity lost at the conclusion of the TIDES Project, when no substantive action was taken after the report concluded that Michigan was being harmed economically due to its lack of protections for the LGBT community. Restore integrity so that not only are the *right* words spoken, but the Commission can be counted on to **act** consistent with the principles equality to *do* the right thing. Be brave, Commissioners—DO THE RIGHT THING!!!

Represent ALL people of the state of Michigan. Acknowledge and enforce their right to be considered for employment based on their qualifications, skills, and abilities; their right to acquire housing, goods, and services according to their ability to pay. Send a clear message that the biases of some will not be allowed to restrict the rights of others in Michigan.

Equality Michigan has made the legal case, and the Commission itself has previously accepted the veracity of the claim. As in the Civil Rights past, you now have been given a theory of the law which would allow you to facilitate the change you have previously deemed appropriate. So, on behalf of LGBT Michiganders and Allies across the state, issue a statement consistent with your stated principles. One that states unequivocally the prohibition on sex discrimination in Michigan, includes the prohibition of discrimination based on sexual orientation and gender identity.

Respectfully,

Cynthia L. Thornton

From: [Jelani McGadney](#)
To: [MCRC-Comments](#)
Subject: Public Comment-Michigan Constitution-Elliot-Larsen-Equality Michigan
Date: Tuesday, August 15, 2017 2:52:10 PM
Attachments: [Public Comment EQMI ELCRA.docx](#)

Good afternoon,

Attached is a public comment.

Sincerely,

Jelani McGadney
Legislative Aide
Rep. Yousef Rabhi



53RD DISTRICT
STATE CAPITOL
P.O. BOX 30014
LANSING, MI 48909-7514
PHONE: (517) 373-2577
FAX: (517) 373-5808
E-MAIL: yousefrabhi@house.mi.gov

MICHIGAN HOUSE OF REPRESENTATIVES

YUSEF RABHI
STATE REPRESENTATIVE

July 27, 2017

Co-Chairs Laura Reyes Kopack and Rasha Demashkieh
Michigan Civil Rights Commission
110 West Michigan Avenue, Suite 800
Lansing, MI 48913

Dear Commissioners:

I am writing to encourage the Michigan Civil Rights Commission (MCRC) to adopt the proposal made by Equality Michigan (EQMI) to interpret the Elliot-Larsen Civil Rights Act (ELCRA) to include gender identity and sexual orientation in its definition of sex discrimination.

I agree with many of the points made by EQMI in their letter to the Commission. Despite increased visibility and awareness over the last few decades, the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) community continues to face inordinate amounts of prejudice and violence. The National Coalition of Anti-Violence Programs reported that 2016 saw a 17% increase from 2015 in hate killings against LGBTQ people. According to the think tank group Movement Advancement Project, over 200 pieces of anti-LGBTQ legislation have been introduced in 20 states since 2015. With the dangerous intersection of racism, sexism, homophobia, and transphobia brewing in the current political climate, increased protection is more necessary than ever.

Inclusive language in our constitution, laws, and public discourse are first steps in building a future in which the lives and rights of all Americans are respected. As described by the EQMI, legal precedent has illustrated that sex discrimination already includes discrimination based on gender identity and sexual orientation under Title VII. Because the language in ELCRA is almost identical to that of Title VII, it is imperative that the MCRC make clear its inclusion of gender identity and sexual orientation under ELCRA.

Again, I encourage you to consider the positive effects of broadening the definition of sex discrimination. We must do everything we can to protect the LGBTQ community and this is an important first step in doing so.

Sincerely,

A handwritten signature in black ink, appearing to read "Yousef Rabhi", is located below the "Sincerely," text.

Yousef Rabhi
State Representative, Fifty-Third District

From: [Kathleen LaTosch](#)
To: [MCRC-Comments](#)
Cc: [REDACTED]
Subject: Public Comment: Scope of Sex Discrimination Prohibited Under ELCRA
Date: Tuesday, August 15, 2017 12:15:41 PM
Attachments: [image003.png](#)

Good afternoon and thank you for soliciting input on the scope of criteria covered under the sex discrimination component of the ELCRA. I'm writing to share my strong support for including sexual orientation and gender identity in the scope/definition of this term.

Michigan is one of few states that does not protect people from discrimination in employment, housing and public accommodations in the country. I personally have felt the effect of this and were it not for my access to other supports, it may very well have negatively impacted me and my career for a lengthy time.

I was asked to leave a job because I refused to hide my sexual orientation. I was 27 and working full-time for a fairly progressive nonprofit organization and in a leadership role - the Director of Programs. I and another staff member were explicitly told to be quiet about our sexual orientation because the leadership at the organization felt that having two lesbians work in a program was something to be embarrassed about. It was 1997. Though not fired, I left the job under duress, without having another position lined up – the only time in my career where I left a job in that type of circumstance. Fortunately, I was able to find a part-time job to support myself for two years while I completed my Master's Degree in Social Work.

But what if I hadn't already had a four-year college degree? What if I wasn't white? What if I was masculine identified (I am on the feminine side)? What if I was transgender? I consider myself extremely privileged and have had access to many, many resources in my life that many in the LGBT community don't have access to. If ***I*** could experience this type of situation, consider how many hundreds, thousands of more Michigan citizens also experience it? What supports do they have? Many have few.

Professionally, I now work to help LGBT older adults find safe, supportive services. I serve as a Governor-appointed Commissioner for the Commission on Services to the Aging. I am Board Chair for SAGE Metro Detroit – serving LGBT older adults with dignity and authenticity. I am Project Director of an initiative that seeks to help our Aging Network provide culturally competent care to LGBT older adults – in Grand Rapids, Bay City/Saginaw and the Upper Peninsula. I am very familiar with the issues facing LGBT older adults.

I have been personally on the receiving end of an older LGBT individual telling me, "Don't call me; don't email me. I'm going back in the closet and I don't want anyone to know I'm LGBT because I don't want to be mistreated." That is heart-breaking. Senior living facilities are home to many examples of discrimination and mistreatment of LGBT seniors – not just by staff, but by other residents. Sometimes LGBT seniors are refused housing or steered away from communities based on their identity. LGBT older adults avoid senior centers, doctors and many other services out of fear of and actual mistreatment. They are disproportionately affected by isolation (lack of friends/family support, poverty, health impacts) which has a direct correlation to health outcomes

and premature death. This is actually a life and death situation for many LGBT older adults.

I implore the Michigan Civil Rights Commission to protect this vulnerable population that has already been protected by so many other states. While I have always found Michigan to be socially accepting of LGBT people, our policies and laws are behind the times. We need the Michigan Civil Rights Commission to step up and protect this population.

Thank you for your attention to this matter. I look forward to hearing the result of your consideration.

Sincerely,
Kathleen LaTosch
Ferndale, MI

Kathleen LaTosch, MSW

Owner & Principal Consultant | 



LaTosch Diversity & Inclusion Consulting
Helping nonprofits be their best at changing the world.

From: [Christy Rivette](#)
To: [MCRC-Comments](#)
Subject: Public comment re: LGBT discrimination
Date: Tuesday, August 15, 2017 7:29:07 PM

To whom it may concern-

I am in full support of adding sexual orientation and gender identity as protected classes. As a Michigan citizen I consider this essential to progress socially and economically as a state. Please consider regulations and rulings that protect discrimination of all groups, specifically LGBT.

Thank you,

Christy Rivette

From: [Megan Lavell](#)
To: [MCRC-Comments](#)
Subject: Public comment
Date: Tuesday, August 15, 2017 3:24:11 PM

I would like to express my support for expanding the current language of Michigan law to provide express protection of gay and transgender residents. Gay rights are human rights.

