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# Civil Rights Commission

The Colorado Civil Rights Commission is a seven-member, bipartisan board whose mission is to:

- Conduct hearings regarding illegal discriminatory practices
- Advise the Governor and General Assembly regarding policies and legislation that address illegal discrimination
- Review appeals of cases investigated and dismissed by CCRD
- Adopt and amend rules and regulations to be followed in enforcement of Colorado's statutes prohibiting discrimination

## Commission Meetings

The Commission meets to develop policy and hear appeals in discrimination cases. Unless otherwise announced, the Colorado Civil Rights Commission holds [meetings](#) on the fourth Friday of the month at 1560 Broadway, Denver, CO 80202, beginning at 10 a.m.

## Colorado Civil Rights Commissioners

- **Anthony Aragon**, Democrat, Representing State or Local Government Entities, Denver (term expires: 3/16/19)
- **Miguel "Michael" Rene Elias**, Republican, Representing Community at Large, Pueblo (term expires:

### **EXHIBIT 21**

3/13/20)

- Carol Fabrizio, Unaffiliated, Representing Business, Denver (term expires: 3/16/19)
- Charles Garcia, Democrat, Representing Community at Large, Denver (term expires: 3/13/21)
- Rita Lewis, Democrat, Representing Small Business, Denver (term expires: 3/16/19)
- Ajay Menon, Unaffiliated, Representing State or Local Government Entities, Fort Collins (term expires: 3/13/20)
- Jessica Pocock, Unaffiliated, Representing Community at Large, Colorado Springs (term expires: 3/13/20)

### About the Commission

Commissioners are appointed by the Governor and confirmed by the state Senate to serve four-year terms. They are selected from across Colorado and represent both political parties. Two commissioners represent business (one of whom represents small business), two represent government, and three represent the community at large. At least four of the commissioners are members of groups who have been or might be discriminated against because of disability, race, creed, color, sex, national origin, sexual orientation, marital status, religion, or age.

Matters concerning investigations or appeals before the Commission are confidential, and can only be discussed with the parties and/or their representatives.

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## **EXHIBIT 21**

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# About

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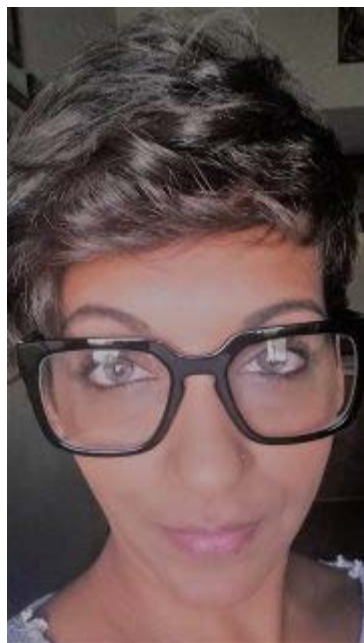
# JESSIE POCOCK

## EXECUTIVE DIRECTOR

Jessie has held various roles in the nonprofit sector. Most recently, she was the Executive Director of the LEAD Foundation empowering students who struggle with learning disabilities and attention issues. She worked at UCCS as the Development and Events Director for the Galleries of Contemporary Art and was a Campaign Officer for Pikes Peak United Way.

Jessie comes to us as someone who is committed to a variety of pro-equality initiatives and campaigns. She spearheaded One Colorado's Southern Colorado grassroots efforts to advance statewide pro-LGBTIQ and equity legislation as well as support pro-LGBTIQ candidates. In 2016, she was appointed by Governor Hickenlooper to the Colorado Civil Rights Commission to uphold our state's anti-discrimination laws and protect individuals' civil rights in housing, public accommodations, and employment.

Jessie attended Colorado College where she earned her Bachelor Degree in Sociology and continued on to UCCS School of Public Affairs where she earned a Master of Public Administration degree.



### **EXHIBIT 22**

# PRISCILLA MORALES- MITCHELL

## YOUTH PROGRAM MANAGER & VOLUNTEER ENGAGEMENT

Priscilla Morales-Mitchell joined Inside/Out Youth Services in June 2017 and received her B.S. in Criminal Justice from Troy University. She previously worked at Turner Job Corps Center as an Instructor, mediator, counselor, and Safe Space advocate for the LGBTIQ community at the facility.

Priscilla recently moved to Colorado Springs accompanied by her wife, 2 year old daughter and her tea cup Shi-Poo. She also has two older children, a 19 year old old son and 21 year old daughter. While not at Inside/Out, she enjoys spending time with family, hiking, camping, and meeting new people.



## **SOPHIE THUNBERG** **OUTREACH EDUCATOR &** **PROGRAM ASSISTANT**

Sophie has a wide scope of professional experience in arts education and the non-profit sector. From stage managing productions to marketing as an arts professional for theatre companies and work as an educator in local high school programs, Sophie has many years of experience in community engagement and project development.

After receiving a MA in French Studies from NYU, she worked with refugee and immigrant youth populations in NYC through the International Rescue Committee (IRC) and the French Heritage Language Program. While at NYU, Sophie was also involved with the

### **EXHIBIT 22**

LGBTQ center as a program coordinator for a gender discussion group in Paris, France where she began researching on intersex identity and formed many relationships with scientists, activists, and scholars in the community.

In 2016, she moved back home to Colorado and began volunteering with Inside Out Youth Services (IOYS) as a facilitator while also working as a short-term and long-term guest teacher in local public-school districts (D20, D14, D11, D49). As the current Outreach Educator and Program Assistant at IOYS, Sophie aims to continue developing ongoing projects in educational outreach and operational support that provide and ensure safe space(s) for LGBTIQ youth throughout the Springs.

## OUR TEAM

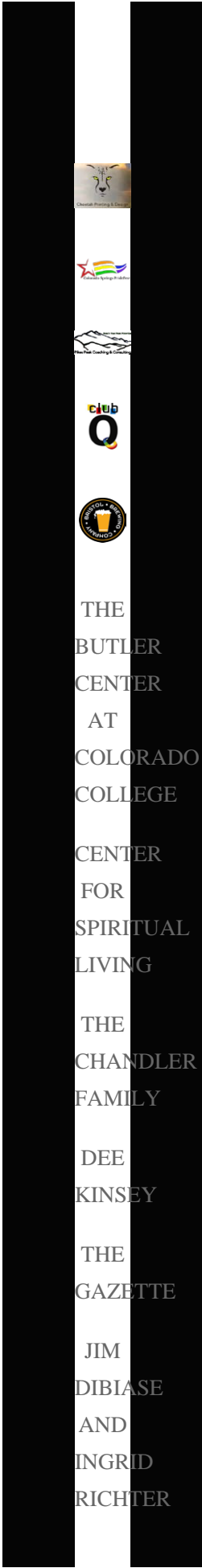


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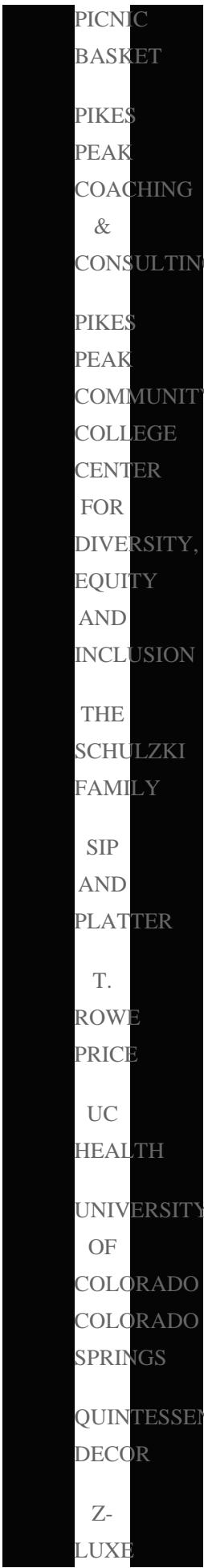
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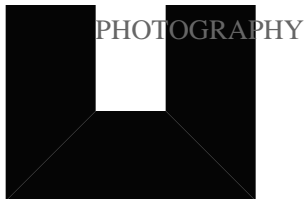


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November 05, 2014

## Lottie Prize winner: Jessie Pocock

By Edie Adelstein @edieadelstein

Late one Monday night in May 2012, Jessie Pocock stood inside the state Capitol building, waiting to hear the fate of civil unions in Colorado. Shouts of "Shame on you!" and "I hope you [expletive] die!" rang throughout the day. Outside, protesters had rallied for days, and inside, supporters packed the committee room. Tim Gill, a gay-rights leader, made a rare public appearance that night.



Edie Adelstein

Once and future activist: 'That's in my blood for sure,' Pocock says.

At midnight, the bill was dead — killed in committee, without even a chance to reach a vote on the floor. The *Denver Post* called it a "late-night game of political chicken."

Pocock, then the southern Colorado field organizer for One Colorado, the state's largest gay-rights group, was photographed by the *Post* in tears. Not only did months of work by the organization die with the bill, but the decision was punctuated by testimony that shocks her to this day.

"It was so stupid. God, it was painful. ... The talk on the floor, just in addition to being really insane, like really crazy testimony, was really painful and mean," she remembers. "And you're there with people you love and family members ... It was a quiet ride home."

But it wasn't the end. Pocock and her colleagues would get to work on civil unions again. And in 2013, it passed.

"People needed critical protection immediately," the 32-year-old says. "We weren't going to be able to wait for marriage. That was going to take some time, but families that have kids and are worried about not being able to hold their partner's hand in the hospital, they needed protection right away. So we went for civil unions. It was doable, and we got



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Lottie Prize winner: Jessie Pocock | Cover Story | Colorado Springs | Colorado Springs Independent

it, and what is it, a year and a half later? Marriage. Boom. So great."

The story echoes much about Pocock, in that out of adversity comes strength, and in the face of hate, grace. What seems like a long shot actually isn't so impossible after all.

**When you meet** Pocock, you feel her friendliness right away. Above a broad smile, her twinkling eyes don't betray the long hours she spends planning events, writing grants and staffing galleries in her current position, as development and events professional at the University of Colorado at Colorado Springs' Galleries of Contemporary Art.

With the expansion of UCCS, and the \$56 million visual and performing arts building the university is planning (set to open in 2017), GOCA is bustling. Amid other plans, there is talk of new partnerships, made possible by the promise of an on-site recital hall and theater. GOCA director Daisy McConnell says Pocock has been instrumental in helping her lay the groundwork.

