



NEW YORK STATE SENATOR

Velmanette Montgomery

## Senate Democratic Conference And Civic Groups Announce Landmark Inclusive Equal Rights Amendment

SENATOR VELMANETTE MONTGOMERY May 16, 2017

| ISSUE: **EQUAL PROTECTION, WOMEN'S RIGHTS, LGBT RIGHTS, PROTECTIONS FOR THE  
DISABLED, EQUAL RIGHTS**



**Senator Montgomery is proud to co-sponsor Senator Liz Krueger's landmark legislation that would amend the State Constitution to grant inclusive equal rights protection to women, LGBT and disabled New Yorkers that surpasses the equal rights provisions of every other state in the nation, as well as that of the U.S. Constitution.**

For Immediate Release: May 16th, 2017

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## **Democratic Senators And Civic Groups Announce Landmark Inclusive Equal Rights Amendment**

### **Proposed Amendment Grants Women, LGBT People, And The Disabled Equal Rights**

### **Raises The Bar For The Rest Of The Nation, While Defending New Yorkers Against Incursions From The Federal Government**

Albany – Women, LGBT people and the disabled currently do not have equal rights in New York State’s Constitution—an injustice a coalition of Democratic Senators and civic groups are aiming to bring to an end through the passage of a landmark inclusive equal rights amendment.

In a press conference at the Capitol Building in Albany today, State Senator Liz Krueger (D – Manhattan) announced that she has introduced an amendment to the State Constitution that would extend equal rights to every New Yorker, regardless of gender, sexual orientation or identity, or physical or mental disability. The broadly inclusive language of the amendment surpasses the equal rights provisions of every other state in the nation, as well as that of the U.S. Constitution.

Though the federal Equal Rights Amendment, which would have granted women equal rights in the U.S. Constitution, narrowly missed getting enough states to ratify it, 11 states, including California, Oregon and Illinois, have passed state ERAs pertaining to women. New York is not one of those 11 states.

No state has explicitly granted equal rights to LGBT people or the disabled.

Already signed on to co-sponsor Sen. Krueger's amendment are Senate Democratic Leader Andrea Stewart-Cousins and Democratic State Senators Jamaal Bailey, Michael Gianaris, Brad Hoylman, Gustavo Rivera, Tim Kennedy, Velmanette Montgomery, Roxanne Persaud, James Sanders, and Toby Ann Stavisky.

Joining these elected officials are a number of civic groups and leaders, including EffectiveNY, led by prominent progressive activist Bill Samuels; Robbie Kaplan, the lawyer who successfully argued the U.S. Supreme Court case that brought about marriage equality; Evan Davis, the former President of the New York City Bar Association and an advocate for the disabled; Sharon Nelson, President of the New York City Chapter of the National Women's Political Caucus; Mel Wymore, Executive Director of TransPAC, an organization dedicated to advancing the rights of transgender people; and Heidi Sieck, the co-founder and CEO of #VOTEPROCHOICE and a member of the national policy committee of the Women's March on Washington.

"The Senate Democrats will continue to resist the Trump Administration's attacks on New Yorkers' basic rights," said Sen. Stewart-Cousins said. "This amendment to the State Constitution is more essential than ever, given President Trump and his allies' ongoing assaults on our rights and values. I applaud Senator Liz Krueger for taking the lead on this issue and urge all of our Senate colleagues join us in passing this legislation immediately."

"With our rights increasingly under attack from the Trump administration, it is absolutely essential that we protect all New Yorkers from attempts to trample on their freedom," said Sen. Krueger. "New York can and should be a national leader, both morally and legally, by updating our Constitution so all New Yorkers are recognized and respected as equals."

"It is an absolute disgrace that in 2017, women, LGBT people and the disabled are treated as second-class citizens in the eyes of our state Constitution," said Bill Samuels. "This

amendment is an opportunity to turn our state's shame into pride, because in one fell swoop we can both right the terrible wrong of institutionalized inequality and exemplify a laudable new model for other states to follow."

"New York State holds itself up as a national progressive leader, but in many ways, we remain mired in the past," said Sen. Hoylman. "Whether it's a woman's right to choose or basic protections for LGBT people, our constitution often falls short in its promise of justice for all. With the Trump Administration looking to erode our most basic rights, it's essential that New York stands up for its most vulnerable citizens. That's why I'm proud to join Senator Krueger in calling for an Equal Rights Amendment to extend the promise of equality to all New Yorkers, regardless of who they are, what they look like, where they're from, or whom they love."

"When I argued the case for marriage equality before the New York Court of Appeals in 2006, we lost the case because the Court concluded that the New York State Constitution does not grant LGBT people the same basic rights, including the right to marry, as straight people," said Robbie Kaplan. "Particularly in today's world where the rule of law appears to be threatened daily by events happening in Washington DC, it is critical that we fix this fundamental flaw in our State Constitution as soon as possible so that there can be no question that all New Yorkers have a constitutional right to be treated equally under the law."