I would also like to highlight the support that large corporations have expressed for this increased protection against sex discrimination. For an administration that focuses so heavily on job creation and retention and business attraction, it seems necessary for government officials to do all that they can to support those efforts. This includes bringing the most talented workers to Michigan by providing protection for them in every aspect of their lives.

Thank you.

Megan Lavell
Hastings, Mich.

Sent: Tuesday, August 15, 2017 3:18 PM

To: Levy, Daniel (MDCR) <[REDACTED]>

Cc: Sanford, Shawn (MDCR) <[REDACTED]>

Subject: FW: MCRC Public Correspondence

Dan:

Please make sure the below and attachment gets added to a response to the LGBT request for interpretative statement. Thanks.

Agustin

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dr. Arbulu,

Please accept this letter as public correspondence for your upcoming MCRC meeting. I appreciate the attention you have paid to making sure Jackson residents can live free from discrimination. If I can be of any further help please let me know.

Sincerely,

Derek Dobies
Vice Mayor, City of Jackson

August 8, 2017

Michigan Civil Rights Commission
Capital Tower Building
110 W. Michigan Avenue, Suite 800
Lansing, MI 48933

Dear Commissioners,

Thank you for the opportunity to provide public input into the decision before the Michigan Civil Rights Commission as to whether sex discrimination language in the Elliot-Larsen Civil Rights Act should also guarantee long-sought protections for gay and transgender residents. I humbly request that the Michigan Civil Rights Commission act to issue an interpretative statement finding this to be the case.

It's unacceptable that in 2017 here in Michigan, hardworking employees can be fired from their jobs, residents can be refused public accommodations, and families can be evicted from, or refused, housing just because they happen to be a member of the LGBT community. For the past five years, I've led our city in advancing a Non-Discrimination Ordinance to provide protections against such discrimination in the City of Jackson.

After a twenty-year journey since first being proposed, this February the Jackson City Council finally passed a Non-Discrimination Ordinance in front of an audience of over seven hundred residents, becoming the 42nd community in Michigan to do so. The vote was a statement of tolerance and inclusion by city leaders that has led to renewed civic vitality and increased public appreciation for diversity within our community: in the months since, we opened our first Jackson Pride Center - a safe place for LGBT teens to meet - and hosted our first Jackson Pride Festival.

Jackson leaders passed this ordinance because prohibiting discrimination against our LGBT friends and neighbors creates a fair and just society. The Michigan Civil Rights Commission possesses the power to extend this vision to LGBT individuals across Michigan not currently protected under local ordinance.

You have the power to ensure that our children inherit a more tolerant, inclusive state. Please use it.

Sincerely,



Derek J. Dobies
Vice Mayor

From: [Joanne](#)
To: [MCRC-Comments](#)
Subject: Re defining sex
Date: Tuesday, August 15, 2017 2:16:06 PM

I strongly urge you NOT to redefine sex to include gender identity and sexual orientation! Elected state legislatures have determined that they do not want to enact this policy through an unelected board. Please support family values

Sent from my iPad

From: [Peter Baergen](#)
To: [MCRC-Comments](#)
Subject: Re: Equality Michigan Request for Interpretive Statement
Date: Tuesday, August 15, 2017 4:23:10 PM

Dear members of the Michigan Civil Rights Commission,

As a Michigan resident and taxpayer, I urge you to reject Equality Michigan's request for an interpretive statement redefining "sex" to include sexual orientation/gender identity. This sudden request for such a sweeping redefinition should be, at the very least, considered with great caution. The government should not be editing the dictionary, but should clearly legislate their intent within the confines of clearly and universally understood meanings.

Sincerely,

Peter Baergen

From: [Rose](#)
To: [MCRC-Comments](#)
Subject: Redefining "sex"
Date: Tuesday, August 15, 2017 2:05:37 PM

Please don't cave in to the pressure of a few who wish to redefine "sex." The recognition of male and female is biologically correct and that's all the definition we need.

Rose Murdock
Waterford, Michigan

From: Patricia Partridge

To: MCRC-Comments@michigan.gov

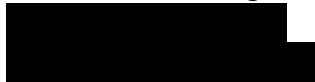
Subject: Redefinition of "sex" in current anti-discrimination law

Date: August 15, 2017 3:39 PM

To whom it may concern:

Redefinition of "sex" in the current anti-discrimination law by the Michigan Civil Rights Commission to include sexual orientation and gender identity would circumvent state lawmakers and give protected status to those groups while subjecting individuals, churches, doctors, and civic organizations to punitive and discriminatory treatment if they decline to endorse such behavior based on sincerely held religious, medical, or scientific beliefs. The gender identity issue appears to be moving toward encouraging children to make irreversible decisions to alter their bodies before even the age of consent, resulting in sterility and a lifetime of potentially dangerous hormonal interventions. Any change in the current law that supports these changes should be strongly opposed.

Respectfully yours,
Dr. Patricia Partridge

A black rectangular redaction box covering the signature of Dr. Patricia Partridge.

From: [Steve](#)
To: [MCRC-Comments](#)
Subject: Scope of Sex Discrimination Public Comments
Date: Tuesday, August 15, 2017 4:26:38 PM

Hello,

Thank you for this opportunity to comment on this important issue.

My opinion on this issue is that we ***do not*** change the current interpretation to include gender identity and sexual orientation. I have many reasons why I think this and will provide but one. This effort by the LGBT groups to include these two classes of people as groups which need special protection under the law is part of a bigger effort to codify by law the means to discriminate against and persecute any and all opposition to their way of life. I fear it will be used as it has been in some parts of the Country already to punish people of faith who disagree with their lifestyle. Thus we see Bakers and Wedding Planners and Florists being hauled before courts and discriminated against and punished for simply holding beliefs that offend the LGBT groups.

By changing the current interpretation to include these two groups, which by the way comprise a very small minority of the population 2-3% at best, it will only invite more discrimination and persecution of anyone who does not agree with or celebrate the LGBT lifestyle. It will be used by them as a big club to beat into submission those opposed.

Please do not not let this happen. Do not not punish the vast majority of the population for the so called rights of 2-3% of the population. They already have equal rights with the rest of the population, and many times even more rights, just ask the Bakers and Florists who have lost their businesses and life savings because they dared to stand opposed to these LGBT groups. What they are demanding is even more ***special rights*** for their group status based upon their chosen lifestyle defined by their sexual behavior. These groups which have defined themselves by their chosen behavioral lifestyle cannot be compared in any way to true civil rights groups like race, age, disabilities. Its wrong to try and equate groups defined by race, age or disabilities with group defined by the way they behave sexually.

Thank You,
Steve Pickett
Allen Park, MI

From: [Annette Thompson](#)
To: [MCRC-Comments](#)
Subject: Sexual identity/gender
Date: Tuesday, August 15, 2017 12:59:29 PM

To whom it may concern,

Please do not vote to enact any guidelines or regulations concerning the changing of sexual orientation or gender identity guidelines in Michigan. The people have clearly spoken out on this issue through our legislators and the current laws which are on the books. To enact such guidelines would tear at the moral fabric of our family-friendly state. There would be further unintended consequences upon individuals, churches, and civic organizations. Again, please do not attempt to move our

State in an ungodly direction. God clearly tells us that He made man and woman - therein is our sexual identity. Confusion will come if you pursue this course. Please do not.

Sincerely,
Annette Thompson

Sent from my iPhone

From: [Diane White](#)
To: [MCRC-Comments](#)
Subject: Standing up to Equality Michigan
Date: Tuesday, August 15, 2017 1:42:42 PM

We respectfully ask that you stand firm against the proposed changes being touted by Equality Michigan.

Throughout the nation there are battles on going regarding this subject.

These are a very small segment of society and we can see they need to be accepted and not discriminated against.

However, we also see that many flip back and forth between what they think they are. I have read numerous accounts of those who have had sex change operations admit they were confused and wanted to change back.