"Jessie's so talented in that she effortlessly connects with people," says McConnell. But there's plenty of effort, too: "She puts her whole heart into her work."

A Springs native, Pocock has studied at three of the four major schools in town: first at Pikes Peak Community College, then as a transfer to Colorado College, where she graduated in 2008 with a major in sociology. Last year, she finished her post-graduate work in public administration at UCCS.

It was in one CC class where she discovered a love for nonprofit work. "It almost seemed like a lot of social justice in action, like, 'Here's all the theories, but what are you going to do to change it?'" she recalls, adding, "This is theory in action. This is where people actually make the change."

Pocock started out at the small-scale level at the Club of Arts, a visual and performing arts organization geared primarily toward serving people with disabilities, and then moved to the far-reaching, well-oiled machine of Pikes Peak United Way. After a one-year stop at Colorado Technical University, it was on to One Colorado.

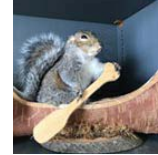
By now, Pocock, says, "I feel like a generalist, like, 'I know a little bit about everything nonprofit.' Because you really do, especially at small organizations. You fundraise, you help work with the board, you're working with the clients, whoever they might be, you're doing any administrative type work — I did the books, you know? Everything."

At GOCA, she touches everything from grant writing to programming to planning. And lots of events. In the past two years, GOCA has held more than 100: art shows, of course, but also wine tastings, lunchtime dance parties, speaking engagements and its big annual fundraiser, *Brilliant*.

"I can't even tell you how many hours go into something like that," Pocock says of the latter. Beyond tracking down sponsorships, coordinating the artists who would perform or create works for the affair — which included a show from Ormao Dance Company and



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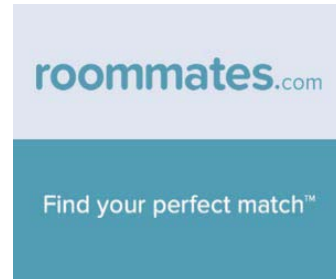


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Lottie Prize winner: Jessie Pocock | Cover Story | Colorado Springs | Colorado Springs Independent

large-scale screens airing seven channels of motion-based art — she also had to round up items for the silent auction, and keep the GOCA board clued in each step of the way.

People were still talking about the event months later, and it won third place for best fundraising event in the *Indy's* recent Best Of Colorado Springs readers poll.

"That's how you get people to know that they care about your organization," Pocock says, "is you bring them to you, and especially in the arts right now, there's a lot of research that suggests that arts really — people no longer want to passively visit a museum, they want to experience it, they want to experience each other, they want a social experience."

**Looking forward, Pocock** sees the world as her oyster.

"I have so many things I want to do in life. I'm not a one-track person," she says, smiling wider than ever. "That's one of the things I learned about myself when doing things that didn't jibe with me. I don't think that that's flaky, I think that that's really empowering, because I can work at a high intensity on something I really care about, and once I've created a system and structure that I know can really survive in the future, then I can go do that somewhere else."

That somewhere will stay, though, in the realm of activism (and in the Springs, at least for now, where her family is rooted).

"It would be really cool to run for office someday," Pocock says. "I think that would be really awesome, to actually go and be a lawmaker and really bring activism to the policy level in that way."

And if that means more experiences like the one at the Capitol in 2012, well, she'll deal with them.

"You know, I was a pretty renegade person growing up," she says. "I dropped out of high school and lived in a lot of places. I moved out for the first time when I was 13. I've been all over the place — here — but there are some crazy places you can be here, and I think through that experience, I just kind of am a self-starter. ... At this point, if I can drop out of high school and make it to CC, I can do whatever."

I ask what advice she would give to a young woman starting out in her sector. Pocock covers more points than this space can contain, but finishes this way:

"Don't be afraid to take chances, and push the envelope in organizations, because sometimes that's how you step up to the next level. And you know, enjoy it, man. You get to be a change-maker. Where else do you get to be a change-maker in this world?"

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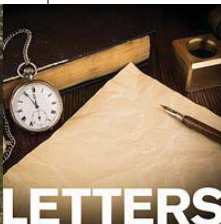
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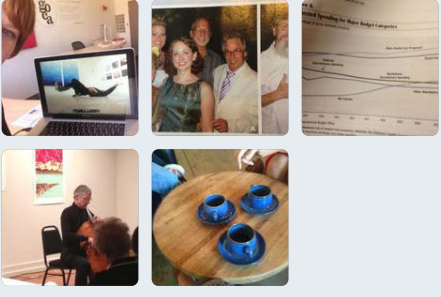
### Jessie

@jessie\_pocock

Activist, fundraiser, fan of the Banjo

Joined December 2011

Photos and videos



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 **Jessie @jessie\_pocock** · 3 Apr 2016


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 **Carrie Simison @CarrieSimison** · 19 Jun 2014

.@ClaireSwinford is dragging the @indygive orgs kicking & screaming into the new age of technology! #indygive

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 **Jessie @jessie\_pocock** · 11 Nov 2013

Editing breakdance footage in the gallery #dayinlgbt

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**Jessie** @jessie\_pocock · 23 Jan 2013

Civil unions proposal clears first legislative hurdle [fb.me/2eLBYw16Z](https://fb.me/2eLBYw16Z)



**Jessie** @jessie\_pocock · 23 Jan 2013

One Love! [fb.me/1Jmq2IXJF](https://fb.me/1Jmq2IXJF)



**Jessie** @jessie\_pocock · 23 Jan 2013

[#civilunions](https://twitter.com/civilunions) passes senate judiciary 3 to 2 and is off to the house next! Pro equality Rep. Pete Lee stepped in to catch the victory.



**Jessie** @jessie\_pocock · 23 Jan 2013

Sen. Aguilar reminds us that pot didn't pass in 2006 either! [#civilunions](https://twitter.com/civilunions) [#LGBT](https://twitter.com/LGBT)



 Jessie Retweeted



**One Colorado** @One\_Colorado · 23 Jan 2013

Lundberg again attempting to get religious exemption for [#civilunions](https://twitter.com/civilunions) by offering amendment [#coleg](https://twitter.com/coleg)





**Jessie** @jessie\_pocock · 23 Jan 2013  
The motion to move SB 11 and the votes are...



Retweeted by Jessie



**Nic Garcia** @NicGarcia · 23 Jan 2013  
Anus Grandma, Rosina Kovar, says she doesn't have that much to add. She's already said so much: [youtube.com/watch?v=YGiuX0...](https://www.youtube.com/watch?v=YGiuX0...) #COLeg #LGBT






















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[youtube.com](https://www.youtube.com)



**Jessie** @jessie\_pocock · 23 Jan 2013  
Love you! "@hjess3: Haha! My stepson: So when I buy a wedding cake I have to say it's a straight cake? #civilunions #coleg"



-  **Jessie** @jessie\_pocock · 23 Jan 2013  
My favorite: Bigoted cake- 50% off cakes for STRAIGHT cougars on the prowl!  
[#coleg](#)
-   
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-  **Jessie** @jessie\_pocock · 23 Jan 2013  
Last year it was chocolate this year it's cake
-   
- 
-  Jessie Retweeted
-  **Lynn Bartels**  @lynn\_bartels · 23 Jan 2013  
Possible lead for tomorrow on [#civilunions](#): "Let them eat cake." [#coleg](#)
-  2  4  2
- 
-  Jessie Retweeted
-  **COLOR** @colorlatina · 23 Jan 2013  
[@CCharitiesUSA](#) didnt expect tough Qs to come from Sen. Ulibarri who called out inconsistency & blatant discrimination [#civilunions](#) [#coleg](#)
-   1 

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-  **Jessie** @jessie\_pocock · 23 Jan 2013 ▼  
Should have said cake hater
-   
- 
-  **Jessie** @jessie\_pocock · 23 Jan 2013 ▼  
Back to cake baker...
-   
- 
-  Jessie Retweeted
-  **Lynn Bartels**  @lynn\_bartels · 23 Jan 2013 ▼  
Steadman nailing Catholic Charities guy, asking about church opposing last year's civil unions bill that had an exemption. [#coleg](#)
-  1  10  1
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-  **Jessie** @jessie\_pocock · 23 Jan 2013 ▼  
And apparently cake bakers should be able to discriminate and should be excluded from SB 11 even though state law... [fb.me/xMjzjk5q](https://fb.me/xMjzjk5q)
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**Jessie** @jessie\_pocock · 23 Jan 2013

Hearing on Colorado civil unions bill underway in Senate committee  
[fb.me/H7MT6kGg](https://fb.me/H7MT6kGg)



**Jessie** @jessie\_pocock · 23 Jan 2013

Lynn Hopkins to Sen. Lundberg "we may be related, my mother's maiden name is Lundberg" lol "I come to speak in... [fb.me/211gPzaoq](https://fb.me/211gPzaoq)



**Jessie** @jessie\_pocock · 23 Jan 2013

Cripple Creek father of 5 comes out to his kids, "we don't care if you are gay--you are our dad!" "We need to... [fb.me/2a5WY8Yyl](https://fb.me/2a5WY8Yyl)





 Jessie Retweeted



**Rep. Pete Lee** @PeteLeeColorado · 23 Jan 2013

Civil Unions is conquering its first hurdle. It is currently being heard in the Senate Judiciary Committee.  
[coloradoga.granicus.com/MediaPlayer.ph...](https://coloradoga.granicus.com/MediaPlayer.ph...) #coleg



-  Jessie Retweeted
-  **Heidi J Hess** @hjhes3 · 23 Jan 2013   
Epitome of ignorance. RT @Colorado\_Family: Why...keep saying TRANS. Since when do we have transgender people in CO? Who let them in? #coleg
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- 
-  **Jessie** @jessie\_pocock · 23 Jan 2013   
APA Research shows "children who are raised by same sex couples end up the same as children raised by opposite... [fb.me/1QwpWen7Q](https://fb.me/1QwpWen7Q)
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-  **Jessie** @jessie\_pocock · 23 Jan 2013   
[fb.me/12bRQegtM](https://fb.me/12bRQegtM)
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-  Jessie Retweeted
-  **John Hickenlooper**  @hickforco · 23 Jan 2013   
Civil unions is about justice and economic prosperity. We've said before, saying again: Pass this bill! #COleg #civilunions
-  6    79    20





**Jessie** @jessie\_pocock · 23 Jan 2013

chief legal council of #hickforco says #civilunions "Promotes justice and prosperity" I love my gov!



