

Bryan Weaver, Candidate for Ward One Council
Response to Gay and Lesbian Activists Alliance of Washington, D.C.
2010 Questionnaire for D.C. Council Candidates

Marriage and Family

1. Will you oppose any effort to hold an initiative in the District that would take away the civil marriage rights now enjoyed by same-sex couples, and publicly campaign for marriage equality in the event such an initiative is held?

Yes, I believe that any initiative regarding the District's new Religious Freedom and Civil Marriage Equality Law is a clear violation of the Human Rights Act of the District of Columbia, and as elected officials we are obligated to oppose any such endeavor. I cannot and will not support any ballot initiative depriving a protected minority of their rights and would loudly and actively campaign in favor of marriage equality should, unfortunately, a ballot initiative ever be held. One can only imagine what would have happened if we put the civil rights measures of the 50's and 60's to a popular vote – people's basic human rights should not be determined by popular fiat.

2. If the District's civil marriage equality is taken away either directly by an act of Congress or by a ballot measure, will you support immediate re-passage of civil marriage equality?

Yes, absolutely. I have spent my entire adult life fighting against discrimination based on culture, race and color — that experience makes it impossible for me not to stand up against discrimination based on sexual orientation. We have been down this road before in this country.

Separate is not equal. The rights to liberty and happiness belong to each of us and on the same terms, without regard to either skin color or sexual orientation. Our rights as Americans do not depend on the approval of others. Our rights depend on us being Americans.

We're elected not to follow but to lead. We're elected to cast what might sometimes be a difficult, challenging, and politically inexpedient vote. We're elected to represent our constituents when they're right, and to vote our consciences regardless of whether our constituents are right. And our conscience should be telling us to stand up for civil rights regardless of how unpopular it may appear.

3. Do you agree that private contractors doing business with the District should be required to provide equal benefits including health insurance to same-sex partners?

Yes, in the same respect that I believe private contractors doing business with the District should be required to provide equal benefits including health insurance to married heterosexual couples or heterosexual couples that are domestic partners, I believe those benefits should be provided to a same-sex partner. A spouse or domestic partner is a spouse or domestic partner no matter the relationship dynamics and should be treated equally.

4. Will you oppose legislation containing either a “conscience clause” that would allow anyone to claim Human Rights Act exemption at will, as was proposed by Councilmember Yvette Alexander during consideration of the marriage equality bill last year; or a “business necessity” exemption that would allow taxpayer-funded charities run by religious groups to discriminate against married same-sex couples, as was proposed by the Archdiocese of Washington?

Yes, for a human rights act to have true meaning, it must be broadly applied. You do not see asterisks attached to the Bill of Rights generally speaking. The District’s Human Rights Act is one of the nation’s earliest and most extensive, and it is something we should not only defend vigorously, but also promote far and wide as an example to other jurisdictions.

Public Health

5. Do you support sufficient funding to ensure that the drive to make HIV testing routine among District residents includes counseling and treatment referrals for those testing positive?

Yes. HIV/AIDS is not just an LGBT issue — it is the number one killer of minority heterosexual women aged 25-44 — and therefore we must attack the problem with the same vigor we did with the LGBT community in the last 80s and early 90s.

The current policy of issuing annual reports that repeat the lines that D.C. is comparable to nations in West Africa is not working. Council oversight has been lacking, as have non-federal funds. The rates in DC are peculiar to our population, our policies and our interest in the issue. We cannot wait for federal largesse (largely from NIH) to solve it on our behalf.

I advocate an “all departments” approach to this issue — police, housing, transport, consumer and regulatory affairs, DCPS, all departments — must be brought to bear on this issue. We must increase the access to services and provide consistent monetary support from D.C. tax dollars for the community groups providing support and education services about HIV/AIDS.

We have made tremendous progress in some areas – providing insurance and primary medical care through the DC Alliance and expansion of DC’s Medicaid coverage, and we do fairly well on coverage of pharmaceuticals. We do continue to come up short on prevention and testing and we have to strive to do better – particularly now that there are treatment options available to help improve health and prolong life.

6. Are you committed to continuing and expanding the District’s condom distribution program to include water-based lubricant and tracking of their distribution to specified locations?

Yes, the District’s condom distribution program should include the latest proven forms of protection for both men and women. The District’s condom distribution program should reach into every corner of every Ward in the city – with several areas of continued focus – youth, gay and bisexual men, ex-offenders, transgendered persons, and etc.