"Now more than ever, New York should lead the charge to protect individuals against any form of discrimination," said Sen. Gianaris. "Everyone should feel welcome and equally protected in our state regardless of their differences."

"In 2017, it is unbelievable to imagine our state constitution does not provide equal rights to women, the elderly and the LGBTQ community," said Sen. Stavisky. "What's more, President

Trump has demonstrated no intention to defend the rights of any vulnerable group in our country and around the world. It is important we change our state law so that everyone is protected and New York can be a fully realized sanctuary state for all. I thank Senator Krueger and my colleagues for signing on to this imperative legislation."

"Given that we are living through a time where the rights of women, LGBT people, and the disabled are being grossly attacked by the federal government, it is now more critical than ever that we pass the Equal Rights Amendment introduced by my colleague Senator Krueger," said Sen. Rivera. "As members of the Senate Democratic Conference, we will fight to amend our State's Constitution and ensure protections are in place to guarantee that every single New Yorker, regardless of their gender, sexual orientation or ability, is treated equally under our state law."

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*"Equal protection under the law is one of our most fundamental values and is absolutely necessary for a thriving democracy," said Sen. Montgomery. "Every day civil rights are being undermined on the federal level and it is our responsibility as legislators to protect and advocate for our constituents. We cannot allow women, disabled individuals or members of the LGBT community to fall through the cracks simply because our state constitution is in need of an update."*

"New York State played host to the Seneca Falls Convention, was witness to the Stonewall Riots, and in the 1930s was home to a movement fighting for equal treatment for the disabled community by the Works Progress Administration," said Sen. Kennedy. "Given our state's pivotal roles in these three movements, it is only fitting that we enshrine these rights in our constitution. We have an obligation to make it clear that women, the disabled community, and the LGBTQ community are treated equally, and are provided with the same dignity that all New Yorkers deserve. I urge my colleagues in the legislature to join us [in](#)

supporting this critical amendment, and thank Senator Krueger for her leadership."

"It's a no brainer, especially in a progressive state like New York, that we should have equal rights for all people including women, members of the LGBT community and the disabled," said Sen. Sanders. "I am proud to stand with my colleagues in government in raising the bar for inclusion with this new Equal Rights Amendment and setting an example that other states can follow."

"Equal rights should be granted to anyone regardless of disability, sexual orientation, identity, race or gender," said Sen. Bailey. "As a state we should lead in the fight of ensuring that every New Yorker is treated equally and fairly. I applaud Senator Krueger for introducing this bill and I am proud to stand with her on this issue."

"We live in an ever changing society however; the need for equality and fairness remains constant," said Sen. Persaud. "New York State's constitution should reflect the evolution of equal rights and protections from discrimination that are occurring every day. As New Yorkers we must work together to preserve civil liberties for all."

"We need an equal rights provision like this that will far surpass the protections afforded by the federal Constitution,' said Evan Davis. "Not only may those federal protections be reduced by President Trump's court appointments, we also want to be able to say that in our State that 'Equal means Equal.' This amendment benefits all those targeted by discrimination, exclusion and disadvantage, including, I am very glad to say, the disabled."

"This inspiring 'Equality for All' amendment reflects the Women's March Unity Principles for which 5 million people marched in solidarity around the world," said Heidi Sieck. "We are seeing unprecedented acts of resistance and engagement in political action ignited by the Women's March. The state legislature and the Governor now have the opportunity to show

the world how these principles can become a reality and hopefully inspire other states and jurisdictions to do the same.”

“Almost a hundred years later an unknown number of New Yorkers still experience daily struggles for parity in profound and diverse ways,” said Sharon Nelson. “Our families, neighbors and constituent groups’ sacrifices collectively built this nation from the ground up and to continue to be denied acknowledgment is a travesty.”

“It’s time for New York to stand up for every New Yorker. TransPAC is proud to support an equal rights amendment that not only addresses gender discrimination in all of its forms, but vanquishes inequity across the board,” said Mel Wymore.

For more information about the legislation, visit

<https://www.nysenate.gov/legislation/bills/2017/s6354> and

<https://www.nysenate.gov/newsroom/press-releases/liz-krueger/democratic-senators-and-civic-groups-announce-landmark-inclusive>

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#### RELATED LEGISLATION

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### **2017-S6354**

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- Introduced
- ◦ In Committee Assembly
  - In Committee Senate

- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate

- ○ Passed Assembly
  - Passed Senate

- Delivered to Governor

- Signed By Governor

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Relates to equality of rights and protection against discrimination

May 11, 2017

In Senate Committee [Judiciary](#)

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Do you support this bill?