I have also read about the children of the "couples" who were silenced when they spoke about how abnormal their lives were as children of same sex people.

This is an experiment at best.

The facts point out that this is an unstable group who want more and more rights.

They seem to be a very angry and volatile group.

We hope the State of Michigan will stand strong against Equality Michigan today and forever.

Diane L. White

From: [Nathan Triplett](#)
To: [MCRC-Comments](#)
Cc: [Levy, Daniel \(MDCR\)](#); [Arbulu, Agustin \(MDCR\)](#)
Subject: Supplemental Information & Comment from EQMI re Interpretative Statement Request
Date: Tuesday, August 15, 2017 2:22:00 PM
Attachments: [Lambda Legal Comments to PAHRC.pdf](#)
[Employment-Discrimination-Complaints-2008-2014-3.pdf](#)
[Housing-Discrimination-Complaints-2008-2014-2.pdf](#)
[Public-Accommodations-Discrimination-Complaints-2008-2014-2.pdf](#)

Michigan Civil Rights Commission
110 West Michigan Avenue, Suite 800
Lansing, MI 48913

August 15, 2017

Commissioners,

Thank you for forwarding Equality Michigan's request for an interpretative statement to the Michigan Department of Civil Rights' ("the Department") staff for review and recommendation and for opening up a public comment period on our request. As the comment period closes, we trust that the members of the Michigan Civil Rights Commission ("the Commission") will see the broad and deep public support that exists for ensuring that LGBTQ Michiganders are protected from discrimination in our state. This public support should serve to buttress the clear legal support for the requested legal interpretation. I write today to provide the Commission with additional information that I hope you will find useful in your deliberations.

This evening, I'll be driving to Jackson, Michigan to attend a fundraiser for Nikki Joly and Chris Moore. Nikki is the director of the Jackson Pride Center and he was a leading voice in the 20-year effort to pass a local nondiscrimination ordinance in Jackson. Nikki and Chris' home was burned to the ground, along with all their worldly possessions, last week in a suspected arson. Their five pets were also killed in the blaze. I share this terrible story to underscore the importance and necessity of the action that Equality Michigan is requesting. Michiganders like Nikki and Chris are counting on the Commission to act.

LGBTQ people in Michigan continue to face widespread discrimination, which the Commission itself has already concluded "exists and is significant." The lack of clarity about the meaning of sex discrimination under the Elliott-Larsen Civil Rights Act, and the legislature's protracted failure to act to explicitly protect LGBTQ people, leaves these Michiganders without a remedy for the wrongs they face. The interpretative statement we are requesting will clarify a glaring legal ambiguity and give LGBTQ people access to the legal protection they deserve and to which they are entitled.

Commission Action is Required

I understand that some Commissioners are questioning whether or not Commission action is required or if the present situation can be addressed by the Department acting alone. I want to be perfectly clear on this point: Only Commission action will suffice. A strong and unambiguous signal must be sent that discrimination complaints will be accepted and processed. Today, the Department has a practice of not accepting complaints of anti-LGBTQ discrimination. This practice is unsupported by any written departmental policy on the scope

of sex discrimination, any controlling state court precedents, or specific statutory direction. In other words, there's no reason that the Department could not have been and should not have been accepting individual complaints from LGBTQ people already. As a result, a statement from the Department would be little more than a reframing of the status quo. In order to make the obligations of those covered by the act clear and to let victim's of discrimination know that a remedy is available, more than informal Department action. We need the Commission's leadership.

Moreover, it is clear that the Commission has the legal authority to grant the request that has been made. The same cannot be said for the Department. The Michigan Constitution (Article V § 29), ELCRA (MCL 37.2601(f)), and the Administrative Code (R 37.23) clearly grant the Commission the authority to issue interpretative statements. On the other hand, none of these authorities grant the Department such authority. Additionally, I'd urge the Commission to think about the precedent Departmental action would be setting. The Commission should guard its interpretative authority jealously and not be quick to devolve any portion of it to staff.

Finally, I wish to note that Equality Michigan's request follows a clear pattern already followed by the Commission of using interpretative statements to provide clarity when confronted by statutory ambiguity. For example, the Commission adopted an interpretive statement on the subject of qualified interpreters on May 21, 2012. The course of action that EQMI is proposing is consistent with existing legal authority and the Commission's past practice. Departmental action is not.

Content of the Interpretative Statement Itself

It is our understanding that the Department will present the Commission with a proposed interpretative statement on September 18. It is imperative that the statement explicitly adopts all of the rationales for why sex discrimination encompasses discrimination based on sexual orientation and gender identity. Limiting the interpretation to, for example, the sex-stereotyping rationale alone would force the Commission to parse the distinction between sex-stereotyping claims filed by LGBTQ people and sexual orientation or gender identity claims. That distinction is illusory and serves only to confuse all parties involved.

Discrimination based on sexual orientation has been recognized as prohibited sex discrimination for at least three reasons:

1. The "Sex-Plus" Theory
2. Discrimination based on romantic involvement with someone of the same-sex.
3. The Sex-Stereotyping Theory

Discrimination based on gender identity has also been recognized as prohibited sex discrimination for at least three reasons:

1. Discrimination based on gender identity and transgender status is *per se* sex discrimination.
2. Discrimination based on gender identity or transgender status is rooted in sex stereotypes.
3. Discrimination based on gender transition is also based on sex.

Attached to this letter, you will find a copy of a memorandum provided to your counterparts

on the Pennsylvania Human Relations Commission from Lambda Legal that outlines each of these theories in detail. It also contains proposed language for an administrative rule recommend by Lambda Legal. Equality Michigan concurs that such language would be a strong starting point for the Commission's interpretative statement in Michigan. We stand ready to assist Department staff with the drafting of the statement in any way that is helpful to you.

Data on Complaints

Finally, questions have been raised about the number of complaints that result when nondiscrimination protections are provided to LGBTQ people. For your reference, I have attached several reports from the Williams Institute that summarize the experience of states that have adopted these protections.

Conclusion

Having provided this supplemental information, Equality Michigan once again respectfully requests that the Michigan Civil Rights Commission, pursuant to its authority to interpret the Elliott-Larsen Civil Rights Act, issue an interpretative statement finding that it is unlawful sex discrimination to discriminate in employment, housing, or public accommodations based on an individual's gender identity or sexual orientation.

We appreciate the opportunity to submit this request for the Commission's consideration and look forward to your September 18 meeting.

Should you have any questions or wish to discuss any of this information in greater detail, I can be reached at 517-719-6499 or ntriplett@equalitymi.org.

Sincerely,

Nathan Triplett
Director of Public Policy
Equality Michigan

Nathan Triplett, J.D. | Director of Public Policy & Political Action
Equality Michigan | ntriplett@equalitymi.org
m [517-719-6499](tel:517-719-6499) w [313-537-7000x109](tel:313-537-7000x109)
(he/him/his)

From: [Jason Krzysiak](#)
To: [MCRC-Comments](#)
Subject: Support for Including Sexual Orientation & Gender Identity Under ELCRA
Date: Tuesday, August 15, 2017 4:37:07 PM

Good Afternoon,

I enthusiastically support extending protections to all the citizens of our state against hatred and discrimination.

I fully support the request by Equality Michigan currently before the Michigan Civil Rights Commission.

The State of Michigan must join the eighteen other states who explicitly prohibit anti-LGBT discrimination in employment, housing or public accommodations.

Including sexual orientation and gender identity protections under the Elliott-Larsen Civil Rights Act will use the weight of law to protect our neighbors, friends and loved ones from discrimination and establish without ambiguity our State's commitment to equal rights.

There is legal precedent at the federal level for including sexual orientation and gender identity under similar laws and I hope those called to rule on this matter will support a similar interpretation for Michigan law.

I currently serve as a City Commissioner in Pleasant Ridge, Michigan and we unanimously approved an anti-discrimination ordinance in our community that fully protected all residents and visitors and I would very much like to see these protections fortified at the state level as well.