7. Will you support legislation giving directors of the Office of GLBT Affairs and the Office of African American Affairs the authority to issue competitive grants as other minority constituent offices have, that will be open to organizations serving the populations with the offices’ purview?

The District of Columbia at all levels of government has a major problem with transparency, patronage and corruption. As an ANC Commissioner I have seen the difficulty of administering small grants programs without adequate oversight resources. Until the District makes a concerted effort to completely revamp its grant-making programs, priorities and non-competitive earmarks for every agency, no new grant-making authority should be bestowed upon any District department/agency.

The LGBT office staff would be better used to identify resources for the 501C3 organizations within existing city programs and/or providing council members reports on the adequacy of support services going to the community. However, while at this time I am not supportive of grant-making authority, as a legislator, I will introduce needed measures to the budget to ensure that critical services that have proven effective, are fully

funded. D.C. will not be a true beacon of equality if we are not taking care of those communities in need.

8. Describe steps you will support to improve performance at the HIV/AIDS, Hepatitis, STD, and TB Administration (HAHSTA), including in HIV prevention, HIV/AIDS surveillance and mental health services.

First of all, we need a permanent Director of that office and I will work with the executive and the community in identifying such a person.

Losing Shannon Hader was unfortunate as I thought she brought quite a bit of energy and intelligence to the post, and I am concerned about its current autonomy. That being said, this is such a critical function, and the identified needs and problems in the District are so significant, that I am hoping we will be able to attract a first-rate candidate to this position. In other areas, we need to fully recommend the various recommendations of the Appleseed Center reports and devote the resources necessary to accomplishing these goals. Their work has helped set us on a path of making decisions based on hard data relevant to the current state of the epidemic in the District.

Public Safety and the Judiciary

9. Will you support funding for mandatory lesbian, gay, bisexual and transgender (LGBT) sensitivity and diversity training for all members of the Metropolitan Police Department and the Fire and Emergency Medical Services Department?

Yes, while the importance and continued support of the GLLU is evident, that does not mean that all members of the Metropolitan Police Department as well as D.C. Fire and EMS should not receive the proper training necessary to deal with any and all situations — including LGBT issues. Every single first responder should be fully trained and educated on how to understand, deal with and accept all residents of the District, including members of the LGBT community. This is particularly important in communities, such as the LGBT community but others as well, where there has not historically been a constructive relationship with the police.

In order to make community policing truly effective, we absolutely need the assistance and “buy in” of the LGBT and other communities in our crime fighting efforts.

10. Will you support a budget for the Office of Police Complaints large enough to avoid developing a backlog of cases?

Yes, although one would hope that there would never be a need for an Office of Police Complaints, let alone a backlog, but these are the times in which we live, so I would absolutely support a budget large enough to support the office and to make sure that it runs efficiently. When a person has gotten to the point where they need to interact with the OPC, things are bad and the last thing they need to deal with is an under staffed organization that will not be able to properly handle their concerns. I vehemently oppose the idea floated last year to terminate the office.

11. Will you support efforts to rein in police officials who respond to legitimate crime concerns with unsustainable, media-centric quick fixes that infringe constitutionally protected civil liberties? And will you do so without waiting for the courts to overturn them, as the U.S. Court of Appeals did to the Neighborhood Safety Zone initiative of 2009?

Yes, far too often in this city, we legislate by press conference. Instead of being pro-active about our policies, we tend to spend most of our time reacting. We seem to have an aversion for best practices. It's time that the District of Columbia look outside its borders a bit and see what's working in other places and how we can make that work here.

For instance, San Francisco recently approved loitering legislation that was extremely specific to a certain area of the city for a certain period of time. Instead of blanket loitering legislation that more often than not hurts innocent people, the San Francisco wrote legislation that addressed the problem specifically.

12. Will you support maintaining the award-winning Gay and Lesbian Liaison Unit with both a citywide scope and a dedicated and well-trained central core unit with a full-time sergeant?

Yes, since its inception in 2000, the GLLU has offered an invaluable service to members of the LGBT community and MPD. Because D.C. has such a diverse and growing LGBT community, the services of GLLU are becoming that much more important. The GLLU provides the necessary shield both to stop would-be attackers as well as rapid response to victims of crime. The GLLU is a huge asset to MPD and should be maintained and expanded as necessary, including the addition of a full-time sergeant.

