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STATE OF NEW JERSEY
DIVISION OF CIVIL RIGHTS
CIVIL UNION REVIEW COMMISSION

PUBLIC HEARING :

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TRANSCRIPT OF PROCEEDINGS
WEDNESDAY, OCTOBER 10, 2007

BEFORE: FRANK VESPA-PAPALEO, ESQ.-CHAIR
STEVEN GOLDSTEIN-VICE CHAIR

BARBARA G. ALLEN, ESQ.-EX-OFFICIO MEMBER
BARBRA CASBAR SIPERSTEIN-PUBLIC MEMBER
PATRICK DE ALMEIDA, AAG-EX-OFFICIO MEMBSE
SHEILA KENNY, ESQ.-EX-OFFICIO MEMBER
STEPHEN J. HYLAND, ESQ.-PUBLIC MEMBER
JOSEPH A. KOMOSINSKI-EX-OFFICIO MEMBER
ERIN O'LEARY, ESQ.-EX-OFFICIO MEMBER

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1 T R A N S C R I P T of the stenographic
2 notes of the proceedings in the above entitled
3 matter, as taken by and before CHARLES R.
4 SENDERS, Certified Court Reporter (License
5 No. 596) and Notary Public of the State of New
6 Jersey, held at the Camden County College,
7 Blackwood, New Jersey on Wednesday, October 10,
8 2007, commencing at 6:30 in the evening.

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1 (Transcript of proceedings, October 10, 2007,
2 commencing at 6:30 p.m.)

3 THE CHAIR: Good evening everyone.
4 My name is Frank Vespa-Papaleo. I chair the
5 New Jersey Civil Union Review Commission.
6 We're calling this meeting to order. To do so
7 I'd like to invite the commissioners to please
8 introduce themselves to you tonight. We'll
9 start down to my right with Joe.

10 MR. KOMOSINSKI: I'm Joe
11 Komosinski, State Registrar and designee from
12 the Department of Health and Human Services.

13 MS. SIPERSTEIN: Barbra Casbar
14 Siperstein, Vice Chair, Garden State Equality.

15 MR. HYLAND: Steven Hyland. I'm an
16 attorney in Westmont, New Jersey. I'm a public
17 member of the Commission and secretary.

18 THE CHAIR: Frank Vespa-Papaleo. I'm
19 a member ex-officio. I'm Director of the
20 Division on Civil Rights.

21 MR. GOLDSTEIN: Steven Goldstein,
22 Chair of Garden State Equality. In my other
23 life I am a rabbinical student here in the
24 wonderful South Jersey-Philadelphia area.

25 MS. KENNY: Sheila Kenny. I'm a

1 representative from the New Jersey Department
2 of Banking & Insurance.

3 MS. ALLEN: I'm Barbara Allen. I'm a
4 representative from the New Jersey Department
5 of Human Services.

6 MR. DE ALMEIDA: Patrick De
7 Almeida, Assistant Attorney General of the
8 State of New Jersey. I'm the State Attorney
9 General's designee.

10 MS. O'LEARY: I'm Erin O'Leary,
11 Department of Children and Families'
12 representative.

13 THE CHAIR: Thank you. Tonight is
14 the second of three hearings of this
15 Commission. The first hearing was held in New
16 Brunswick two weeks ago and the third and final
17 hearing will be held in two weeks in Essex
18 County, New Jersey.

19 The hearing that was held last
20 time, two weeks ago, not a long distance from
21 here in New Brunswick, was exceptional. We
22 received a huge turnout, as would be expected
23 from the first of a series of hearings.

24 We heard testimony on behalf of
25 over sixty people that testified in person and

1 others that submitted written testimony.

2 Every single bit of testimony we
3 heard at that hearing, to my recollection,
4 substantiated that civil unions are not working
5 in New Jersey and that marriages would be a
6 better way to affirm the rights of gay and
7 lesbian committed couples.

8 So tonight's hearing is to really hear
9 from you as to what you think of the Civil
10 Union Act. No decisions have been made by this
11 Commission.

12 I do want to read for you, though,
13 the statutory charge of this Commission so that
14 you are all aware of what our functions are and
15 the explicit requirements of this Commission's
16 work.

17 According to the law that's set
18 forth, the establishment of this Commission, we
19 have seven responsibilities. Number one is to
20 evaluate the implementation, operation and
21 effectiveness of the Act, the Civil Union Act.

