

David Whitaker, Esq.
Director
Irvin Corley, Jr.
Executive Policy Manager
Marcell R. Todd, Jr.
Director, City Planning Commission
Janese Chapman
Director, Historic Designation
Advisory Board

John Alexander
Roland Amarteifio
Megha Bamola
LaKisha Barclift, Esq.
Nur Barre
Paige Blessman
M. Rory Bolger, Ph.D., FAICP
Eric Fazzini
Christopher Gulock, AICP


City of Detroit

CITY COUNCIL

LEGISLATIVE POLICY DIVISION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-4946 Fax: (313) 224-4336

Derrick Headd
Marcel Hurt, Esq.
Kimani Jeffrey
Edward King
Jamie Murphy
Kim Newby
Analine Powers, Ph.D.
Laurie Anne Sabatini
Rebecca Savage
Ryan Schumaker
Sabrina Shockley
Renee Short
Thomas Stephens, Esq.
Timarie Szwed
Dr. Sheryl Theriot
Theresa Thomas
Ashley A. Wilson

TO: COUNCIL MEMBERS

FROM: David Whitaker, Director 
Legislative Policy Division Staff

DATE: July 11, 2022

RE: **RESOLUTION IN SUPPORT OF MICHIGAN HOUSE BILL 4297 (2021)**
AND SENATE BILL 208 (2021)

Council member Gabriela Santiago-Romero requested that the Legislative Policy Division (LPD) draft a RESOLUTION IN SUPPORT OF MICHIGAN HOUSE BILL 4297 (2021) AND SENATE BILL 208 (2021), to amend PA 453 of 1976, entitled “Elliott-Larsen Civil Rights Act,” to include sexual orientation and gender identity or expression as categories protected under this Act.

Attached, please find our draft of the aforementioned resolution.

Attachment

BY HONORABLE COUNCIL MEMBER GABRIELA SANTIAGO-ROMERO

RESOLUTION IN SUPPORT OF MICHIGAN HOUSE BILL 4297 (2021) AND SENATE BILL 208 (2021)

WHEREAS, The mission of the Detroit City Council is to promote the welfare of all Detroit citizens through Charter-mandated legislative functions; and

WHEREAS, Michigan House Bill 4297 (2021)¹ and its companion legislation, Senate Bill 208 (2021),² seek to amend PA 453 of 1976, entitled “Elliott-Larsen Civil Rights Act,” to include sexual orientation and gender identity or expression as categories protected under this Act; and

WHEREAS, Data collected by organizations such as the American Civil Liberties Union, Equality Michigan, and researchers at Michigan State University shows convergent evidence of significant employment discrimination based on sexual orientation and gender identity/expression in Michigan;³ and

WHEREAS, The 2015 U.S. Transgender Survey report found that 22% of transgender respondents from Michigan who held or applied for a job in 2014 experienced harassment or mistreatment on the job, including verbal harassment (16%), physical assault (1%), sexual assault (1%), and other forms of mistreatment;⁴ and

WHEREAS, In work environments where discrimination is prevalent, employees exhibit lower job satisfaction and commitment, lower productivity, heightened absenteeism, higher rates of mental health problems, and higher rates of physical health problems;⁵ and

WHEREAS, In response to the 2015 U.S. Transgender Survey, 26% of respondents from Michigan reported having experienced some form of housing discrimination in the past year, such as being evicted from their home or denied a home or apartment because of being transgender;⁶ and

WHEREAS, A 2007 study by Michigan’s Fair Housing Centers found evidence of housing discrimination against same-sex partners in the form of higher rental rates, lower rates of encouragement, and higher application fees for same-sex couples;⁷ and

¹ Michigan State Legislature, 2021. House Bill 4297 [2021-HIB-4297.pdf \(mi.gov\)](#)

² Michigan State Legislature, 2021. Senate Bill 208 [2021-SIB-0208.pdf \(mi.gov\)](#)

³ Michigan Department of Civil Rights, 2013. Report on LGBT Inclusion under Michigan Law With Recommendations for Action, p. 3-4 [lgbt-inclusion.pdf \(michigan.gov\)](#)

⁴ Mallory, C., Brown, T., Freeman, S. and Sears, B., 2019. The Impact of Stigma and Discrimination Against LGBT People in Michigan, p.27 [Impact-LGBT-Discrimination-MI-Apr-2019.pdf \(ucla.edu\)](#)

⁵ Id. at 5

⁶ Id. at 31

⁷ Id. at 32

WHEREAS, In response to the 2015 U.S. Transgender Survey, 30% of Michigan respondents said they had been discriminated against or harassed at a place of public accommodation in the past year;⁸ and

WHEREAS, Discrimination in housing and public accommodations can result in LGBTQ+ people experiencing economic instability, which increases the cost of government services to the state;⁹ and

WHEREAS, A 2014 study by USAID and the Williams Institute concluded that greater protections of legal rights for sexual and gender minorities are positively associated with economic development, measured by GDP per capita;¹⁰ and

WHEREAS, The Michigan Department of Civil Rights found that out-migration is a substantial consequence of Michigan’s lack of LGBTQ+ inclusive policies;¹¹ and

WHEREAS, The Elliott-Larsen Civil Rights Act already offers protections to Michigan citizens if they face discrimination in employment, housing, or public accommodations based on sex.¹² The U.S. Supreme Court ruled in *Bostock v. Clayton County* that Title VII of the Civil Rights act of 1964, which prohibits employment discrimination “because of... sex” encompasses discrimination based on an individual’s sexual orientation or gender identity;¹³ and

WHEREAS, In 21 states and the District of Columbia, state law protects people from discrimination on the basis of sexual orientation and gender identity in employment, housing and public accommodations;¹⁴ **NOW, THEREFORE BE IT**

RESOLVED, That the Detroit City Council strongly urges the Michigan Legislature to support House Bill 4297 (2021) and Senate Bill 208 (2021); **THEREFORE, BE IT FURTHER**

RESOLVED, That the Detroit City Clerk is directed to send this resolution to the Detroit delegations of both the State House and State Senate, in addition to Governor Gretchen Whitmer.

⁸ Id. at 31

⁹ Id. at 56

¹⁰ Id. at 55

¹¹ d. at 6

¹² Michigan State Legislature, 1976. Elliott-Larsen Civil Rights Act, Public Act 453 [mcl-Act-453-of-1976.pdf \(mi.gov\)](#)

¹³ *Bostock v. Clayton County*, 590 U.S. ____ (2020) [17-1618 bostock v. clayton county 06 15 2020.pdf \(aclu.org\)](#)

¹⁴ Freedom for All Americans. n.d. LGBTQ Americans Aren't Fully Protected From Discrimination in 29 States. [Freedom for All Americans](#)