13. Will you press for increased oversight of the Metropolitan Police Department's gathering and analysis of crime statistics to ensure greater

comprehensiveness and objectivity, including transgender-related hate crime data?

Yes, in October 2009, President Obama signed federal hate crimes legislation into law. The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act was designed to protect people against violence based on sexual orientation, gender identity, race, religion, gender, national origin and disability.

We must make sure that we are gathering all the information necessary and properly analyzing crimes to make sure that those which can and should be prosecuted as hate crimes are.

14. Do you support making the D.C. Attorney General an elected position?

Had you asked me this question four years ago, I may have had a different answer, but yes, I fully support making the D.C. Attorney General an elected position. The purpose of the attorney general is to represent the District of Columbia and not be the mouthpiece or personal counsel for the Mayor.

Human Rights

15. Will you support a budget for the Office of Human Rights large enough to allow it to keep the backlog below 70 aged cases; keep below 210 days the average time it takes to issue a probable cause finding; and expand education, prevention and language access efforts?

Yes, the District is going through one of its most difficult budgetary periods in a long time. With that being said it is important that departments such as the Office of Human Rights are funded to the levels necessary to adequately represent residents. Tough decisions will need to be made in the coming years about what we spend our money on, but programs around Civil Rights and Human rights should not be sacrificed.

16. Will you block ceremonial resolutions and otherwise decline to honor individuals or organizations that promote any sort of bigotry?

Yes, while I would unequivocally block or decline to honor individuals or organizations that promote any sort of bigotry, this shouldn't even be an issue. The fact that any member of our city government would think to bring forward a proclamation for such an organization is preposterous.

17. Are you committed to including a transgender representative on the D.C. Commission on Human Rights?

Yes, that would be great!

18. Do you agree that the Director of the Office of Human Rights should be required to have professional training and experience in civil rights law enforcement?

Yes, we need to increase education and sensitivity training programs at all levels of government and to be effective any Director of the Office of Human Rights should have professional training and experience in civil rights law enforcement. What made Thurgood Marshall a good Supreme Court justice is that he came from the background of arguing the Brown v. Board of Education before Supreme Court so he had real, practical experience with the court. It should be no different when dealing with Human Rights here in D.C.

Public Education and Youth

19. Will you oppose both federal and local voucher programs that fund students in religious schools that are beyond the protections of the D.C. Human Rights Act?

Yes, but with the caveat that I would be willing to support vouchers for private religious schools that adhere to the D.C. Human Rights Act.

20. Will you support improved services and treatment for gay and transgender homeless youth, including transitional housing?

Yes, we must ensure that the city is instituting the appropriate measures to instill a safe and supportive environment for all LGBT homeless youth. The District should also consider creating housing just for those who are under 23 and homeless. A housing situation that will provide them with the support and services they need.

21. Will you oppose the use of either federal or District taxpayer funds to promote "abstinence only until marriage" sex education that undermines safer-sex programs by excluding more comprehensive information?

Yes, as the father of two small children, I whole heartedly support the discussion of sexual orientation and all forms of safe-sex in sex education in public and charter schools. The more public and open we can be with

our children about these issues the better. There is no one correct way to educate our children about sex. Sex education should be holistic and all aspects, from abstinence to the use of condoms should be part of the learning. Based on this I cannot support federal or District taxpayer funds to promote “abstinence only until marriage.”

Consumers and Businesses

22. Do you support the right of adults in the District to choose adult-oriented entertainment for themselves, and the right to appropriately licensed and businesses to provide it?

Yes, I absolutely support the right of adults to choose adult-oriented entertainment and the right for appropriately licensed and zoned businesses to provide it. What happened with many of the businesses where the baseball stadium is now located was truly unfortunate and should never be allowed to happen again.

23. Will you support legislation to curb abuses by NIMBYs who are now allowed to file an endless series of baseless complaints to harass or extort bars and restaurants?

Voluntary Agreements have become a bit of a third rail of D.C. politics. As an eight-year ANC commissioner in Adams Morgan I have spent more time working on Voluntary Agreements than almost any other issue and I can see both the positive and negative sides to the agreements.