Thank you for considering this very important matter.

Take Care,

Jason Krzysiak
City Commissioner,

,

Pleasant Ridge, Michigan,
48069

From: [Richard Flanders](#)
To: [MCRC-Comments](#)
Subject: The definition of sex.
Date: Tuesday, August 15, 2017 2:24:38 PM

It is my concern, as a citizen of the state of Michigan, that our Department of Civil Rights take into consideration the effects on people's lives that any decision made by their agency altering the definition of "sex" in our laws will have. The original meaning of that word, universally understood at the time of its inclusion in the civil rights legislation was an obvious reference to the biological fact of one's gender written into his DNA at conception, and revealed in his physical characteristics all his life. To change the meaning of the word would be to abandon the real meaning of the law, to create new law without the legislative process, put new pressure on people whose way of thinking leads them to accept only the traditional definition of marriage, force a new alteration of our culture that further undermines the most basic foundations of our civilization, endangers religious liberty, and produces other changes that should not be brought about by unelected agents of the state government. Leave the meaning of the word the same in the application of our civil rights laws. Richard Flanders. Vassar.

From: [Melissa Fosmore](#)
To: [MCRC-Comments](#)
Subject: Transgender laws
Date: Tuesday, August 15, 2017 12:08:25 PM

To Whom it may Concern,

As a voting citizen I help elect government officials to make and uphold the laws in the state of Michigan. I do not want an unelected, biased board trying to go around our government. Transgenderism is a lifestyle choice and therefore has good and disagreeable consequences. One such consequence maybe holding particular jobs due to health reasons and I fully support an employer being able to personally choose their workers.

Thank you

Concerned Citizen

Sent from my iPhone

From: Leo Romo

To: MCRC-Comments@michigan.gov

Subject: Updating Elliott-Larsen Civil Rights Act Stories

Date: August 15, 2017 3:44 PM

August 15, 2017

Michigan Civil Rights Commission,

The Elliott-Larsen Civil Right Act do not protect the LGBT people in Michigan. The words "sexual orientation" and "gender identity" must be added to protect LGBT people.

Michael O'Parker, former Bay City and Saginaw resident, was fired twice because was gay. This story was mentioned in this Feb. 5, 2014 article in the Bay City Times/Mlive. [Michigan takes note as Bay County works to become first county with ordinance barring LGBT discrimination](#)



Michael O'Parka lives in Florida now but you can ask him about his story via email [MICHAEL J OPARKA steamboatmike@sbcglobal.net](mailto:MICHAEL J OPARKA@steamboatmike@sbcglobal.net)

PLEASE add the words "SEXUAL ORIENTATION and GENDER IDENTITY" in the Elliott-Larsen Civil Right Act.

Thank you for reading two stories.

Leo Romo

Leo R. Romo

[REDACTED]

Saginaw, MI 48602

[REDACTED]

From: [REDACTED]
To: [MCRC-Comments](#)
Subject: You are not the State Legislature
Date: Tuesday, August 15, 2017 12:11:23 PM

Need we remind you, the Members of the Human Rights Commission, that you are not the Michigan State Legislature? You have *NO BUSINESS WHATSOEVER* attempting to expand the definition of what constitutes gender discrimination. This strikes me as nothing other than an attempt to circumvent the law, in order to advance the cause of a vocal and, quite frankly, bullyish LGBTQ minority. Individually, you have the right to push for this, but it must be done legally. You need to back off and respect the boundaries of the structure of our government.

Rabbi Glenn Harris
Birmingham

From: [Erin O'Sullivan](#)
To: [MCRC-Comments](#)
Subject: civil rights protections for Gay and transgender citizens
Date: Tuesday, August 15, 2017 12:52:44 PM

I believe it is an unlawful form of sex discrimination to discriminate in employment, housing or public accommodations based on an individual's gender identity or sexual orientation

thank you
Erin O'Sullivan
Augusta, MI

From: [Amy Mindell](#)
To: [MCRC-Comments](#)
Subject: include LGBTQ protections under MI-CRA
Date: Tuesday, August 15, 2017 5:15:10 PM

Two whom it may concern:

I ask that you clarify that the prohibition against sex discrimination in the Elliot Larsen Civil Rights Act so that it includes protection against discrimination on the basis of gender identify and sexual orientation.

I support more civil rights protections to people from Michigan's LGBTQ communities. LGBTQ people should have equal rights as other citizens.

We all deserve to be treated with dignity. I would feel safer in my community for my children and my relatives if I was sure that LGBTQ people had equal protections from discrimination in employment, housing, public accommodations.

Please include LGBTQ protections under the Civil Rights Act.

Thank you,
Amy Mindell

--

From: [Taryn Gal](#)
To: [MCRC-Comments](#)
Subject: Commentary on LGBT civil rights protections
Date: Tuesday, August 15, 2017 8:39:04 AM

On behalf of the Michigan Organization on Adolescent Sexual Health (MOASH), we'd like to voice our support in favor of adding "sexual orientation" and "gender identity or expression" as protected classes under the Elliott-Larsen civil rights act. Enumerating these protections has been shown to lead to better health outcomes for LGBTQ+ individuals, as they come with the assurance that the state will not tolerate discriminatory practices in the domains of housing, education, employment, and other public services and accommodations. Adding "sexual orientation" and "gender identity or expression" sends an inclusive and affirming metamessage to the LGBT population, including the youth who our organization services, and would go a long way toward reducing incidences of prejudice, harassment, and violence.

Thank you,
Taryn

Taryn Gal
Managing Director
Michigan Organization on Adolescent Sexual Health
734.717.8744 | www.moash.org
She, Her, Hers

From: [Lorie Mieczkowski](#)
To: [MCRC-Comments](#)
Subject: Definition of the word "sex"
Date: Tuesday, August 15, 2017 9:22:05 AM

As a lifelong resident of Michigan, I oppose the redefining of the word "sex" to include sexual orientation and gender identity. As a Christian, I have sincerely-held beliefs that homosexual behavior is wrong. In other states, laws that give special rights regarding sexual orientation and gender identity have proven to be discriminating against those holding this sincere religious conviction. This policy should not be changed through an unelected state board. I urge you not to redefine the word "sex" to include sexual orientation and gender identity.

Thank you.

Lorie Mieczkowski
Grand Blanc, MI

Sent from my iPhone

From: [Randy Bishop](#)
To: [MCRC-Comments](#)
Cc: [Patriot Voice Radio - 4/27/11](#); [Triston Cole - 105th](#)
Subject: Do NOT expand Michigan's Elliott-Larsen Civil Rights Act
Date: Tuesday, August 15, 2017 8:29:27 AM

Dear Michigan Civil Rights Commission,

I am writing to encourage you to deny expansion of Michigan's Elliott-Larsen Civil Rights Act concerning the term sex. For 33 years attempts have been made to legislatively change the definition of sex in MCL 37.2102.

The legislature controlled alternately by Republicans and Democrats have chosen not to alter the current terminology because civil rights based on sex are already protected.

From Jan. 2011 to Jan. 2017 many attempts to expand Elliott-Larsen and in each case the legislature realized that any change would increase discrimination against businesses, churches and individuals who would have their rights taken away.

An example would be a farmer, Steve Tennes, who was excluded from the East Lansing farmers market, because he was not willing to host a same-sex wedding at his home at Country Mill Farms in Charlotte, Michigan.

Churches could be accused of discrimination under the proposed ruling because the tenants of their faith condemned LBGTQ standards as not biblical. If the Commission acts to accept the expansion of Michigan's Elliott-Larsen definition it will cause a much larger expansion of discrimination that is taking away religious rights guaranteed by our U.S. Constitution.