22 Number two is to collect
23 information about the Civil Union Act's
24 effectiveness from members of the public, state
25 agencies and private and public sector

1 businesses and organizations.

2 Number three, to determine whether
3 additional protections are needed.

4 Number four is to collect
5 information about the recognition and treatment
6 of civil unions by other states and
7 jurisdictions, including procedures for
8 dissolution.

9 Number five, to evaluate the effect
10 on same-sex couples, their children and other
11 family members of being provided civil union
12 rather than marriage.

13 Number six, to evaluate the effect
14 on same-- six, to evaluate the financial impact
15 on the State of New Jersey of same sex couples
16 being provided civil unions instead of
17 marriage.

18 Finally, to review New Jersey's
19 Domestic Partnership Act and make
20 recommendations whether the Domestic
21 Partnership Act should be repealed.

22 So in that vein we invite you to
23 testify. I want to lay out just a few rules to
24 make it simpler, so that everyone that wants an
25 opportunity can be heard. That is, we ask the

1 people commit to speaking for no more than five
2 minutes so that we give everybody a chance. If
3 you'd like to follow-up afterwards, if there is
4 time, we're happy to have you come back for a
5 second round.

6 Number two, please speak slowly, as
7 slowly as you can. Because we do have a court
8 reporter. This is very, very important to us
9 and to the State that we hear from you. So we
10 want to be very careful and take your testimony
11 word for word. So down below you will see a
12 court reporter. So speak slowly.

13 When you come forward to the
14 microphone, I will read the names of those in
15 the order that you signed up. I'll read your
16 name. Come on up. Just say your name for the
17 record and please spell it so that the court
18 reporter can be accurate.

19 We also have, on the other side, a
20 CART service for individuals with hearing loss,
21 that may want to review the testimony. That's
22 being projected above the Commission members.

23 If anyone needs sign language
24 interpretation, let us know. We do have
25 ASL interpreters as well.

1 Finally, for any of you that are
2 here tonight or your friends or relatives,
3 family members that maybe couldn't come tonight
4 and would like to still submit some testimony,
5 we'll be happy to take that electronically.

6 The easiest way to do it is just to
7 e-mail it to me. We have an e-mail address,
8 curc, that's C-U-R-C, curc@njcivilrights.org.
9 Any questions on those rules or anything?

10 We're going to move forward with
11 the testimony in this order, Millert Le Compte,
12 Paul Walker and Barbara Bennet.

13 Come forward to this podium over
14 here.

15 MR. LE COMPTE: My name is Millert
16 Le Compte, L-e C-o-m-p-t-e. I'm a Methodist
17 living in Clementon, New Jersey. I am a
18 heterosexual. I was born in 1946 and grew up
19 in the Shenandoah Valley, State of Virginia.
20 When I was a teenager, abortion wasn't legal
21 and blacks had to go to separate schools, drink
22 out of separate water fountains, could not
23 share the same bus seat or public restroom, and
24 the list goes on.

25 When my mother was a teenager birth

1 control was illegal and white people couldn't
2 choose to marry black people. Our laws changed
3 when our government began practicing separation
4 of church and state and respecting the right of
5 individuals to privacy.

6 Any religious arguments for
7 continuing injustice against gays and lesbians
8 and denying them civil rights, is no more
9 logical than making Leviticus 19:19 the law of
10 the land. Which states, "Thou shall not wear
11 clothing made of linen fabric".

12 Everyone is entitled to their views
13 about God and beliefs about what God wants
14 people to do or not do. Everyone, Christians,
15 Jews, Hindus, Muslims and even the natives of
16 Bongo-Bongo have their own different beliefs
17 about God. Those beliefs and their practices
18 belong in peoples churches, synagogues,
19 temples, homes and huts. They are not relevant
20 to civil rights in a free society where
21 everyone may worship as they wish.

22 When our government protected the
23 sanctity of marriage by making it illegal for a
24 black person to marry a white person, many
25 Klu Klux Klan members were so called righteous

1 Christians. Those laws were struck down
2 because they were impeding the freedom of
3 American citizens from choosing whom they wish
4 to marry.

