Women’s and LGBTQ Justice Task Force

ISSUE RECOMMENDATIONS TO GOVERNOR ELECT GRETCHEN WHITMER

STATUS REPORT

These recommendations were developed with input from members of the Michigan Unitarian Universalist Social Justice Network’s Women’s and LGBTQ Rights Task Force that included representatives from many organizations, including Planned Parenthood of Michigan, Equality Michigan, the National Council of Jewish Women, Fems for Change, Inclusive Justice, Stand with Trans, Indivisible, Oakland/Macomb NOW, SAGE Metro Detroit, the American Association of University Women, Northwest UU Church, the UU Fellowship of Central MI and the United Church of Christ – Detroit Metropolitan Area. They were submitted to Governor elect Whitmer’s transition team on December 10, 2018.

1. Consistent with Governor elect Whitmer’s proposed plan to “Protect Roe v. Wade in Michigan” (7/24/18), “restore family planning for low-income Michiganders that was cut by Governor Snyder and Lansing Republicans”.

2. Consistent with Governor elect Whitmer’s above proposed plan, “repeal P.A. 328 of 1938 that criminalizes abortion and labels family planning medical professional as criminals”. We are concerned that with the addition of Justice Kavanaugh to the U.S Supreme Court, the threat of overturning Roe v. Wade has increased.

UPDATE: Sen. Erika Geiss and other legislators introduced bills to repeal the old anti-abortion laws. Referred to Senate Judiciary & Public Safety Committee.

3. Support the Michigan Civil Rights Commission’s interpretation that discrimination based on sex in the Elliot Larsen Civil Rights Act also protects people from discrimination based on sexual orientation and gender identity. (This interpretation was vigorously opposed by AG Bill Schuette.) UPDATE: On 2/1/19, AG Nessel told the MI Civil Rights Commission she would reconsider AG Schuette’s opinion. In January 2019, Gov. Whitmer issued a Declaration that Michigan making discrimination illegal toward LGBTQ people through State government and its contractors.

4. Provide standards for protecting the health and safety of women who are pregnant and/or giving birth while in prison. This would include protecting women from inhumane treatment e.g., being shackled while in labor, also preventing costly physical and mental health problems related to the child and the mother. A new bi-partisan federal criminal justice reform bill – the First Step Act (HR 5682) – would “prohibit restraints on pregnant prisoners”. The ACLU has stated that shackling a woman during child birth is “dangerous” and “inhumane”.

UPDATE: Sen. Chang and Sen. Erika Geiss are expected to introduce legislation that would outlaw shackling women while giving birth while in prison.

5. Ensure that lesbian or gay individuals or couples be treated the same as heterosexual individuals or couples for consideration as foster or adoptive parents by state contracted child placing agencies. The Michigan legislature, in 2015, adopted a law allowing adoption and foster care licensing agencies to discriminate, based on their religious beliefs, against same sex couples who wish to adopt or become foster parents for children in Michigan.

UPDATE: In March 2019, the Michigan ACLU and Attorney General elect Dana Nessel negotiated a court settlement that declared that child adoptions and foster care licensing agencies could not use their religious beliefs as a basis for discriminating against gay couples.