I ask that you continue to follow 31 other states and leave the protections of Elliott-Larsen currently in effect and not try to do an end around the proper legislative method of amending law.

If you choose to move ahead of the proper way to amend a law, I will urge my legislators and many others to totally defund the MCRC in the next state budget.

Respectfully submitted,

Randy Bishop



From: [Harriet Austin](#)
To: [MCRC-Comments](#)
Subject: Don't Redefine Gender Identity
Date: Tuesday, August 15, 2017 8:44:47 AM

To whom it may concern,

I am writing today to ask you Not to redefine gender identity.. This is social engineering not true science. Studies are already proving the harm of this false science in higher depression and suicide rates among those who are giving expression to altered gender identities .

The gender at birth based on X and Y Chromosomes is decided by the DNA in gestation and is the wisest, truest form of expression for the individual.

This social experimenting is a temporary wind of change .Those who sow to the wind will reap the whirlwind of depression, suicide, the cost pain and disfigurement of elective surgeries paid for at the expense of others only to find themselves once again at odds with nature and nature's laws.

Especially, tragic is experimenting with gender identity with young children in their formative years when they have no say or time to develop naturally. I believe we as a society will clearly see this as child abuse and will be left with the wreckage when these turbulent winds run their course.

I ask you not to let that happen while we still have a choice.

Thank you for your consideration in this matter,
Robert and Harriet Austin

From: [Cecilia Tombelli](#)
To: [MCRC-Comments](#)
Subject: Don't Redefine Sex
Date: Tuesday, August 15, 2017 11:27:12 AM

Dear MCRC,

I believe the strongest argument for not redefining sex came from Ryan Anderson, PhD, who wrote:

Marriage is society's best way of ensuring the well-being of children. State recognition of marriage protects children, we saw yesterday, by encouraging men and women to commit permanently and exclusively to each other and take responsibility for their children. Laws on marriage work by promoting a true vision of the institution, making sense of marital norms as a coherent whole. Law affects culture. Culture affects beliefs. Beliefs affect actions. The law teaches, and it shapes the public understanding of what marriage is and what it demands of spouses. But redefining marriage further distances marriage from the needs of children and denies the importance of mothers and fathers. Redefining marriage rejects as a matter of policy the ideal that children need a mother and a father.

The statistics on the importance of marriage penetrate American life to the extent that President Obama can refer to them as well known:

"We know the statistics -- that children who grow up without a father are five times more likely to live in poverty and commit crime; nine times more likely to drop out of schools and twenty times more likely to end up in prison," Obama said less than five months before he was elected president in 2008.

"They are more likely to have behavioral problems, or run away from home, or become teenage parents themselves. And the foundations of our community are weaker because of it," he added.

But how can the law teach that fathers are essential if it redefines marriage to make fathers optional? Redefining marriage diminishes the social pressures for husbands to remain with their wives and children, and for men and women to marry before having children.

Redefining marriage to include same-sex relationships makes marriage primarily about emotional union, more about adults' desires than children's needs.

If that's how we understand marriage, marital norms make no sense as a matter of principle. Why require an emotional union to be permanent? Or limited to two persons? Or sexually exclusive (as opposed to "open")?

Weakening marital norms and severing the connection of marriage from responsible procreation are admitted goals of the University of Calgary's Elizabeth Brake and other

prominent advocates of redefining marriage.

Judith Stacey, a professor at NYU, has expressed hope that redefining marriage would give marriage "varied, creative and adaptive contours," leading some to "question the dyadic limitations of Western marriage and seek ... small group marriages."

More than 300 "LGBT and allied" scholars and advocates called in the statement "Beyond Same-Sex Marriage" for legally recognizing sexual relationships involving more than two partners.

In 2009, Newsweek reported that the United States already had over 500,000 polyamorous households. A 2012 article in New York Magazine introduced Americans to "throuple," a new term akin to "couple" but with three people.

Indeed, if justice demands redefining marriage to include the same-sex couple, how long before the courts demand redefining marriage to include throuples and quartets?

Some advocates of redefining marriage embrace the goal of weakening the institution of marriage in these very terms. Former President George W. Bush "is correct," writes Victoria Brownworth, "when he states that allowing same-sex couples to marry will weaken the institution of marriage. ... It most certainly will do so, and that will make marriage a far better concept than it previously has been."

It is no surprise that we see evidence of this occurring. A federal judge in Utah allowed a legal challenge to anti-bigamy laws. A bill allowing a child to have three legal parents last year passed both houses of the California state legislature.

If the law teaches a lie about marriage, it shouldn't surprise us when the consequences of that lie turn out to be bad -- for children and society as a whole.

-Ryan T. Anderson is the William E. Simon Fellow at The Heritage Foundation and co-author, with Sherif Girgis and Robert George, of the book "What is Marriage? Man and Woman: A Defense."

First appeared in the Washington Examiner --

Thank you,

Cecilia Tombelli



Lansing, MI 48912

From: [Christan Bulin](#)
To: [MCRC-Comments](#)
Subject: ELCRA statement in response to Equality Michigan
Date: Tuesday, August 15, 2017 10:57:54 AM

Dear Commission Members,

I hope this finds you well. As I'm sure you know, people of DSG (diverse sexuality and gender) face many disadvantages in Michigan. I personally know of people who were refused housing and medical care because of their identification.

People of DSG are commonly locked out of the basic means to a dignified life - they are fired from jobs for who they are, denied care at the doctor's office, and kicked out of their homes. We can end that here in Michigan by extending them the basic right of non-discrimination under the law. Act now to protect these Michiganders.

Thank you for your consideration.

--

Chris Bulin, MSI
Sr. Website Support Coordinator
ITHAKA


From: [Chanae Houska](#)
To: [MCRC-Comments](#)
Subject: Elliot Larsen Civil Rights Act
Date: Tuesday, August 15, 2017 8:54:08 AM

Hello,

Members of the LGBT communities in Michigan should be protected by extending to them the basic right of non discrimination under the law. At the end of the day... we are all Michiganders, we are all Americans.

Thank you,
Chanae Houska

From: [Jeffrey Peters](#)
To: [MCRC-Comments](#)
Subject: Elliott Larson Civil Rights Act
Date: Tuesday, August 15, 2017 10:52:59 AM

Ladies and Gentlemen of the Michigan Civil Rights Commission,

The Elliott Larson Civil Rights Act should not be changed to include sexual orientation as a right protected for employment.

From Psychology Today:

Gender dysphoria (formerly gender identity disorder) is defined by strong, persistent feelings of identification with the opposite gender and discomfort with one's own assigned sex that results in significant distress or impairment.

<http://www.cnsnews.com/news/article/michael-w-chapman/johns-hopkins-psychiatrist-transgender-mental-disorder-sex-change>

Dr. Paul R. McHugh, the former psychiatrist-in-chief for [Johns Hopkins Hospital](#) and its current Distinguished Service Professor of Psychiatry, said that transgenderism is a "mental disorder" that merits treatment, that sex change is "biologically impossible," and that people who promote sexual reassignment surgery are collaborating with and promoting a mental disorder.

Please take the time to review the attached article by a Johns-Hopkins Psychiatrist.

Jeff Peters

This e-mail message and any documents accompanying this transmission may contain confidential information and are intended solely for the addressee (s) named above. If you are not the intended addressee/recipient, any use of, disclosure, copying, distribution, or reliance on the contents of this e-mail information is strictly prohibited. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents.

Farmers Group, Inc. and its subsidiaries and affiliates, including Farmers Financial Solutions, LLC, reserve the right to monitor and review the content of all e-mail communications and attachments sent or received by or from this address and to retain them in accordance with the applicable regulatory requirements. Securities are offered through Farmers Financial Solutions, LLC, [REDACTED], California 91301. Member FINRA & SIPC.