5 In the words of President John F.
6 Kennedy, "Every American ought to have the
7 right to be treated as he would like to be
8 treated, as one would wish to be treated, and
9 one would wish his children to be treated".

10 New Jersey has made great strides
11 towards closing the equality gap. But it is
12 evident that there are still some agencies that
13 do not recognize civil unions as being
14 equivalent to marriage.

15 This fractionalization promotes
16 intolerance and intolerance promotes violence.
17 Ensuring marriage equality ensures dignity and
18 freedom for all. Rights and benefits shrouded
19 in the second class label of civil union,
20 remains unequal for same-sex partners.

21 What mask is your marriage wearing
22 this Halloween? Is it disguised to look like a
23 civil union? Let's strip off the camouflage and
24 reveal civil union's true identity, which is
25 marriage. Thank you.

1 THE CHAIR: Paul Walker.

2 MR. WALKER: Paul Walker, P-a-u-l,
3 W-a-l-k-e-r. I'm in charge of Christ Episcopal
4 Church in Belleville, New Jersey. I guess I
5 came mostly to share my own journey in all of
6 this, with a story about my partner and I.

7 I moved here nine years ago from
8 just outside Rochester, New York. It's been a
9 struggle as we got together and tried to
10 solidify our own relationship and have it
11 recognized by our family and friends.

12 In Rochester, the city itself had
13 past a domestic partnership law, it must be
14 twelve years ago, I'm going to say now. It is
15 really interesting, because we went to get a
16 license. We had to go to a window where it
17 said "Dog License" and "Domestic Partnership
18 License". She said, "what are you here for, a
19 dog license or domestic partnership?" That was
20 the beginning of our relationship together
21 twelve years ago.

22 I was very pleased when domestic
23 partnership -- at least we got that far in this
24 state. I was more excited when civil unions
25 came into play.

1 There are several levels that
2 affects me. One, in my professional life, in
3 our own parish we run support groups for the
4 gay-lesbian and lesbian community for quite
5 sometime now. My experience is that even
6 within the gay and lesbian community there are
7 a lot of our members that do not completely
8 understand what civil unions are all about.

9 There is a lot of confusion among
10 them as well, among us. In society in general,
11 as I work in the community, I happen to be the
12 last President of the Belleville Chamber of
13 Commerce and currently serve as Vice President
14 of the new merged Chamber, which takes in three
15 townships.

16 I have a lot of interaction with
17 the business community. Very few of them
18 recognize civil unions for what they really are
19 or the rights that go with them. More so, in my
20 own personal life this past year, I've had to
21 go through some medical testing and
22 hospitalizations for surgery on my leg, I've
23 had some problems. It's been a long journey.

24 It is very interesting, in our own
25 UMDNJ right in Newark, when I got there, they

1 asked if I had a spouse. I said yes and I told
2 them. They didn't know where to list him,
3 because there was nothing on the form that said
4 anything about civil unions.

5 Just about two weeks ago I went to
6 the new doctor that I was referred to, because
7 they are going to have to do a knee
8 replacement. I got to his office. They are
9 all too concerned about making sure that I
10 listed a spouse so they know who to contact if
11 there is a problem after surgery or during
12 surgery.

13 There was no place on the form for
14 civil unions. My experience, in general, most
15 people in our communities look at this as a
16 second class marriage, sort of. I don't even
17 know if we would use the term "marriage", it is
18 below marriage. It is another form and they
19 know that is not the same. At least that's how
20 they view it. It takes a lot of explanation
21 for them to understand that it really is the
22 same, right down to the letter, the last "I"
23 dotted and "T" crossed. You almost have to
24 show them the evidence, because they really
25 don't get it.

1 Equal-- I mean different but equal
2 has never worked in our community or our
3 nation. We know that from segregation. It has
4 never really accomplished what it intended to
5 do. I think the only fair thing to work this
6 situation out, is to call it what it really is
7 and to recognize the gay and lesbian couples
8 that want to be married, as married
9 individuals. That just my experience, thank
10 you.

11 THE CHAIR: Next is Barbara
12 Bennet. Then Ann Lynne Benson and Judith
13 Ford. Barbara Bennet.

14 MS. BENNET: Barbara Bennet.
15 B-a-r-b-a-r-a, B-e-n-n-e-t. First of all,
16 thank you to the Commissioners for holding the
17 hearings. I appreciate the opportunity to
18 speak. My partner and I have been together for
19 over twenty-three years, a committed monogamous
20 relationship.