A liquor license is not a right but a privilege and with that privilege should come certain requirements to make sure that businesses are allowed to function and residents are allowed to peacefully exist. If we had better enforcement of the laws and regulations that actually exist, Voluntary agreements would not be the issue that they have become.

I fully support legislation that would not only revamp — but not eliminate — the voluntary agreement process, as well as a comprehensive review of all of our alcohol regulations to ensure that they are fulfilling the needs of the residents and the businesses.

24. What are your thoughts on GLAA’s proposal, explained in Agenda 2010, to mitigate the problems associated with prostitution by legalizing and regulating it? What will you do to provide alternatives to survival for at-risk populations like homeless youth and transgenders?

GLAA's proposal to legalize prostitution in order to mitigate the problems associated with it is an interesting one and one that someday I could support, however I just do not believe that the District is ready for that yet, especially while we're shackled by our Congressional overlords.

In the meantime, the District needs more programs like H.I.P.S. that understand that prostitution is going to happen and therefore provides prostitutes with the skills and resources they need to survive. Even if prostitution is ever legalized, these types of organizations would be essential for the well-being of those who chose to work in the industry.

By providing homeless youth and transgenders with housing and career-path job training we will hopefully be providing them with an alternative path. The various District agencies which provide services in the realm of job-training, placement need to become far more LGBT sensitive and inclusive than they are now, particularly with respect to conducting outreach to the transgendered community who face some of the largest job placement hurdles.

Bryan Weaver Record on LGBT Issues

During my tenure as Chair of the Adams Morgan Advisory Neighborhood Commission, ANC1C twice voted in favor of marriage equality issues. The first unanimous vote was on June 3, 2010 in support of the marriage equality bill before the Council. The second vote (one vote short of unanimous) on September 2, 2009 was in opposition to a proposed ballot initiative.

Following that vote, I wrote the letter below to Errol P. Arthur, then-chair of the D.C. Board of Elections and Ethics. I also sent a copy of this letter to every ANC Commissioner in the city in response to a letter Bob King—the leading opponent of marriage equality—sent to ANC commissioners.

September 10, 2009

Errol P. Arthur, chair
D.C. Board of Elections and Ethics
441 4th Street, NW
Suite 250 North

Washington, D.C. 20002

Chair Arthur and Members of the Board,

On Wednesday, September 2, at a regularly scheduled meeting, with a quorum being present, the Adams Morgan Advisory Neighborhood Commission (ANC1C) voted 6 to 1 to oppose a ballot referendum that would define marriage.

Since Bishop Harry Jackson, along with a coalition of pastors and community leaders, filed a ballot initiative last week to define marriage as between one man and one woman — our ANC was left with no other option than to take a stand against this initiative.

I believe that this initiative is a clear violation of the Human Rights Act of the District of Columbia, and as elected officials we are obligated to oppose this endeavor; I cannot support any ballot initiative depriving a protected minority of their rights.

The larger point of this initiative is to exclude our gay and lesbian brothers and sisters from all of the rights, protections and responsibilities that come with a legal, civil marriage. If successful, this will legally and officially degrade them and their families, as it seeks to publicly deny them the basic human right to legally commit to the person they love. In addition it denies them numerous legal and financial protections for their families.

This discrimination is wrong. We cannot keep turning our backs on gay and lesbian Americans.

I have spent my entire adult life fighting against discrimination based on culture, race and color — that experience makes it impossible for me not to stand up against discrimination based on sexual orientation. I've heard the reasons for opposing civil marriage for same-sex couples. But when you cut through the distractions and tactics -- they are all about fear. And this fear leads to hatred and intolerance, which too many times has manifested itself in a violent manner. I have seen this for too long in the fight against racism and bigotry.

We have been down this road before in this country. Separate is not equal. The rights to liberty and happiness belong to each of us and on the same terms, without regard to either skin color or sexual orientation.

Our rights as Americans do not depend on the approval of others. Our rights depend on us being Americans.

We're elected not to follow but to lead. We're elected to cast what might sometimes be a difficult, challenging, and politically inexpedient vote.

We're elected to represent our constituents when they're right, and to vote our consciences regardless of whether our constituents are right. And our conscience should be telling us to stand up for civil rights regardless of how unpopular it may appear.

The Reverend Dr. Martin Luther King Jr. once said, "A time comes when silence is betrayal." Such a time is now.

Respectfully submitted,
Bryan Weaver