From: [Miller, Jacki \(MDCR\)](#)
To: [MCRC-Comments](#)
Subject: FW: Elliat Larsen Civil Rights Act
Date: Tuesday, August 15, 2017 8:12:17 AM

From: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: Fwd: Elliat Larsen Civil Rights Act

[REDACTED] add this to the comments.

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: August 14, 2017 at 10:36:24 PM EDT
To: [REDACTED]
Subject: Elliat Larsen Civil Rights Act

To Members of the Michigan Civil Rights Commission:
Please change the wording of Elliat Larsen Civil Rights Act to prohibit sexual discrimination for gender identity and sexual orientation. These persons, too, are valued human beings and contribute richly to our society.

Joanna Meyer
[REDACTED]
Grand Rapids, MI 49506

Sent from [Mail](#) for Windows 10

From: Holly Middaugh

To: MCRC-Comments@michigan.gov

Subject: Gender Equality Issue

Date: August 15, 2017 1:00 AM

I am opposed to having the Civil Rights Commission alter the definition of "sex" to include persons who practice homosexuality as a life style included as a protected class. This is an issue that needs to be decided by legislators and the voters of Michigan. I have no hostilities towards homo sexual individuals. I have a daughter and granddaughter who both practice this life style. I love them and their partners dearly. They don't go around flaunting their choices any more than some of the others who have married or others who have chosen to live with girl friends/boyfriends. I believe this is a choice much the same as someone chooses to marry, live with someone before marriage or remain celibate. I understand that many do not agree with my opinions, but many do, which is why this should be decided by lawmakers or voters, not a commission.

Respectfully submitted

Holly L. Middaugh

[REDACTED]

[REDACTED]

Buckley, MI 49620

Cell: [REDACTED]
[REDACTED]

From: [Tracy Cartier](#)
To: [MCRC-Comments](#)
Subject: Gender is not Optional
Date: Tuesday, August 15, 2017 9:46:32 AM

As a mother of 8, I am terrified to see where the world is headed with all of this sexual confusion. I am seeing pedophilia run rampant among the elite and those in power. I am watching our world change, and seeing people abandon their morals and belief system because we are being treated as if it's discriminatory to stand up for loving ourselves and our bodies the way God made us. He made us in His own image, and so we truly are perfect. THAT is what we should be teaching our children. Not that it's ok to act on every sexual fantasy they have, whenever and however they feel. We need to protect the family structure. The union between man and woman. The souls of our children. The world should not revolve around what feels good sexually.

Tracy M. Goddard

From: [Tara McCulley](#)
To: [MCRC-Comments](#)
Subject: Human Rights
Date: Tuesday, August 15, 2017 9:48:22 AM

To whom it may concern,

Please do NOT redefine sex in Michigan's Civil Rights laws.
Thank you.

Sincerely,
The McCulley's

From: [Sharon Brown](#)
To: [MCRC-Comments](#)
Subject: Interpretive Statement on ELCRA
Date: Tuesday, August 15, 2017 10:27:10 AM

Dear Michigan Civil Rights Commission,


I am writing you to strongly express my support for the the Commission to issue an interpretive statement which clarifies the Ellioitt-Larsen Civil Rights Act (ELCRA) includes protections against discrimination on the basis of gender identity and sexual orientation.

I am a lifelong resident of Michigan, and I love this state. I love it too much to stand by and allow for my neighbors and friends to be subjugated and treated like second-class citizens. The idea that an apartment may not be available, or a job may be lost simply because of whom that person loves is unthinkable. It is unAmerican.

I happen to be heterosexual and cisgender, which means I have the privilege of knowing I cannot be fired from my job for arbitrary reasons. This also means I have the responsibility to stand beside my neighbors and friends of the LGBTQ community to say discrimination is wrong and should be unlawful.

Please, I urge you to do the right thing: create a pathway for liberty and justice by clarifying the existing laws and ensuring they extend to those who continue to face arbitrary discrimination simply because of their gender identity or whom they choose to love.

Thank you,

Sharon Brown

Mattawan, MI 49071

From: [Alice Tocco](#)
To: [MCRC-Comments](#)
Subject: LGBTQ
Date: Tuesday, August 15, 2017 11:49:39 AM

Dear officials,
Please do NOT add LGBTQ specifically to the list of rights. The rights of all people of all genders are already protected!
Thank you,
Alice To co

Sent from my iPhone

From: [Jordan Haskins](#)
To: [MCRC-Comments](#)
Subject: LGBT Anti-Discrimination
Date: Tuesday, August 15, 2017 9:13:47 AM

To the Michigan Civil Rights Commission,

As a citizen of this state, I am urging you to reject the call for anti-discrimination protections for LGBT citizens. This has caused so much division and controversy across the country. These groups could not win in the state legislature and so now they rely on a regulatory body to get their agenda passed.

This is not the constitutional way things like these get done. You will not settle the cultural wars in this way either. All you will do is cause further division and harm for those who dissent from these new movements. Will you as a state promote gender confusion? I pray you do not.

Sincerely,

Jordan Haskins
Saginaw, MI

Sent from my iPhone

From: [Reid Nelson](#)
To: [MCRC-Comments](#)
Date: Tuesday, August 15, 2017 10:29:26 AM

Please do not change the time honored standard, of male and female. It is that way from birth and it has been that way from the creation of the human race. God has made it very clear, only females have been made to give birth by design. We are fools to think we the creation can improve on the Creator's creation.

Thanks,
Reid Nelson

From: [KC McAlpin](#)
To: [MCRC-Comments](#)
Subject: NO TO EXPANSION OF CIVIL RIGHTS LAW
Date: Tuesday, August 15, 2017 10:58:36 AM

You would be acting beyond the scope of your authority to reinterpret the Elliott Larsen Civil Rights Law in a way that expands its definitions of civil rights discrimination. Don't go there.
Courtenay McAlpin
Harbor Springs, MI

From: [REDACTED]
To: [MCRC-Comments](#)
Subject: Please add LGBTQ protections to the Elliott-Larsen Civil Rights Act
Date: Tuesday, August 15, 2017 8:39:50 AM

To whom it may concern,

I feel very strongly that the State of Michigan must join the eighteen other states who explicitly prohibit anti-LGBT discrimination in employment, housing or public accommodations.

Including sexual orientation and gender identity protections under the Elliott-Larsen Civil Rights Act will use the weight of law to protect our neighbors, friends and loved ones from discrimination and establish without ambiguity our State's commitment to equal rights.

Respectfully,

David Assemany

Pleasant Ridge, MI

From: [Paul and Jenn](#)
To: [MCRC-Comments](#)
Subject: Please add LGBTQIA protections
Date: Tuesday, August 15, 2017 6:29:00 AM

Dear Michigan Human Rights Commission -

Unlike eighteen other states, Michigan is lacking any legal protection for LGBTQIA members. In a perfect world, this would not be necessary, but it is not a perfect world, and this minority finds itself in ever-increasing oppression. It is important for Michigan to explicitly state that LGBTQIA members have rights which cannot be exploited.

Please add LGBTQIA protections to the state law in Michigan.

Thank you,

Jennifer Garland
Farmington Area PTA Council Vice President of Advocacy 2017-2019

From: [National LGBTQ Task Force](#) on behalf of [Gloria Llamas](#)
To: [MCRC-Comments](#)
Subject: Please ensure LGBTQ Michiganders are protected from discrimination
Date: Tuesday, August 15, 2017 11:24:26 AM

Aug 15, 2017

Michigan Civil Rights Commission

Dear Commission,

Numerous federal district and appeals courts have already concluded that the federal prohibition on sex discrimination includes anti-LGBTQ discrimination. Michigan should follow their lead. The First, Sixth, Ninth and Eleventh circuit courts of appeals have all determined that employment discrimination against transgender people is unlawful. The Seventh Circuit recently reached the same determination about discrimination based on sexual orientation. The interpretative statement does not create new law. It simply clarifies current ambiguity about what constitutes sex discrimination.

