



ADVISORY NEIGHBORHOOD COMMISSION 4C

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June 9, 2009

Kenneth McGhie
General Counsel
DC Board of Elections and Ethics
441 4th Street, NW, Suite 250 North
Washington, DC 20001
Re: The Jury and Marriage Act 2009

Dear General Counsel McGhie,

Advisory Neighborhood Commission 4C does not believe that the proposed referendum concerning the Jury and Marriage Act of 2009 is a proper subject for a referendum in the District of Columbia. The proposed referendum would violate the DC Human Rights Act which states that, "Except as otherwise provided for by District law or when otherwise lawfully and reasonably permitted, it shall be an unlawful discriminatory practice for a District government agency or office to limit or refuse to provide any facility, service, program, or benefit to any individual on the basis of an individual's marital status and sexual orientation among other factors. The DC Council, having been duly elected by the residents of the District of Columbia, voted to recognize marriage licenses from other states obtained by same-sex couples living in the District. We do not believe that there is a valid legal argument for the District to discriminate against these documents and, in doing so, to discriminate against its citizens. A "No" vote on this proposed referendum would deny District residents legally married in other states their guaranteed access to government services, programs, and benefits explicitly protected by the Human Rights Act. Therefore, we urge the Board of Elections and Ethics to find that this subject is not fit for a referendum.

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