21 We're just two regular people. We
22 want the same things that every other regular
23 person wants. We own a home. We have two
24 cars, we have two pets. We take care of our
25 home. We pay taxes.

1 We want healthcare benefits. That
2 is the greatest advantage that we expected to
3 receive from the Civil Union Partnership Act. I
4 am a medical professional, I'm a registered
5 nurse. So I can really appreciate how
6 important it is to have healthcare benefits.

7 At the time that we had our civil
8 union ceremony, I was paying for COBRA benefits
9 at great personal expenses. There have been
10 other times during our relationship one when
11 one of us was forced to pay for COBRA
12 benefits. So we expected that we would be able
13 to get our partner's healthcare benefits.

14 My partner works for a local union
15 that has explained to us that they are under
16 the umbrella of an international union. They
17 are not obligated to recognize civil union
18 partnerships in New Jersey because they fall
19 under federal guidelines.

20 Once I became eligible for benefits
21 through my employer, I asked about, if my
22 partner would ever need benefits would she be
23 able to get them? What my employer said was
24 because they privately managed their healthcare
25 plan, they also are not obligated to offer

1 benefits to civil union partners.

2 So while I appreciate the State's
3 effort in passing something, some type of
4 legislation to try to do something, as the
5 gentleman before me said, "different but
6 equal", it isn't working. There is no
7 equality.

8 It is difficult enough to be
9 different in life. And we face discrimination
10 almost daily, either over overtly or covertly.
11 It is something that we just learn to deal
12 with. You just internalize it and you just go
13 on about your business.

14 Once the legislation was past, we
15 expected that perhaps we would at least see
16 some type of advantage. But we're really not--
17 there has been no advantage, there has been no
18 change in our status.

19 The gentleman before me was talking
20 about nowhere to put on a form your civil union
21 partner. I will agree with that. You go to a
22 place, a healthcare facility, they ask you for
23 the name of a contact person. You give the
24 name, they ask for the relationship and you say
25 civil union partner. They just don't know what

1 to do.

2 So I certainly would hope that the
3 Commission would-- I know that you guys are
4 listening to us. I just hope that you would
5 report back that this different but equal
6 status just is not acceptable. Thank you.

7 THE CHAIR: Ms. Bennet, may I ask
8 you a question as a follow-up? You had
9 mentioned about the forms and your predecessor
10 also mentioned about the forms. Can you share
11 with us any particular companies or experiences
12 where forms do not include a recognized civil
13 union partner? I don't want to put you on the
14 spot if you do not remember.

15 MS. BENNET: Without specifically
16 naming them, I was having a medical problem for
17 which I needed physical therapy. When I went
18 to the physical therapy place they asked me for
19 the name of whoever my contact person was. I
20 said I have a civil union partner. She just
21 didn't know what to do. The person said to me
22 "our forms haven't been changed, I don't even
23 know where to put that".

24 THE CHAIR: Thank you. So medical
25 providers, healthcare providers?

1 MS. BENNET: Yes.

2 THE CHAIRMAN: Thank you. Next is
3 Ann Lynne Benson and then Judith Ford.

4 MS. BENSON: Good evening. My name
5 is Ann Lynne Benson, A-n-n, L-y-n-n-e, Benson,
6 B-e-n-s-o-n. I'm a resident of Clementon, I'm
7 a Republican, I'm a practicing Methodist and
8 past director of Gloucester County Right to
9 Life.

10 I never considered myself a
11 liberal. President John F. Kennedy said a
12 liberal is someone who looks ahead and welcomes
13 new ideas, someone who cares about the welfare
14 of the people, their health, their housing
15 issues, their schools, their jobs, their civil
16 rights, their civil liberties. Someone who
17 believes we can break through statements and
18 suspicions.

19 Those concerns are the reason I am
20 here tonight. Our Declaration of Independence
21 speaks passionately about self-evident truths,
22 equality and inalienable rights to liberty and
23 and the pursuit of happiness.

24 The New Jersey Supreme Court found
25 no reason to deny same-sex couples the same

1 benefits as straight couples. But granting
2 equal benefits has not resulted in equal
3 treatment.