↻ Jessie Retweeted



**One Colorado** @One\_Colorado · 23 Jan 2013

Hancock: "I come from a family where I watched my mother be discriminated against...that doesn't have a place in our society" #coleg



**Jessie** @jessie\_pocock · 23 Jan 2013

"Colorado must move towards fairness, inclusivity, and respect" -Mayor Hancock testifying for #civilunions #LGBT #coleg



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**One Colorado** @One\_Colorado · 23 Jan 2013

Our leader Brad Clark is up first. "This bill isn't marriage. #civilunions are not the same as marriage...they don't provide dignity" #coleg





**Jessie** @jessie\_pocock · 23 Jan 2013

The smile and spirit of justice in this room is overwhelming [#civilunions](#) [#LGBT](#)



Jessie Retweeted



**One Colorado** @One\_Colorado · 23 Jan 2013

Packed house for [#civilunions](#). Media in every corner, and every seat is filled. Openly [#LGBT](#) Senators Steadman and Guzman presenting. [#coleg](#)



**Jessie** @jessie\_pocock · 23 Jan 2013

I posted a new photo to Facebook [fb.me/190wpC9kM](https://fb.me/190wpC9kM)



**Jessie** @jessie\_pocock · 23 Jan 2013

Listen to the Civil Union Senate Judiciary hearing live @ 1:30pm. [#coleg](#)  
[fb.me/2BL0fOGuq](https://fb.me/2BL0fOGuq)



**Jessie** @jessie\_pocock · 23 Jan 2013

Time for some equality!





# Human Rights and Community Partnerships

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## ABOUT HUMAN RIGHTS & COMMUNITY PARTNERSHIPS

### VISION

This agency creates opportunities for innovation to take root in local government and throughout the community to impact local challenges. HRCP is the model of inclusiveness, recognizing that diverse perspectives, skills and resources strengthen the foundation for lasting solutions.

### MISSION

Our mission is to proactively protect human rights, build capacities, and strengthen connections that result in stronger relationships in the community through collaboration, communication and advocacy. We address issues concerning **older adults, racial, ethnic and religious minorities, women and families, people with disabilities, gay, lesbian, bisexual and transgender individuals, immigrants and refugees, neighborhood partnerships, and non-profit partnerships.**

### STAFF BIOGRAPHIES

Derek Okubo, Executive Director, Agency for Human Rights and Community Partnerships +

Jamie Torres, Deputy Director, Agency for Human Rights & Community Partnerships +

Rowena Alegria, Communications Director +

Roz Alston, Executive Assistant to the Executive Director and Special Projects Coordinator +

Anthony Aragon, Senior Advisor, Office of Community Affairs -

Anthony Aragon is part of the Community Affairs team in the Agency. His community outreach efforts are focused on the LGBTQ & Latino(a) communities. He also serves as the Mayor's LGBTQ Liaison and staffs the Denver LGBTQ Commission.

He previously served as Mayor Michael B. Hancock's Director of Boards & Commissions where he managed over 130 different civic boards and commissions. Prior to joining the Mayor's Office, Anthony worked for the State of Colorado as a member of Governor John

### EXHIBIT 25



Hickenlooper’s transition team and helped coordinate the Governor’s inaugural events. On January 11, 2011 he was named Chief of Staff to First Lady Helen Thorpe. Anthony also served as Governor John Hickenlooper’s GLBT Liaison.

Anthony is a Denver native and has been a proud member of Denver’s GLBT community for over 25 years. Anthony lives with his husband of almost 21 years, David Westman & their Spanish Water Dogs, Andale & Arriba in Stapleton.

María Corral, Office of Immigrant & Refugee Affairs, Community Integration Coordinator +

Kim Desmond, Director, Office on Women and Families +

Perla Gheiler, Director, Office on Aging +

Shawn Johnson, Senior Advisor, Office of Community Affairs +

Jessica Jorgensen, Data & Research Analyst, Agency for Human Rights & Community Partnerships +

Lorrie Kosinski, Director, Office of Sign Language Services +

Swanhilda Lily, Deaf Programs Specialist, Office of Sign Language Services +

Grace López Ramírez, Neighborhoods Adviser, Office of Community Affairs +

Juan Pasillas, ADA Building Plans Reviewer +

Miriam Peña, Director, Office of Strategic Partnerships +

Aisha Rousseau, Director, Office of Disability Rights +

Jason Salas, Director, Office of Financial Empowerment +

Ken Seeley, Collaboration and Evaluation Specialist, Office of Strategic Partnerships +

Darius Smith - Director, Anti-Discrimination Office +

Lorelei Sommers, Contract Compliance Coordinator, Office of Strategic Partnerships +

**EXHIBIT 25**

Linda Eddy, Project Inspector, Office of Disability Rights



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## CONTACT US

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Denver, Colorado 80202

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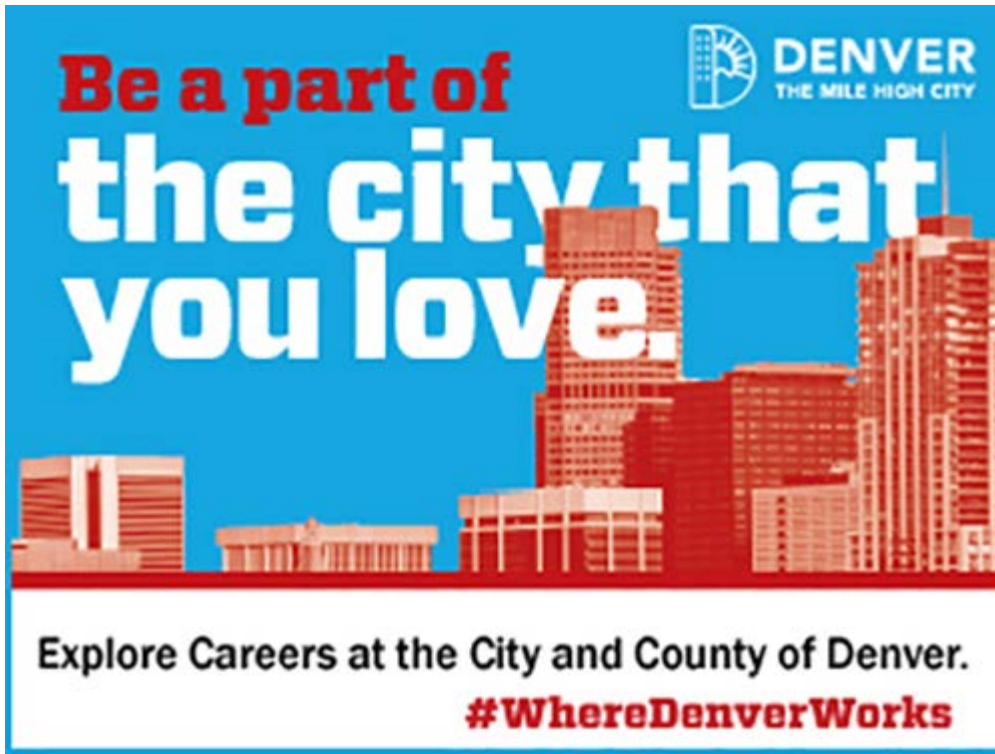
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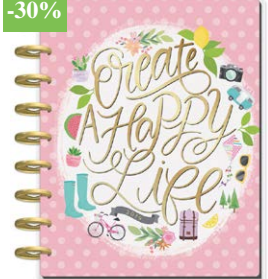
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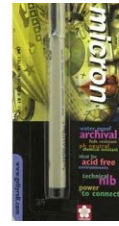


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**EXHIBIT 26**





**EXHIBIT 26**



Anthony Aragon (right) as Lushus La'Rell.

# Public servant Anthony Aragon runs for office in the Imperial Court

| DECEMBER 13, 2012 | 4:00AM



**Scene and herd:** "I like to think I'm a downhome Denverite who only wants to treat people with dignity and respect each and every moment of every day," pronounces **Anthony Aragon** on his Facebook page. Aragon has a head for politics and a heart in public service; he worked for **John Hickenlooper** when he was mayor, moved over to the governor's office with Hickenlooper, then went back to City Hall as a special assistant to Mayor **Michael Hancock** for boards and commissions. And now he's making a run of his own — but not for Denver City Council or the Colorado Legislature. No, as **Lushus La'Rell**, his drag queen alter ego, he'll be running for the fortieth Empress of the Imperial Court of the Rocky Mountain Empire, a mostly drag organization with a powerful record of fighting for GLBT causes over the past four decades. Aragon has only been doing drag for eleven of those years, but he has a major resource in husband **David Westman**, who's also the very colorful drag queen **Nuclia Waste**, and strong support from a cadre of supporters who showed up at a campaign kickoff on Sunday, where Lushus was looking luscious.

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A quick tip on how to make the transition from pounding the pavement for politicians to getting ready to walk the runway: When learning how to handle size-

twelve high heels, practice walking in them while vacuuming.

## **EXHIBIT 26**

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- [Mystery of Shotgun Willie's Dancer and Killer Scott Kimball Hits Prime...](#)
- [Colorado Republicans' Facebook Jokes Over Kavanaugh Sex Assault Claim](#)
- [Lisa Calderón Running for Denver Mayor](#)
- [Meet Tim Tymkovich, Denver Judge Handed Kavanaugh Ethics Complaints](#)

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### Denver Broncos

Sun., Nov. 25,  
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TICKETS

### Denver Broncos

Sat., Dec. 15,  
2:30pm

TICKETS

### Denver Broncos

Sun., Dec. 30,  
2:25pm

TICKETS

### Comedian Alonzo Bodden

Fri., Nov. 30,  
7:30pm

TICKETS

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### Eggs Bacon & Joey Presents Dr. Golden's Take a Little Walk a Thon

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TICKETS

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Sat., Apr. 13, 6:00pm

TICKETS

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## EXHIBIT 26



Lisa Calderón is running for Denver mayor.

Gem Reul

# Lisa Calderón Running for Denver Mayor

CHRIS WALKER | OCTOBER 15, 2018 | 6:00AM



Today, October 15, Lisa Calderón is launching a campaign to unseat incumbent Mayor Michael Hancock in May 2019. Her campaign slogan? “It’s Time” — which alludes to, among other things, her bid to become the first female mayor of the Mile High City.