The Commission has already concluded that anti-LGBTQ discrimination "exists and is significant" in Michigan. Having already reached that conclusion, the Commission has an obligation to act to prevent discrimination. Because our legislature has failed to enact an explicit prohibition on anti-LGBTQ discrimination and the scope of current law is unclear, LGBTQ Michiganders can still be fired for being gay, denied an apartment for being transgender, and refused service almost anywhere for who they are or who they love. In 2017, that's shocking and wrong.

With your help, we can add Michigan to the other 18 states that protect all of its residents from discrimination.

Please vote to provide non-discrimination protections and clarity to all Michiganders.

Sincerely,

Mr. Gloria Llamas

[REDACTED]

Ypsilanti, MI 48197-8848

[REDACTED]

From: [Maxine & Doug Bowyer](#)
To: [MCRC-Comments](#)
Subject: Re-defining sex
Date: Tuesday, August 15, 2017 10:20:44 AM

To whom it may concern: I am so disappointed that once again man tries to set his own definitions and boundaries. Sex was and is set by God. It cannot be man-made. The ultimate authority is our creator God, and His Word. He says homosexuality is sin and abhorrent. When we try to circumvent His laws and establish our own ideas and laws, we step into quicksand. Please don't put Michigan into quicksand.

From: [REDACTED]
To: [MCRC-Comments](#)
Subject: Re: Elliot-Larsen Civil Rights Act
Date: Tuesday, August 15, 2017 10:04:45 AM

To the Michigan Dept. of Civil Rights,

All Michiganders deserve an equal opportunity to access housing and employment in our state. As a gay man and a renter, I know the anxiety of finding a new apartment and talking with the landlord. Can I openly reference my same-sex partner? Do I need to police my behavior around this person? Now that my husband and I live together there is nothing we can do to get around any landlord that wishes to deny us housing.

As a gay man living and working in Michigan since 2005, I'm exhausted trying to figure out other people's motivations when I want to use public accommodations, rent an apartment, or apply for a job. It shouldn't be more difficult for me than it is for heterosexual Michiganders.

Thanks for your consideration of this issue,
Arthur Endsley

From: [Jeremy Gibson Bond](#)
To: [MCRC-Comments](#)
Subject: Regarding the interpretation of "sex" discrimination and LGBTQ protections
Date: Tuesday, August 15, 2017 1:38:32 AM

To the Michigan Civil Rights Commission,

As a citizen of Michigan, the protection of the civil rights of the citizens of this state is of paramount importance to me, and I believe that this protection should apply completely to everyone in the LGBTQ community.

I am fully in support of Equality Michigan's request that the Michigan Civil Rights Commission issue an interpretative statement finding that the prohibition on sex discrimination in employment, housing, and public accommodations found in Michigan's Elliott-Larsen Civil Rights Act, MCL 37.2101 et seq., includes a prohibition on discrimination based on an individual's gender identity and sexual orientation. The Commission has the authority to issue such a statement under MCL 37.2601; MCL 24.201 et seq.; Mich Admin Code, R 37.23.

There is considerable legal precedent for this interpretation of Elliott-Larsen, as can be found in the original letter sent to you by Equality Michigan (<http://bit.ly/2wKJMQN>).

Thank you very much for your consideration.

Sincerely,

Jeremy Gibson Bond
Michigan State Professor / Michigan Citizen

--

Jeremy Gibson Bond [REDACTED]
Professor of Practice / Game Design & Development
Media & Information Dept. / Michigan State University
434.321.8624

From: [Tom North](#)
To: [MCRC-Comments](#)
Subject: Request of Equality Michigan for interpretative statement
Date: Tuesday, August 15, 2017 11:16:35 AM

Dear Commissioners:

I am commenting on the request by Equality Michigan to the Michigan Civil Rights Commission for an "interpretative statement" as to the definition of the word "sex" in the Elliot Larsen Act. I am the former Judge of Probate for Mackinac/Luce Counties from 1992-2007. Since that time, I have developed expertise in legal issues nationally stemming from the human creation of the theory of "gender identity." My comments are based solely on law and facts that are critical for the Commission to consider, and not intended to set forth a political or personal agenda. Those comments are as follows:

1) In the past year or so, the Commission published templates for municipalities to adopt anti-discrimination ordinances that would include "gender identity" and/or "sexual orientation." There is no doubt, and no one has in fact doubted, that action by the Commission constituted advocacy for a political cause, that being the agenda of the "LGBT movement" to get municipalities to adopt such ordinances. In fact, in doing so, this Commission was beyond any shadow of a doubt acting as an arm and agent of the LGBT movement, since such action cannot possibly be considered as neutral or in the general public interest. I do not know which Commission members voted to take such action, nor whether any of those members are still on the Commission at this time. However, my first comment is, even though I have been unable to locate ANY ethics rules for the MCRC members at all, those who voted in favor of those templates must disqualify themselves from acting on this request, as fundamentally unethical to act in this matter after their advocacy on behalf of Equality Michigan and its colleague organizations. By analogy, state judges who advocate for a party or cause are ethically required to recuse themselves from sitting on cases involving those parties or causes, or else face disciplinary proceedings and consequences. In this request, the Commission is sitting as a public body to interpret a statute, similar to what Michigan Court of Appeals and Supreme Court judges and justices do on a daily basis. The same principles of ethics must apply and result in self-disqualification of any MCRC member who voted for the templates that I refer to above. Otherwise, it is just that much more clear that such members would be using their Commission seats as a tool for activism and advocacy, contrary to the public interest and all concepts fairness.

2) In addressing this request, the legal authority of the MCRC is EXTREMELY limited. The Michigan Constitution, Article IV, Section 1, vests legislative authority solely in the State Legislature, the same one that enacted Elliot Larsen Act. The MCRC consists of non-elected, appointed members who lack any legal or legislative authority. MCL 24.207 establishes that interpretive statements of the MCRC are NOT LAW, and in themselves do **"NOT HAVE THE**

FORCE AND EFFECT OF LAW." (Emphasis added). That section goes on to say that statements are "explanatory." That is reiterated in MCL 24.232(5) which goes on to provide that **"AN INTERPRETIVE STATEMENT....IS NOT ENFORCEABLE BY AN AGENCY, IS CONSIDERED MERELY ADVISORY, AND SHALL NOT BE GIVEN THE FORCE AND EFFECT OF LAW."** If the MCRC does issue an interpretive statement and further interprets "sex" to include "gender identity", my alternate request is that the MCRC clearly cite all of the above statutory sections in its statement. Further, contrary to the request of Equality Michigan, the Commission MUST, under MCL 24.232(5) find that in the future it "shall not rely upon (the interpretive statement)... to support (any) decision to act or refuse to act...."(since MCRC decisions are subject to judicial review). All of the foregoing is mandated by that statute. The same statute also precludes all Michigan courts from relying upon an interpretive statement. The Commission, through interpretive statements, can only make recommendations to the governor (as part of the same branch of government) per MCL 37.2601(1)(e). Equality Michigan has publicly stated that its request is because the Legislature has not given it what it wants. That is not a legal basis for this Commission to do an "end run" around what the citizens and businesses of Michigan are willing to enact through their elected representatives. Under the foregoing statutes, such an interpretive statement would NOT make further forms of discrimination illegal or binding, or create any new rights, remedies, legal processes, or situations in which complaints may be filed with the MCRC.

