

Testimony in favor of H.B. 2323

By Dr. Gretchen Eick

1-7-2015

I write to ask the Kansas Legislature to carry out the words of our Declaration of Independence. The promise of “all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness” has resonated across the world for more than 200 years, inspiring younger nations to include similar pledges within their own founding documents.

I ask you to carry out the sacred promise in our Constitution’s Bill of Rights, words that were added to keep our new nation’s very diverse people together and protect them from abusing each other because of their differences. The Ninth Amendment states that the list of basic freedoms that all Americans are guaranteed is not comprehensive, that there are additional rights that have not been enumerated in the Bill of Rights that Americans are guaranteed.

The Fourteenth Amendment, written after almost five years of civil war that took the lives of 619,000 Americans of all colors, religions and national origins, promised that **no state can** “abridge the privileges and immunities of citizens...nor deprive any person of life, liberty or property, without due process of law; nor **deny to any person within its jurisdiction the equal protection of the laws.**” These are the most basic protections of all Americans, protections that have been within our Constitution since 1868.

When we read these words, we are humbled by the wisdom of our former national leaders. They wrote these words and passed them with overwhelming support and inserted them in the highest form of law—an amendment to the US Constitution passed by 3/4ths of legislators in both houses of Congress and by 3/4ths of our state governments. They wrote these strong words to protect us from tyranny by outsiders or by our own state governments.

We live in a time of great partisanship and angry rhetoric that turns us against each other and produces vile and hateful speech. We need these words and their commitment to equal protection more than ever.

At least one in ten Americans--or people anywhere around the world--are attracted to people of the same sex. Whether you approve or disapprove of this is as irrelevant as whether you approve or disapprove of Muslims and Native Americans, Irishmen and African Americans—indeed, people from anywhere in the world--fighting in our military. All of these people, all people of this country have Constitutional guarantees of equal protection under the law. To not enforce this makes a mockery of the values we tell ourselves make us “good” and “honorable,” “a country to be proud of.”

I ask you to remember these promises in our founding documents each time you vote, to make them your mantra, the guideline you use to decide how to vote. If you do this, you will not allow the state of Kansas to discriminate against gays and lesbians, bisexuals or transgendered persons. You will feel in your heart and conscience how wrong discrimination of any kind is.

Forbidding all forms of discrimination based on sexual identification--or on race, religion, national origin, disability, age, or appearance--will ensure that Kansas will attract to our state and hold here young and older people who bring intelligence, hard work, commitment to raising families and commitment to preserving community.

As an educator I have listened to many of my students anguish about whether they must leave Kansas, their home, and move elsewhere because of the culture of intolerance they find toward people who are homosexual. I have passed out many tissues as they confided the pain they feel and their stories of trying with all their might to be heterosexual. I know many closeted people who today live on the cusp of feeling they may have to leave this state if they can no longer live secret lives. I beg you to send them a clear message by your votes that Kansas is bigger than prejudice, that the Kansas legislature stands with their young people and supports the rights of all of its people to be treated equally and not be discriminated against.

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January 6, 2016