Calderón joins a field of contenders that underwent a significant shakeup in recent weeks with the **exit of entrepreneur Kayvan Khalatbari** and the **entrance of former state lawmaker Penfield Tate**.

## RELATED STORIES

- [Rally Next Week Will Call for Mayor Hancock's Resignation](#)
- [Deborah Ramirez Gives Former Boss Permission to Describe Her Character During Protest](#)
- [Lisa Calderón Sues Denver in Federal Court, Alleging Political Retaliation](#)

### **EXHIBIT 26**

Calderón, age fifty, is hardly an establishment candidate, though she is well known for her activism and work around domestic violence, criminal justice and anti-gentrification. Calderón is currently a criminal justice professor at Regis University and the co-chairwoman of the **Colorado Latino Forum**. A Denver native born to a Mexican-American mother and an African-American father, she holds four degrees, including a doctorate of education, a master's degree and a law degree, and over the years has run nonprofits assisting survivors of domestic violence and inmates transitioning back into society after serving jail or prison sentences.

She's also been a vocal critic of Hancock and a thorn in his side since his first day as mayor.

Calderón has many issues with the way the two-term mayor has run the city, citing a housing crisis, overcrowded jails, inefficient and non-transparent agencies, traffic congestion and unrestrained development.

Yet she says it was a broken promise that Hancock had made to her that precipitated her opposition to him and his administration; in 2011, shortly before Hancock became mayor and was then a city councilman, Calderón recalls having a conversation with him about reining in over-aggressive policing in neighborhoods like hers, Cole, that were predominantly communities of color.

"My son was being racially profiled by the police," Calderón recalls, "so I told Michael, 'You've got to do something about this aggressive policing policy, because our children are being harassed and abused.'"

"[Hancock] emphatically said he would do something," Calderón continues. "But then, under his reign as mayor, he accelerated the aggressive policing. That's when I realized that a black mayor wasn't going to save us. This is a guy who will say one thing to your face, but when he ascends to power he'll do something else. He didn't need us once he had his power structure in place. So I have been opposing him ever since. I feel like he lied to me."



## **EXHIBIT 26**



Lisa Calderón at the Ink! Coffee demonstration on November 25.

Danielle Lirette

As an activist, Calderón has taken the mayor to task for speeding up gentrification, and she skewered him during speeches she delivered at the **Ink! Coffee protest in November** and during a **large gentrification summit** she helped organize in December at the Shorter AME Church.

Then, when Leslie Branch-Wise, a Denver Police detective and former member of Hancock's security detail, **came forward with allegations and evidence this past spring that the mayor had sent her unwanted sexually suggestive text messages** in 2012, Calderón was one of the organizers behind the **"Time's Up Hancock" rally**, which called for his resignation. (Hancock did not say the behavior amounted to sexual harassment, but **apologized for what he and his office called "inappropriate behavior."**)

"Time's Up Hancock came from being absolutely disgusted that city council was not holding Hancock accountable and not making an investigation," Calderón explains. "That was our pre-Kavanaugh moment on a much smaller scale. Here was a woman saying that she was sexually harassed by the most powerful man in our city, and yet city council was saying, 'We can't really do anything about it.'"

## **EXHIBIT 26**

Calderón's feuding with the Hancock administration came to a head when the city denied her nonprofit, the Community Re-entry Program, a \$550,000 contract to continue overseeing jail-to-community transition services that Calderón had herself helped design under former mayor John Hickenlooper. **Calderón is currently suing Hancock and the City of Denver in federal court,** alleging that the contract was denied because of discrimination and political retribution against her. (The Hancock administration has denied these claims).

After she lost the program (and before she landed her professorship at Regis), Calderón was unemployed for nine months. During that time, she says, she had a lot of time to think about running for mayor, though she wanted first to see who would emerge. She has not seen the type of candidate she was looking for.

“It needs to be a woman,” Calderón says flatly. “Not only haven’t we had a woman mayor — which is ludicrous in 2018 for that not to be a strong possibility — but we’re at a point of convergence where the future of our city is at stake.”

By announcing her candidacy, Calderón joins a national wave of women running for elected office, in what's being dubbed another “year of the woman” (the first being 1992, following the Clarence Thomas/Anita Hill hearings). But Calderón says she was also convinced to throw her hat in the ring because she knows Denver's neighborhoods and has years of firsthand experience with public safety and the full spectrum of housing (she says she's experienced brief periods of homelessness, living in public housing, and is now a home owner).





Lisa Calderón speaking before a crowd at a demonstration against Brett Kavanaugh in front of Cory Gardner's office.

Kenzie Bruce

So what is her platform?

At this early stage of her campaign, Calderón says that she's organizing policy positions under three broad ideals:

### **Equity**

Calderón will champion equity for women, so that more city departments will be headed by women, female city workers will have equal pay with men, and city employees who experience sexual harassment in the workplace will have a safe place to report that behavior. Additionally, she wants equity for workers, including a mayoral administration that would be less antagonistic toward unions. And she wants equity for residents, including giving the people of Denver more say over development in their neighborhoods.

### **Fairness**

She envisions a city administration that is more transparent, with robust open-records laws and independent agencies that help select who sits on boards and commissions. When it comes to transportation, fairness means building out

## **EXHIBIT 26**



public transit and bicycle infrastructure so that Denver is not so much of a car-based city. She wants to put pressure on developers to include more affordable housing in new projects and hiring local, smaller contractors to handle city building projects rather than large, out-of-state corporate contractors.

## **Justice**

Calderón wants to continue reforms of the police and sheriff departments, but says the city needs measurable outcomes based on ongoing studies of results rather than “simply checking boxes.” She wants a sheriff, police chief and Independent Monitor who are selected independently, rather than appointed by the mayor. “If anything, I’m looking to decentralize the power of the mayor,” she says. “The administration is top-heavy right now, and we need to put those resources back to base levels.”

Calderón will elaborate more on her platform at a speech this Wednesday, October 17, at 10:30 a.m. at the Rev. Dr. Martin Luther King, Jr., statue in City Park.

Asked about funding her run for mayor, Calderón says she is aware that Hancock and Tate have significant resources behind them. Hancock's campaign has \$532,000 in the bank. Tate clearly has some cash on hand, too — enough to run a prime-time advertisement two weeks ago during the Rockies wild-card game.

“I’m a realist; I know we have to raise a lot of money,” Calderón says. “At the same time, we have to do with people what they do with money. We have to be rich in people power.”

Calderón says she hopes to emulate other campaigns run by women of color around the nation that have generated a groundswell of support. Her formal campaign launch party will take place on November 14.

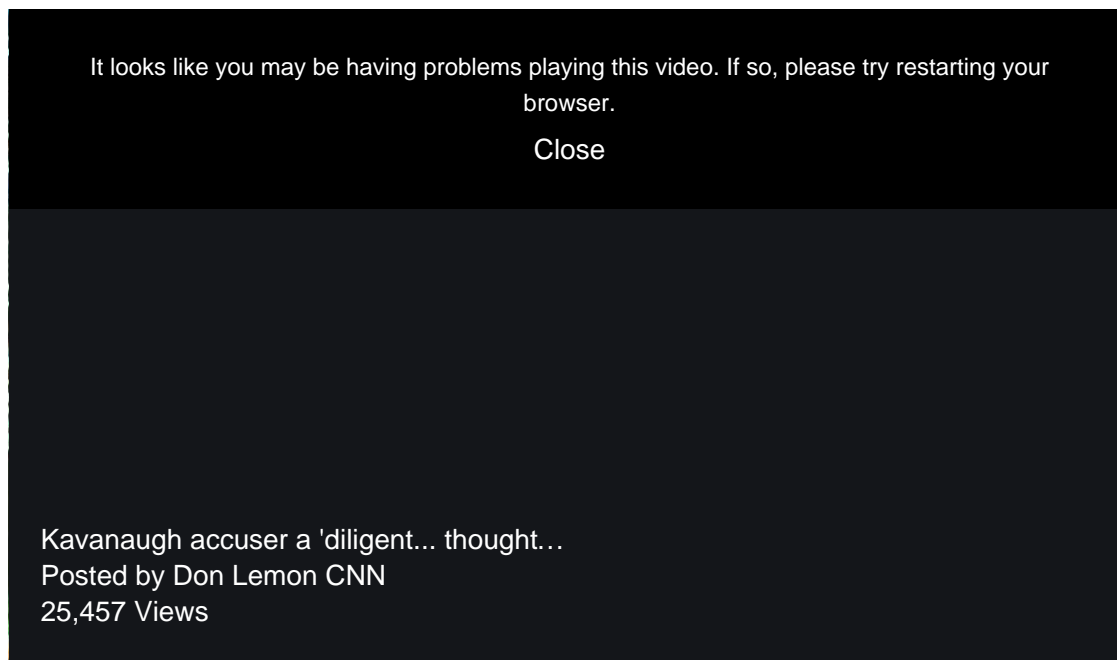
Asked by *Westword* if she's worried that all of her criticism of Hancock over the years will make her a larger target, Calderón says, “When you’ve had someone who’s almost killed you, compared to someone who says bad things about you, I can deal with that.”

Calderón was referring to a period in her young adulthood when she says she

## **EXHIBIT 26**

had an abusive boyfriend who controlled her, manipulated her, and once sent her to the hospital after throwing her head-first into a wall. The boyfriend took Calderón out of state, she said, where he briefly held her hostage in his family home. When she saw her boyfriend's battered and downtrodden mother, she saw what her future might become. She called 911 to be rescued, and had the police take her to a domestic-violence shelter.

This formative experience is what later inspired her to work at the Boulder Safe House, a nonprofit serving victims of domestic violence, where Calderón was a legal and social policy director from 1995 to 2007. Recently, that work came up in a national context during Brett Kavanaugh's nomination to the U.S. Supreme Court; Calderón hired and trained Kavanaugh's second accuser, **Debbie Ramirez of Boulder**.



Calderón had permission from Ramirez **to speak to local news outlets, including *Westword***, about Ramirez, and even made an appearance on CNN in an interview with Don Lemon (above).

---

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But while that may have been Calderón's highest-profile media appearance, she says, “I’ve been getting my face out there the past ten years in the community.”

Asked about her chances of winning and what she thinks of the current field

## **EXHIBIT 26**

of candidates, she says, "I'm glad Penfield has gotten into the race because Penfield's and Michael's base is really similar, so they'll be competing for the same voters."

She believes her voters will be looking for something much different.