3) Equality Michigan has deliberately misrepresented to the MCRC in its request and public statements that its request would comport with federal law, when the truth and law are exactly opposite those representations! There is NO federal statute that includes "gender identity" or "sexual orientation" within its definitions of "sex" under federal civil rights law. Neither "gender identity" or "sexual orientation" are within Title VII or Title IX. Just as with the Michigan Legislature, the U.S. Congress has declined to expand those statutes, or even to hold a hearing on the so-called and grossly misnamed "Equality Act" introduced in 2015 and reintroduced this year in the current Congress. To the contrary, the federal statutes were enacted primarily back in the 1970s, before "gender identity" was even invented by humans as a theory based on the delusion that one is a gender other than reality, and therefore, it's simply impossible that Congress even could have intended "sex" in those statutes to encompass "gender identity" or foreseen that theory would later be created at all. Further, Title VII does not include public accommodations, as does Elliot Larsen, so the federal and state statutes are not analogous. To the extent that Equality Michigan cites federal court cases, first of all, they do not apply to state law. *Mullaney v Wilbur*, 421 U.S. 684, 691 (1975); *Chambers v Tretco, Inc*, 463 Mich 297 (2000); and *Haynie v State*, 468 Mich 302 (2003). Further, all of the federal court cases cited are either from other U.S. Court of Appeals circuits whose decisions are not law in Michigan, or Equality Michigan has cited a couple Sixth Circuit decisions claiming they apply to "gender identity" when they clearly do not, constituting another deliberate misrepresentation to this body.

Smith v City of Salem, 378 F.3d 566 (6th Cir. 2004) recognized a claim under federal statute for "gender non-conformity", but which is NOT defined to include "gender identity" or transgenderism. "Gender identity" and "gender non-conformity" are entirely different from one another legally and factually. While it is convenient to the LGBT to just mix them together in order to try to use one as a legal precedent for the other, and to continue to try to build a legal "house of cards" that has no legal foundation or basis, this Commission does not have legal power to do the same. The *Smith* court interpreted sex discrimination under Title VII and "gender non-conformity" to include "sexual stereotyping" in employment only (NOT housing or public accommodations like Elliot Larsen), and also expressly did not interpret it to include "gender identity" or transgenderism. The court in *Smith* defined sexual stereotyping as occurring when an individual "fails to act and/or identify with his or her gender", which not only recognized the reality that the individual's gender or sex does not actually change, but also is the polar opposite of "gender identity" in which an individual goes on to identify with the opposite gender. In fact, *Smith* cannot possibly apply to "gender identity" or transgenderism as Equality Michigan claims at all, because the Plaintiff Smith was NOT transgendered, but rather, was transexual, so the case has absolutely nothing to do with gender identity or Equality Michigan's request to the MCRC. The same holds true for the other case cited from the Sixth Circuit.

4) From a factual standpoint, the word "sex" in Elliot Larsen cannot possibly include "gender identity" because as a matter of science, "sex" and "gender" are two different and distinct things in our world. "Sex" is binary and objective, determined fundamentally by one's physical anatomy and chromosomal constitution, and ultimately defined by reproduction capacities. Lawrence S. Mayer and Paul R. McHugh, *Sexuality and Gender: Findings from Biological, Psychological and Social Sciences*, New Atlantis, Fall 2016. Sex is innate and immutable. The chromosome pairs are present immediately upon conception in the womb. Francisco I. Reyes, et. al., *Studies on Human Sexual Development*, 37 J. of Clin. Endocrinology & Metabolism 74-78 (1973); Michael Lombardo, *Fetal Testosterone Influences Sexually Dimorphic Gray Matter in the Human Brain*, 32 J. of Neuroscience 674-80 (2012). "Sex" is not "assigned at birth", as gender is purported to be in the definition of gender identity. Michelle A. Cretella, *Gender Dysphoria in Children and Suppression of Debate*, 21 J. of Am. Physicians and Surgeons, 50, 51 (2016). "Gender is more subjective and includes socially constructed norms and roles. American Psychological Association, *Answers to Your Questions About Transgender People, Gender Identity, and Gender Expression* (2011). Accordingly, any interpretation by the MCRC to include "gender identity" with "sex" under Elliot Larsen would not only conflict with the law, it would conflict with reality, science and truth, and in turn be an "apples and oranges" and "delusional" interpretation, just as is the basis of the whole theory of gender identity.

5) Finally, in summary, an attempt to expand the definition of "sex" to include "gender identity" would create infinitely more discrimination than any that exists now. That is because it would discriminate against ALL citizens who do not fall within those classes, by creating an

environment in public accommodations that would actually preclude safe physical access by citizens and prevent them from those benefits, as well as violate First Amendment religious rights of citizens in those businesses.

Respectfully submitted,

Thomas B. North

[REDACTED]

Cheboygan, MI 49781

[REDACTED]

From: [keri.gaither](#)
To: [MCRC-Comments](#)
Subject: The ELCRA's prohibition against sex discrimination
Date: Tuesday, August 15, 2017 11:08:24 AM

The ELCRA's prohibition against sex discrimination SHOULD definitely apply to gender identity and sexual orientation.

Sincerely,
K. Gaither

From: [Lana Carey](#)
To: [MCRC-Comments](#)
Subject: The sexes
Date: Tuesday, August 15, 2017 8:27:33 AM

I am greatly troubled this is even being brought to my attention. There are two sexes, male or female. Surgery is cosmetic and does not change ones dna. It is noted by the medical community it is a mental health problem.

This is a bill that should not be approved. At the moment I am sorry lawmakers are even considering this subject. Fix our roads, our schools, ect. This is what you need to be doing. I vote in every election and I do keep track of what you do.

Sincerly,
Lana Carey
Carleton Michigan

From: [REDACTED]
To: [MCRC-Comments](#)
Subject: discrimination
Date: Tuesday, August 15, 2017 8:45:41 AM

Michigan Civil Rights Commission Leadership and Members:

I have recently understood that Equality Michigan has requested a change in the definition of sex to include sexual orientation and gender identity. I am writing to request that you deny this request. I truly believe that this would actually result in increased discrimination. This has proven true in other states that have enacted similar laws. It would result in businesses being required to hire people who have values and ideology that go completely against their values. This would result in punitive action against businesses, churches and civic organizations which believe as a matter of sincere religious conviction that homosexual behavior is wrong.

I also believe that bypassing the normal legislative processes would accomplish the same effect as amending the law to specifically include sexual orientation and gender identity as protected classes. This is an attempt by Equality Michigan to circumvent state lawmakers and enact policy changes through an unelected state board.

Thank you for considering this letter and taking the time to read it.

Nancy Delnay,
State of Michigan concerned citizen

From: [Samantha Rogers](#)
To: [MCRC-Comments](#)
Subject: re EQMI Request for Interpretive Statement on Sex Discrimination
Date: Tuesday, August 15, 2017 10:17:24 AM

Dear Members of the Commission,

I wish to strongly urge you to accept and act upon the Equality Michigan request for an interpretive statement regarding the sex discrimination portion of the Elliott-Larsen Civil Rights Act.

It is unconscionable that in this day and age we still do not specify that sex discrimination includes sexual orientation and gender identity.

I urge to to take action to make this clear.

As head of an organization charged with promoting the welfare of transgender individuals, I have seen first hand the awful consequences of hateful and ignorant discrimination aimed at our community. It has to stop.

Please take this small step to show that hatred based on sex and gender is eliminated under the laws of our state.

Sincerely

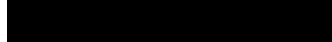
Samantha Rogers
TGDetroit
Redford MI 48239

From: [Nan Lundeen](#)
To: [MCRC-Comments](#)
Subject: request by Equality Michigan
Date: Tuesday, August 15, 2017 11:58:41 AM

To the Michigan Civil Rights Commission:

As a resident of Michigan, I find it repugnant that discrimination against people for their sexual orientation and gender identity is legal here. I fully support the request by Equality Michigan to interpret the 1976 Elliott-Larsen Civil Rights Act to include protections for sexual orientation and gender identity. Equality for all is the bedrock of our democracy.

Best wishes,
Nan Lundeen



Eau Claire, MI 49111