"Are we simply going to change seats of political power-holders, or are we going to change our political power structure fundamentally?" she asks.



Chris Walker covers news and music as a staff writer at *Westword*. Prior to living in Denver, he spent two years bicycling across Eurasia, during which he wrote feature stories for *VICE*, *NPR*, *Forbes*, and *The Atlantic*. Read more of Chris's feature work and view his portfolio [here](#).

CONTACT: **Chris Walker**

FOLLOW: Twitter: **@bikejournalist**

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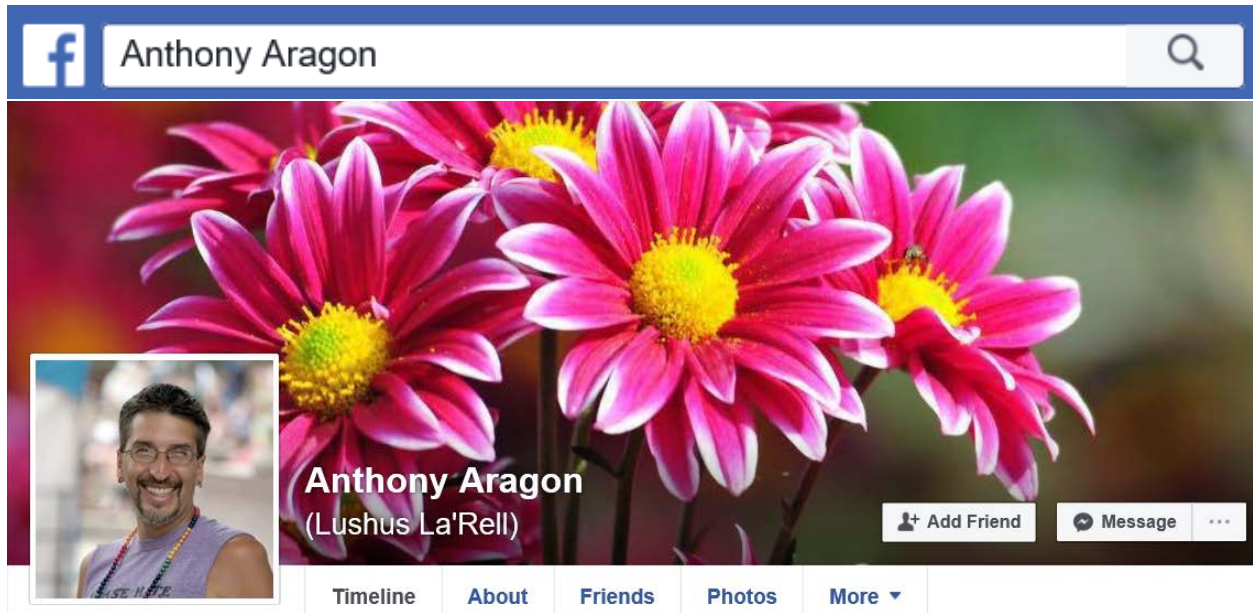
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## **EXHIBIT 26**





**Anthony Aragon**



December 5, 2017 · 🌐

Hello Tuesday!! Today's an important day in our Nation's Capital. Sharing this holiday visual of a time when life was better...In other news, so much negativity surrounds us all, my heart hurts. So, how about a smile 😊 or a hello to someone you don't know. If only for one moment in time. Could just brighten both your days 😊



👍❤️ 44

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**Anthony Aragon**

January 25 · 🌐



Hello Thursday!! Super excited to head to D.C. to attend the National LGBTQ Task Force Creating Change conference!!! It's the one place I learn what's happening in the movement. It also affords me the opportunity to fill up the battery so when stupid people do stupid stuff, I have reserves to pull from 😊  
Enjoy today's Inspiration & don't forget to smile 😊



👍❤️ 52

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## NATIONAL ACTION COUNCIL BIO: ANTHONY ARAGON

Anthony Aragon joined the Office of Mayor Michael Hancock in August, 2011 as the Director of Boards & Commissions. He manages over 130 different civic boards and commissions and makes recommendations to Mayor Michael Hancock who to appoint to the various boards & commissions. Prior to joining the Mayor's Office, Anthony worked for the State of Colorado as a member of Governor John Hickenlooper's transition team and helped coordinate the Governor's inaugural events. On January 11, 2011 he was named Chief of Staff to First Lady Helen Thorpe. Anthony also served as Governor John Hickenlooper's GLBT Liaison. Prior to that, he worked at the Mayor's Agency for Human Rights & Community Relations (HRCR) as the Director of the Denver Office on Aging & Community Relations on August 18, 2008. Previously, he was the Director of Boards & Commissions for Mayor John Hickenlooper and also served as the Mayor's Director of Scheduling for several years.

Anthony is a Denver native and has been a proud member of Denver's GLBT community for over 25 years. He is a long-time Democratic activist having worked for former Mayor Federico Pena, Governor Roy Romer and Ambassador Swanee Hunt. He has also been honored as the Colorado Pride Guide 2005 Coloradan of the Year and the 2006 Colorado Business Council Professional Man of the Year. Some of Anthony's civic engagement includes serving as a Commissioner on the Colorado Civil Rights Commission, having been appointed by Governor Bill Ritter in July, 2007. Anthony was also on the board of One Colorado and is a past President of the Board of Directors for Equal Rights Colorado. Anthony lives with his partner of 16 years, David Westman & their doggies Andale & Arriba in Stapleton.

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## EXHIBIT 28



2017 WL 5152971 (U.S.) (Appellate Brief)  
Supreme Court of the United States.

MASTERPIECE CAKESHOP, LTD. and Jack C. Phillips, Petitioners,  
v.  
COLORADO CIVIL RIGHTS COMMISSION, Charlie Craig, and David Mullins.

No. 16-111.  
October 30, 2017.

ON WRIT OF CERTIORARI TO THE COLORADO COURT OF APPEALS

**Brief for National LGBTQ Task Force, et al. as Amici Curiae Supporting Respondents**

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**\*1 BRIEF FOR NATIONAL LGBTQ TASK FORCE, ET AL. AS AMICI CURIAE SUPPORTING RESPONDENTS**

Amici curiae National LGBTQ Task Force, et al., respectfully submit this brief in support of respondents.<sup>1</sup>

<sup>1</sup> No counsel for a party authored this brief in whole or in part, and no person other than amici, their members, or their counsel made a monetary contribution to its preparation or submission. Petitioners and respondent Colorado Civil Rights Commission have filed blanket consents to the filing of amicus briefs. A letter from respondents Charlie Craig and David Mullins consenting to the filing of this brief has been submitted to the Court.

**INTEREST OF AMICUS CURIAE**

The National LGBTQ Task Force is the nation's oldest national LGBTQ advocacy group. As a progressive social-justice organization, the Task Force works to achieve full freedom, justice, and equality for Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) people and their families. The Task Force trains and mobilizes activists across the Nation to combat discrimination against LGBTQ people in every aspect of their lives, including housing, employment, healthcare, retirement, and basic human rights. Recognizing that LGBTQ persons of color are subject to multifaceted discrimination, the Task Force is also committed to racial justice. To that end, the Task Force hosts the Racial Justice Institute at its annual Creating Change Conference, which equips individuals with \*2 skills to advance both LGBTQ freedom and racial equality.

GLAAD is the world's largest LGBTQ media advocacy organization committed to growing acceptance of LGBTQ people. As a part of GLAAD's core work, it runs public education campaigns and educates reporters on the full ramifications of religious exemption legislation to ensure accurate coverage. The religious exemption agenda at the core of this case puts the LGBTQ community at direct risk and disproportionately affects LGBTQ people of color who face additional institutional discrimination.

Basic Rights Oregon is Oregon's largest nonprofit LGBTQ advocacy group. Basic Rights Oregon works to ensure that all LGBTQ Oregonians experience equality by building a broad and inclusive politically powerful movement, shifting public opinion, and achieving policy victories

Colorado Organization for Latina Opportunity and Reproductive Rights (COLOR) believes that all people should be able to create relationships with those they love and build the families that they hope for without judgment or barriers. COLOR works to ensure that each person is treated with respect and that all families are treated with dignity. COLOR will always speak out against attempts to push personal beliefs in order to deny the health, rights and dignity of Latinas, their families, and their communities.

The LGBT Technology Partnership is the premier organization representing the interests of the LGBT community with regards to communications \*3 and technology issues. Through education of members and communications providers, as well as direct engagement with policy makers at the local, state, and federal level the Partnership advocates on behalf of the needs of its LGBT members across the country. With the continued and increased adoption of technology, access to faster communications platforms, and more reliable and stable services comes greater community connections

**EXHIBIT 29**

and empowerment. Part of the work that the Partnership does is using technology to serve underserved and homeless LGBT populations and to empower LGBT communities through technology. The type of employment and personal discrimination exemplified by this case is at the core of the work that the Partnership is trying to eradicate through use of technology.

The National Coalition for LGBT Health is committed to improving the health and well-being of lesbian, gay, bisexual, and transgender individuals through federal and local advocacy, education, and research. The Coalition has adopted a “Social Determinants of Health” (SDoH) frame and vision. Health care and healthy communities are built on a foundation that must be set long before medical care or intervention is required. That foundation for health begins in homes, schools, communities, jobs, and neighborhoods.

The National Equality Action Team (NEAT) harnesses the unique power of LGBTQ+ people, their allies, and community partners to educate and take collective action across issues in the fight for justice. Denying a person service simply because of the immutable characteristics that they possess goes \*4 against the very core of our Nation's ideals and the words inscribed in our founding documents.

The National Queer Asian Pacific Islander Alliance is a federation of LGBT Asian American, South Asian, Southeast Asian, and Pacific Islander (APIs) organizations. NQAPIA builds the capacity of local LGBT API groups, develops leadership, promotes visibility, educates the community, invigorates grassroots organizing, encourages collaborations, and challenges anti-LGBT bias and racism.

The Sexuality and Information Council of the United States (SIECUS) is a national organization focused on creating a world where all aspects of an individual's sexuality are treated with dignity and respect. SIECUS approaches its work with the understanding that individuals experience the world through multiple identities and work to address the multiple types of discrimination experienced by individuals, including LGBTQ people of color. SIECUS believes that prejudice and discrimination based on sexual orientation is unethical and immoral; individuals have the right to live in accordance with their sexual orientation, whether they are lesbian, gay, bisexual, or queer; and the legal system should guarantee the civil rights and protection of all people, regardless of sexual orientation.

SisterSong: National Women of Color Reproductive Justice Collective is committed to ensuring that women of color are no longer exploited, discriminated against, or harmed by the systems that have historically denied them equal rights and dignity. SisterSong works to amplify women of \*5 color's lived experiences and leverage their collective power to push back on any attempts to deny their bodily autonomy, disrespect their families, or withhold the power, access and resources that all women need to make healthy decisions about their bodies, sexuality, relationships and families.

The Autistic Self Advocacy Network seeks to advance the principles of the disability rights movement with regard to [autism](#). AS AN believes that the goal of [autism](#) advocacy should be a world in which autistic people enjoy equal access, rights, and opportunities. We work to empower autistic people across the world to take control of our own lives and the future of our common community, and seek to organize the autistic community to ensure our voices are heard in the national conversation about us.

Witness to Mass Incarceration is and will be a digital library of individuals whose lives and the lives of their family will be memorialized. Our goal is to place women's and LGBTQIA people's experience at the center of the fight for alternatives to mass incarceration. We work to change the narrative from invisibility and victimization to empowerment through documentation, organizing, and advocacy.

#### \*6 INTRODUCTION AND SUMMARY OF ARGUMENT

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Business owners' personal beliefs should not exempt commercial enterprises from the reach of generally applicable public-accommodations laws that prohibit discrimination on the basis of sexual orientation.

For decades, this Court's decisions have established that a business owner's views on race or interracial couples - no matter how sincere or deeply held, and even if religion based - do not justify an exception allowing race-based discrimination. But recognizing such an exception for a business owner's views on sexual orientation or gender identity would exacerbate the multiple layers of discrimination that LGBTQ people of color already face in public accommodations, housing, and employment. Indeed, it could open the door to legally permissible discrimination based on the intersections of race, sexual orientation, and gender identity.

Moreover, LGBTQ people should not be subject to second-rate anti-discrimination laws with exceptions that do not apply to other protected classes. To recognize the exception asserted in this case could thwart the advancement that LGBTQ people have made toward full equality by sending the message that discrimination against LGBTQ people is worthy of protection. Despite progress, discrimination against LGBTQ people - and especially LGBTQ people of color - is pervasive and ongoing. A handful of recent accounts of such discrimination is collected at the end of this brief. These real-life experiences show why laws prohibiting sexual-orientation \*7 discrimination in public accommodations must be fully enforced.

## ARGUMENT

### **A. Under an Exception Permitting Refusal of Service Based on the Business Owner's Beliefs, LGBTQ Persons of Color Would Be Subject to Race-Based Discrimination**

It is firmly established that commercial enterprises are not exempt from public-accommodations laws prohibiting discrimination on the basis of race, no matter the business owner's sincere, deeply held beliefs. But if businesses are permitted to refuse service because of sexual orientation, they will also be able to engage in race-based discrimination against LGBTQ people of color.

After the enactment of the federal Civil Rights Act of 1964 and state public-accommodations laws prohibiting race-based discrimination, businesses tested multiple legal theories to evade the reach of these laws, claiming that they interfered with business owners' religious and moral beliefs. These attempts were universally rejected. *See, e.g., Heart of Atlanta Motel, Inc. v. United States*, 379 U.S. 241 (1964) (rejecting business owner's argument that his right to pursue his calling permits him to select his customers); *Katzenbach v. McClung*, 379 U.S. 294 (1964) (upholding application of Civil Rights Act of 1964 to restaurant in the face of owner's arguments about interference with constitutional right to control property and choose with whom to deal). In *Newman v. Piggie Park Enterprises*, the defendant asserted a First Amendment exemption from Title II of the Civil Rights Act of 1964, asserting a “right to \*8 refuse to serve members of the Negro race in his business establishments upon the ground that to do so would violate his sacred religious beliefs.” 256 F. Supp. 941, 945 (D.S.C. 1966). When that case reached this Court, the Court called the asserted exemption “patently frivolous.” *Newman v. Piggie Park Enters.*, 390 U.S. 400, 402 n.5 (1968).

Cognizant of these decisions, petitioners and the United States attempt to distinguish between discrimination on the basis of race and discrimination on the basis of sexual orientation. The U.S. Solicitor General concedes that a State's interest in eradicating race-based discrimination can override a business owner's deeply held beliefs and expression about race. *See* U.S. Amicus Br. 32 (State's interest “may justify even those applications of a public accommodations law that infringe on First Amendment freedoms”). But he asserts that public-accommodations laws must yield to a business owner's deeply held beliefs about marriage because States do not have as compelling an interest in eradicating discrimination on the basis of sexual orientation as they do in ending race-based discrimination. *See ibid.*

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But that argument fails to apprehend how discrimination often works against LGBTQ people of color. LGBTQ people of color are often subject to multifaceted discrimination. It may be impossible to know whether an act of discrimination is motivated by race or sexual orientation. If businesses are permitted to refuse to provide goods and services to LGBTQ people based on the owners' beliefs, that exception could easily be used to mask what is actually race-based discrimination. For example, a \*9 cake decorator could refuse to provide a wedding cake to an LGBTQ person of color based on race but could justify that discrimination by asserting personal opposition to marriage by same-sex couples.

Relatedly, discrimination against an LGBTQ person may occur not solely because of the person's race or not solely because of the person's sexual orientation or gender identity, but because of the combination of both. Courts have recognized that when an individual is a member of more than one protected class, discrimination against that person may be based on the combination of both protected characteristics. See, e.g., *B.K.B. v. Maui Police Dep't*, 276 F.3d 1091, 1101 (9th Cir. 2002) (collecting decisions). For example, a business that does not discriminate against African Americans or women generally may still discriminate against African American women. See *Jefferies v. Harris Cnty. Cmty. Action Ass'n*, 615 F.2d 1025, 1032 (5th Cir. 1980). Literature refers to this form of discrimination as “intersectionality.” See Kimberle Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, 43 *Stan. L. Rev.* 1241 (1991). Permitting an exception for discrimination based on sexual orientation or gender identity would open the door to intersectional discrimination against LGBTQ people of color.

LGBTQ people of color are particularly susceptible to this multifaceted discrimination. They are far more likely to be the subject of bias than white LGBTQ people, and acts of bias are likelier to be more extreme. This is highlighted in the nationwide study of anti-transgender discrimination conducted by the National LGBTQ Task Force and the National \*10 Center for Transgender Equality. That study found that although discrimination was pervasive for all respondents surveyed, the combination of anti-transgender bias and persistent structural and interpersonal acts of racism was especially devastating for multiracial transgender people and other people of color. Jack Harrison-Quintana & Chris Quach, *Injustice at Every Turn: A look at multiracial respondents in the National Transgender Discrimination Survey* at 1.<sup>2</sup> Multiracial transgender and gender non-conforming people often live in extreme poverty, with 23% reporting a household income of less than \$10,000 per year. *Ibid.* This is higher than the rate for transgender people of all races (15%), the general U.S. multiracial population rate (15%), and almost six times the general U.S. population rate (4%).

<sup>2</sup> <http://www.thetaskforce.org/injustice-every-turn-report-national-transgender-discrimination-survey-lmultiracial-respondents/>.

Weakening legal protections for LGBTQ people would only exacerbate the challenges already facing LGBTQ people of color and would permit race-based discrimination. State public-accommodation laws prohibiting discrimination on the basis of sexual orientation must be able to be enforced against commercial enterprises without an exception for the business owners' personal beliefs.

#### **\*11 B. Fully Enforceable Anti-Discrimination Laws Are Critical for LGBTQ People to Achieve Full Equality**

Additionally, were this Court to accept a distinction between a State's interest in ending race-based discrimination and its interest in eradicating discrimination on the basis of sexual orientation, it would enshrine in this Court's decisions a two-tiered system in which LGBTQ people are entitled only to second-class protection. That would be intolerable to LGBTQ people, who need the full protection of the laws to achieve full equality in society.

As this Court well knows, this Nation's history of discrimination against LGBTQ people is long and severe. LGBTQ people have been forced from their homes, fired from their jobs, denied service at businesses, banished from their families, subjected to violence by members of the public and law enforcement, and much more. Even worse, federal and state governments have often singled out LGBTQ people for official condemnation. See generally *Out of the Past: 400 Years of*

*Lesbian and Gay History in America* (PBS Online); Brad Sears and Christy Mallory, *Employment Discrimination Against LGBT People: Existence and Impact*, in *Gender Identity and Sexual Orientation Discrimination in the Workplace: A Practical Guide* (BNA); Christy Mallory, et al., *Discrimination and Harassment by Law Enforcement Officers in the LGBT Community* (Williams Inst. Mar. 2015).

Many States are trying to counteract the history of invidious discrimination against LGBTQ people. That is well within their purview: States are \*12 empowered “to pursue the profoundly important goal of ensuring nondiscriminatory access to commercial opportunities in our society.” *Roberts v. United States Jaycees*, 468 U.S. 609, 632 (1984) (O’Connor, J., concurring in part and concurring in judgment). That is as true for LGBTQ people as it is for people of color. Through their public-accommodations laws, Colorado and twenty other States and the District of Columbia have taken action to root out discrimination against LGBTQ people. But the roots of hatred run deep.

Public-accommodations laws - and in particular this Court’s decisions upholding those laws against assertions that they must yield to one’s deeply held beliefs - played a critical role not only in advancing the rights of African Americans but in changing society’s views. Because the Civil Rights Act of 1964 was enacted without exemptions for religious or moral objectors, it helped solidify public rejection of segregation. Had those exemptions been included (they were proposed), the Civil Rights Act would have been far less effective. Indeed, were those exemptions in place, they would have prolonged segregation by sending the message that deeply held racism deserves protection. See Michael Kent Curtis, *A Unique Religious Exemption from Antidiscrimination Laws in the Case of Gays? Putting the Call for Exemptions for Those Who Discriminate Against Married or Marrying Gays in Context*, 47 *Wake Forest L. Rev.* 173, 176 (Spring 2012).

Colorado and other States should be able to pursue an end to discrimination against LGBTQ people to the same degree that they pursue an end to discrimination on the basis of race.

**\*13 C. Accounts of Discrimination From LGBTQ People of Color Highlight the Need for Public-Accommodations Laws Without Exceptions for Business Owners’ Personal Beliefs**

Amici know that, despite the enormous progress made by LGBTQ people in achieving civil rights, discrimination remains pervasive. Amici present here selected firsthand accounts of discrimination collected from colleagues and associates who are LGBTQ people of color. These are only a tiny sample of the types of real-life actions taken on a daily basis against LGBTQ people, who deserve full access to commercial opportunities. Many of these are examples of businesses seeking to make their employees conform to gendered expectations, while other accounts demonstrate a continued desire to exclude LGBTQ people. And several show how difficult it can be to separate discrimination on the basis of race from discrimination on the basis of sexual orientation or gender identity, when the target of the discrimination is an LGBTQ person of color.

These real-life experiences of LGBTQ people of color - and countless other untold ones - highlight the need for public-accommodations laws that can be enforced fully to place LGBTQ people on an equal footing.

Naomi Washington Leapheart: This past June, my wife, Kentina, and I consecrated our legal marriage with a sacred wedding ceremony in the presence of our loved ones on a beach in Cape May, New Jersey. Three months later, we’re still basking in the joy of that day. Our joy is sweeter because in \*14 many ways, it is our resistance - not everyone was supportive of our union. In fact, we still ache as we remember that in January, a prospective wedding planner we considered hiring told us she couldn’t work with us because she believes in the biblical definition of marriage, which, to her, made ours illegitimate. Kentina and I are Christian ministers. Our faith is precisely what animates our love and the decision we made to make a spiritual commitment to each other and to our communities. Yes, we are grateful that we could be legally married in any State in the country. Yet the rejection we experienced during one of the happiest seasons of our lives starkly reminded us that there is still so much more work to be done.

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Preston Mitchum: I am a black gay and queer man from the Midwest. I have experienced discrimination based on my race, sexual orientation, and class, more times than imaginable. Because of what it means to be intersectional - that is, multiple marginalized identities existing at once - it is nearly impossible to determine whether I am experiencing discrimination and mistreatment on the basis of me being unapologetically Black or queer; and many times, both. In an ever-expanding and gentrifying Washington, D.C., where I now reside, it's commonplace to be followed by law enforcement and be watched as I'm entering more expensive stores. While browsing in Georgetown, a majority-white area, I was once told to leave a store because I "was taking too long looking" just to be mocked by other staff. Not only was I in this particular store for less than 10 minutes, I was certainly not the only one. I was profiled, targeted, and belittled because of where \*15 I was and who I was perceived to be. No one defended me, no one made me feel human; and these are not isolated incidences. Every day, LGBTQ people of color wake up understanding that we can be targeted at the intersection of our identities, and it is a perpetual process of healing and understanding.

K'Danz Cruz: I was working at a retail store, and I was never allowed to start my gender-affirming transition because the management team would tell me that customers would feel uncomfortable. I was repeatedly told that the customer always comes first and that due to customer apprehension, I could not transition.

Sophia Jackson: I was working at a rehabilitation facility in San Francisco, California, which works with women and children. One day while I was on duty, my immediate supervisor said that she needed to have a conversation with me. I believed we were going to talk about me finally getting hired full time, but she started the conversation by telling me "that the Lord had brought me before her during her prayer time." After entering into a moment of prayer she disclosed to me that she was concerned that the way I dressed and carried myself was displeasing to God, and that I "knew God had created me to be a wife." At that point she asked me if I was involved in a homosexual relationship with the woman that she had seen me coming to church with. I did not respond; rather, I asked why she was asking me that question because we belonged to the same church at the time. I was curious as to why this was suddenly an issue. She said that I was sending mixed messages because I \*16 presented as male. I ended up having to go on leave due to the stress, and while I was on leave my employment was terminated. I have been unemployed from that field of work ever since.

Victoria Rodriguez-Roldan: When my wife was working at a tutoring center, although the manager knew about me, my wife was forced to keep my existence hidden from the children. My wife actually had to make up a fictional male fiancé and later husband to account for the wedding rings to anyone who asked. The business claimed to be supportive of us but did not want to "upset the parents."

Taissa Morimoto: Born to immigrant parents and raised in a predominately white neighborhood, I spent most of my adolescence trying to fit in. In order to assimilate, I would always try to hide my differences, including aspects of my race and sexual orientation. For most of my life, I didn't feel comfortable to dress how I want, love whom I want, or be whom I want because I felt like I had to choose safety and security over being myself. I would comply when cashiers told me I should smile more, I would keep silent when restaurant owners made racist comments, and I refused to hold my girlfriend's hand in public, all because I was scared for my safety. I was scared something could happen to me.

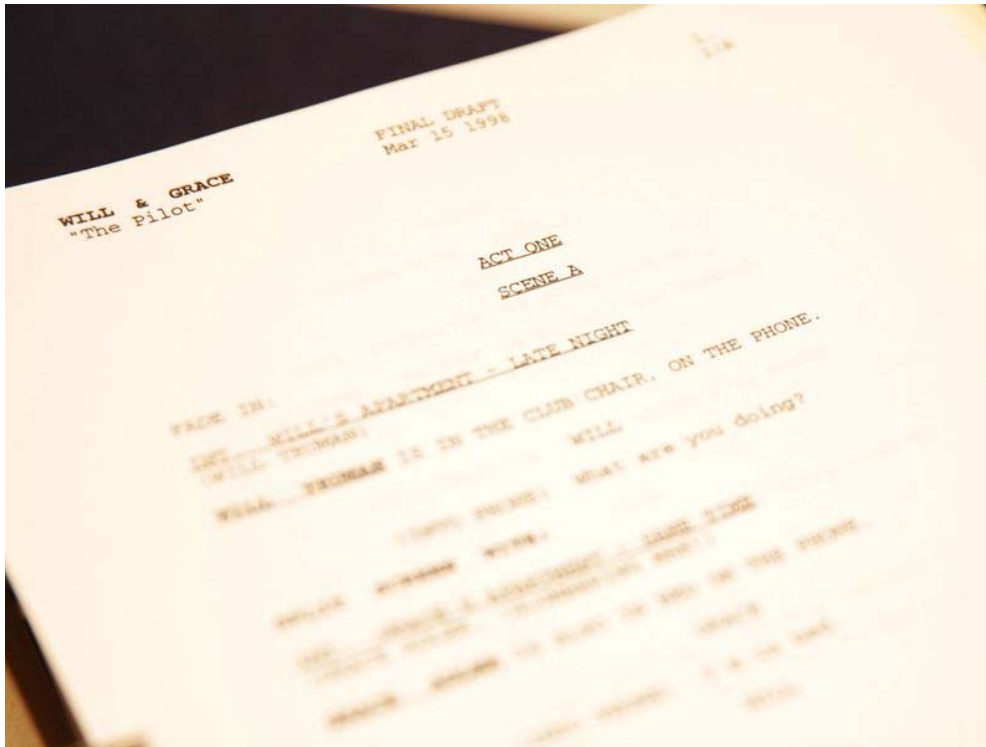
#### **\*17 CONCLUSION**

The judgment of the Colorado Court of Appeals should be affirmed.

## Smithsonian.com

### A Proud Day at American History Museum as LGBT Artifacts Enter the Collections

The creators of "Will & Grace" and others donated objects related to gay history



The creators of "Will & Grace" donated the pilot script and other items from the show to the National Museum of American History (Max Kutner)

By [Max Kutner](#)  
smithsonian.com  
August 19, 2014

When David Kohan and Max Mutchnick penned the pilot for "Will & Grace" a decade and a half ago, they had no idea the social implications the show would have. "We were hired to write a comedy for NBC and that's what we did," Mutchnick says. "That all of this happened really was a happy accident." Earlier today, Kohan and Mutchnick donated the script for that pilot and other items from their show to the [National Museum of American History](#).

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The National Museum of American History hosted a donation ceremony on August 19, 2014 (Max Kutner)

Mutchnick and Kohan decided to donate around 2012, after Joe Biden spoke to the press about the show's [social and cultural impact](#) and his support for gay marriage. The items had been at Emerson College, where Mutchnick attended college, but the school was looking to move the collection. So Mutchnick and Kohan contacted Dwight Blocker Bowers, an entertainment curator at the American History Museum, who selected artifacts from those at Emerson. "They're representative of all different things," Kohan says of the items, including "combating hatred with humor."

In attendance at today's donation ceremony were Kohan and Mutchnick's mothers. "Without them, neither of us would be gay," Kohan joked after signing the deed of gift. "Or funny."

"Will & Grace" debuted on NBC in 1998, only two weeks before Matthew Shepard was beaten for being gay and left to die in Laramie, Wyoming. By the time the show ended its run in 2006, depictions of gay characters on television had gone from fringe or exclusively comedic to mainstream. Yet Mutchnick says there is still progress to be made. "I for one would like to see some gay characters swing back to the center and get out of that role of the funny neighbor," Mutchnick says. "I would love to see a really fleshed out gay man or woman standing at the center of a show."

Kohan's sister, Jenji, is behind another popular television show that depicts gay characters, "Orange is the New Black."

## **EXHIBIT 30**



David Kohan (right) and Max Mutchnick (left), creators of "Will & Grace," posed with their mothers at a donation ceremony at the National Museum of American History (Max Kutner)

Mutchnick has been a longtime fan of the American History Museum's collection, especially [Dorothy's slippers](#) from *The Wizard of Oz*. "It was in my paperwork when I came out of the closet," Mutchnick jokes. "Trip number one—the National Museum to check out the ruby slippers." In addition to the pilot script, Kohan and Mutchnick donated personal correspondence, props from the show, and an illustration of the main characters by famous caricaturist Al Hirschfeld.

The "Will & Grace" items were among many related to the LGBT community that entered the museum's collections today. Other artifacts included the first transgender pride flag, [a tennis racket owned by transgender athlete Renée Richards](#), and costumes from the DC Cowboys Dance Company.

"It's non-existent," says Monica Helms, who designed the transgender pride flag in 1999, about the representation of transgender history in most museums. "We have been marginalized. People don't realize that we've existed. We've existed all along." For the flag, Helms used the colors light blue, pink and white, symbolizing baby boys and girls and "people who are still questioning what gender they do have."



The National Museum of American History acquired the first transgender pride flag and other historic LGBT items (Max Kutner)

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Helms wore her father's U S Navy baseball cap to the donation ceremony She served in the Navy in the late 1970s and began living as a woman in 1997 Following the donation, she spoke about how the rights of transgender people serving in the U S military have yet to progresses like those of gay people Currently, transgender people cannot serve openly in the military

Also donating today was David Huebner, the first openly gay ambassador in the Obama administration Huebner gave the diplomatic passports belonging to him and his husband "You really are the face and the voice of the American people," Huebner says of his time as ambassador "A lot of it is very difficult " His husband was likely the first same-sex spouse to receive a diplomatic passport

Previous items in the museum's collection relating to the LGBT community include protest signs from the gay civil rights movement, a tennis dress belonging to Billie Jean King, and lab equipment relating to HIV and AIDS



The National Museum of American History expanded its LGBT collections, including the first transgender pride flag and Renée Richards' tennis racket (Max Kutner)

About Max Kutner



Max Kutner is a New York City-based journalist who has written for *Newsweek*, *Boston* magazine and *Vice* com He was an editorial intern for *Smithsonian* in 2014

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**Case Comments**

Is Public?	Body	Created By	Created Date
	On 10/2/18 the Commission voted to set this case for hearing. Commissioner Elias will be the case liaison.	<u>Adriana Carmona</u>	10/3/2018 11:52 AM
	Conducted Probable Cause Review on 9/26/18. Panel: Aubrey Elenis, Jennifer McPhearson, Jenna Ambacher, [REDACTED]. Panel voted unanimously to recommend case for hearing.	<u>Wesley Fry</u>	9/27/2018 10:55 AM
	Received CP Attorney entry of appearance: John McHugh Reilly Pozner LLP <a href="http://www.rplaw.com">www.rplaw.com</a> 1700 Lincoln Street, Suite 3400 Denver, Colorado 80203 Main: 303.893.6100, Fax: 303.893.6110 <a href="mailto:jmchugh@rplaw.com">jmchugh@rplaw.com</a>	<u>Adriana Carmona</u>	8/22/2018 4:02 PM
	RP Called and wants investigator on case. Referred to Wesley Fry. 8/21/18	<u>Robin Eskildson</u>	8/21/2018 2:59 PM
	Conciliation was conducted today, 8-16-18, and failed. Emailed Conciliation Failure letter to both parties' attorneys. Placed case file on Wes' chair for PCR.	<u>Jaclyn Kjellsen</u>	8/16/2018 1:18 PM
	Provided case file to JK.	<u>Nicole Trotta</u>	7/9/2018 3:02 PM
	Rec'd email from CP with CP's atty info. Email from CP atty w/ available conciliation date. Response email to CP atty. Sent conciliation confirmations via email to CP atty (Scardina) and RP atty (Warner), indicating that JK will be handling the case. Reassigned conciliation to JK per ST. Conciliation: 8/16 @ 9 a.m.	<u>Nicole Trotta</u>	7/9/2018 3:02 PM
	Rec'd emails from RP atty (Warner) with available conciliation dates. Sent response email to Warner. Email to CP re: scheduling conciliation, req. response by COB 7/12.	<u>Nicole Trotta</u>	7/9/2018 1:10 PM
	Rec'd VM from RP atty (Warner) indicating he received my email about conciliation and had questions. Returned Warner's call and answered his questions: Warner indicated he hadn't received the LOD; I let him know it was mailed on 7/2 and he said he would wait to get it in the mail. Warner asked if his client had to participate in person; I told Warner that whoever has decision-making authority should participate in conciliation, so if his client grants his attorneys decision-making authority, the Respondent's attorneys may participate on his behalf. I also let Warner know that conciliation may take place in person	<u>Nicole Trotta</u>	7/5/2018 11:41 AM

or by phone. Warner said he would send an email to me by Monday with available conciliation dates.

Assigned conciliation to NT. Sent email to RP atty (Warner) re: scheduling conciliation, req. response by COB 7/9.	<u>Nicole Trotta</u>	7/3/2018 1:21 PM
Gave file to Nicole to schedule conciliation.	<u>Steven Taylor</u>	7/2/2018 4:07 PM
PC case. Case file to Steve to assign case to ADR for conciliation.	<u>Jennifer McPherson</u>	7/2/2018 3:42 PM
LOD updated, signed 6/28/2018. Mailed to parties via U.S. mail today.	<u>Jennifer McPherson</u>	7/2/2018 2:07 PM
On 6/13/18 Commissioner Aragon approved 90 day CP JET. New case end date 10/13/18. Emailed notice.	<u>Adriana Carmona</u>	6/20/2018 1:26 PM
[REDACTED]. Signed LOD, entered in tracking logs, closed in CC, LOD to JM (she has file) to be forwarded for closure.	<u>Penny Pearson</u>	6/13/2018 3:44 PM
Emailed LOD to PP.	<u>Wesley Fry</u>	6/13/2018 1:05 PM
Emailed CP's JET request to Adriana. Uploaded CP JET memo to CC.	<u>Wesley Fry</u>	6/13/2018 12:52 PM
Spoke with Mr. Warner, who stated that the RP does not object to the CP's JET request.	<u>Wesley Fry</u>	6/13/2018 12:43 PM
LVM with Mr. Warner to see if his client objected to CP's request.	<u>Wesley Fry</u>	6/13/2018 9:18 AM
Spoke with Autumn Scardina, who requested her JET.	<u>Wesley Fry</u>	6/12/2018 10:34 AM
[REDACTED] office on 5/21/18.	<u>Carol Fernandes</u>	5/21/2018 9:17 AM
File to Carol to make copy for AGO.	<u>Jennifer McPherson</u>	5/15/2018 5:51 PM
File to JM per request.	<u>Penny Pearson</u>	5/15/2018 9:41 AM
request case file from Wes so a copy can be made for AGO. Request that 2nd JET be requested.	<u>Jennifer McPherson</u>	5/14/2018 6:08 PM
Updated information for migration.	<u>Wesley Fry</u>	5/7/2018 3:54 PM
Onn 3/15/18 Commissioner Aragon approved 90 day RP JET. New case end date 7/15/18. Emailed notice to all.	<u>Adriana Carmona</u>	3/29/2018 7:29 AM

Emailed JET request to Adriana.	<u>Wesley Fry</u>	3/14/2018 1:29 PM
Spoke with CP, who did not object to RP's request.	<u>Wesley Fry</u>	3/14/2018 1:18 PM
Spoke with Jacob Warner, who requested JET on behalf of RP.	<u>Wesley Fry</u>	3/12/2018 2:52 PM
Final LOD revisions made. Discussed with AW and JM; Decision made to temporarily hold off issuance. File with Wes.	<u>Penny Pearson</u>	2/28/2018 2:46 PM
Made revisions and returned to PP for review.	<u>Wesley Fry</u>	2/26/2018 9:29 AM
LOD to Wes for edits.	<u>Penny Pearson</u>	1/31/2018 10:39 AM
LOD to PP for review; placed file in no jets bin.	<u>Wesley Fry</u>	1/26/2018 8:18 AM

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CP's Attorney  
Todd Scardina, Esq.  
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[todd@scardinafamilylaw.com](mailto:todd@scardinafamilylaw.com)

Wesley Fry 1/26/2018  
8:12 AM

Respondent  
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Lakewood, CO 80227

RP's attorney  
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Legal Counsel  
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Scottsdale, AZ 85260  
480-444-0020 (Office)  
480-444-0028 (Fax)  
[jwarner@adflegal.org](mailto:jwarner@adflegal.org)

Spoke with Aubrey; will proceed with drafting of LOD with provided statements from RP.	<u>Wesley Fry</u>	12/20/2017 3:51 PM
Received hard copy of CP's rebuttal by mail on 11/09/17. Previously uploaded placed in Wesley's mailbox.	<u>Melissa Sandoval</u>	11/9/2017 12:53 PM
Received CP's Rebuttal via fax on 11/7/17 and uploaded on on this day. Fax put in Wes' mail box this day.	<u>Carol Fernandes</u>	11/7/2017 9:15 AM
Emailed rebuttal packet to Todd Scardina.	<u>Wesley Fry</u>	10/5/2017 12:02 PM
Received RP's response with evidence by FED EX 09/20/17. Uploaded into system and placed original in Wesley's mailbox.	<u>Melissa Sandoval</u>	9/20/2017 9:50 AM
Received RP's PS via email from Mr. Warner.	<u>Wesley Fry</u>	9/20/2017 7:15 AM
Spoke with RP's attorney Jake Warner from Alliance Defending Freedom; granted 30 day extension for PS until 9/19/17. Informed him that the Division did not intend to stay a decision until SC decision in other case.	<u>Wesley Fry</u>	8/17/2017 2:18 PM
Returned VM and email from RP's attorney Mr. Jake Warner and LVM.	<u>Wesley Fry</u>	8/17/2017 12:51 PM
RP Attorney (Jake Warner) called in to verify investigator -- information provided	<u>Geraldine Arellano</u>	8/17/2017 10:56 AM
Received RP's PS on 8/16/17, scanned in case connect and put hard copy in Wes's mail box on this day.	<u>Carol Fernandes</u>	8/16/2017 10:48 AM
Placed file in Wesley's mailbox with no file labels printer problems will print out labels when get new printer and give them to Investigator.	<u>Melissa Sandoval</u>	7/27/2017 10:23 AM
Case assigned to Wes to investigate as part of case assignments. Placed skinny file at Melissa's desk for file creation.	<u>Steven Taylor</u>	7/26/2017 12:54 PM
Signed COD and RFI uploaded into CaseConnect and paper copies mailed/served to all parties on 7.21.2017. File to Assignment Drawer.	<u>David Martinez</u>	7/21/2017 11:54 AM
Received signed COD. Placed file in DM's inbox to serve RFI.	<u>Anna Hughes</u>	7/21/2017 8:41 AM
Emailed draft COD to PCP cc atty.	<u>Anna Hughes</u>	7/11/2017 4:59 PM
Interviewed PCP. PCP clarified that her atty is Todd Scardina, and provided his email address: <a href="mailto:todd@scardinafamilylaw.com">todd@scardinafamilylaw.com</a> . Added interview notes to the file.	<u>Anna Hughes</u>	7/7/2017 12:47 PM

Contacted Sean Scardina of Scardina Law, LLC, the PCP's attorney, and requested to interview PCP. Mr. Scardina said that he would speak to his client to see if she preferred that he be present during the interview. Emailed atty and PCP my contact information and availability. Drafted COD based on SOD. Gave file to ST for review.

Anna 7/7/2017  
Hughes 10:45 AM

Assigned case to Anna Lisa to contact PCP and draft COD if necessary.

Steven 6/27/2017  
Taylor 7:50 AM