4 A gay couple living in Woodbury in
5 Gloucester County, a couple who is here in this
6 room tonight, applied at the courthouse for a
7 judge to perform a civil union ceremony. They
8 were given two Tuesdays that they could show up
9 at 3:30 in the afternoon. One of those dates
10 was 9/11.

11 As a straight person I would not
12 expect to be told to show up at 3:30 in the
13 afternoon on Tuesday, 9/11 and have that be my
14 wedding anniversary for the rest of my life. I
15 don't think straight people would expect to be
16 treated that way and I don't think they would
17 tolerated being treated that way.

18 Same-sex couples need marriage
19 equality to ensure legal and societal
20 recognition of their relationships. Anything
21 less lays a foundation for bias and
22 discrimination, which creates a trickle-down
23 effect of intolerance and hates, resulting in
24 violence in our schools and on our streets.

25 A preacher rants against gays from

1 the pulpit. Dad comes home from church and
2 parrots the rant at the dinner table. Little
3 Bobby goes to school the next day and beats up
4 the gay kid because of what he heard his dad
5 say. A child who is tormented in school learns
6 nothing for the rest of the day.

7 Second class status fails to ensure
8 equality. For New Jersey to uphold the Supreme
9 Court ruling, our gay and lesbian neighbors,
10 co-workers and family members must be accorded
11 full equal civil rights and marriage equality.
12 As free citizens in a free society, we must not
13 tolerate any abridgement of civil rights.

14 To curtail them for any group of
15 people, threatens the freedom of all. Thank
16 you.

17 THE CHAIR: Next is Judith Ford,
18 followed by Charles Vandergriff.

19 MS. FORD: My name is Judith Ford,
20 F-o-r-d. I also want to thank you all for the
21 opportunity to speak regarding the failure of
22 the Civil Union Act to provide my partner and I
23 with equal rights.

24 While I believe that this was the
25 original intent of the law, I believe that it

1 is not the reality of the law-- of the Act.

2 I'm registered a nurse. I've
3 worked for South Jersey Healthcare for
4 twenty-six years. I have been an employee of
5 the year and this year I was the nurse of the
6 year. I have started a bereavement program that
7 has been facilitated at my hospital for a
8 number of years, has provided the pattern for
9 all of the hospitals in South Jersey to follow.
10 I think I have made a tremendous commitment to
11 my hospital. I serve on their ethics
12 committee.

13 My partner and I, over the last
14 twelve years-- we entered into a commitment
15 ceremony in Provincetown twelve years ago, that
16 was very emotionally satisfying to us. We spent
17 the last few years parenting three children and
18 becoming the grandparents of five
19 grandchildren. We too pay taxes. We have
20 bought a number of properties together. We own
21 four different properties together. We have
22 gone to great legal expense over the years to
23 provide protection for each other regarding
24 those properties.

25 When the domestic partnership

1 became available, we went out and we did that.
2 During that time Yvonne, my partner, lost her
3 insurance. So she has had no health insurance
4 for the last three or four years, when the
5 Civil Union Act became available in March or in
6 February, we went in March and applied to have
7 a civil union. Several of the mayors in our
8 area refused to provide civil union ceremonies,
9 to the extent that they decided not to do any
10 marriage ceremonies at all.

11 We found a wonderful judge in
12 Cumberland County, who provided us with our
13 civil union. He did a wonderful job. He was
14 very supportive.

15 I left that ceremony. I went over
16 to the hospital and filled out the insurance
17 application form to add Yvonne to my insurance
18 policy. The entire reason that we did the
19 civil union was to provide Yvonne with
20 insurance, because we had everything else
21 legally in place before that.

22 About a week or two later, I
23 received a letter back from the hospital
24 telling me that they would not be providing her
25 with health insurance. It falls under the

1 federal ERISA program, as someone else stated.
2 Our hospital is self-insured. Therefore, there
3 is a loop hole and they do not provide her
4 with health insurance.

5 I wrote them a letter, to the Board
6 of Directors. Because after speaking to the
7 director of my human resources department it
8 became evident to me that the hospital Board of
9 Directors had the option of whether or not they
10 would make this a coverage that they were going
11 to provide.

12 So I wrote them a letter, a lengthy
13 letter, reminded them of some of the things
14 that I had provided for the hospital through
15 the years and asked them to reconsider their
16 decision and provide domestic partner
17 insurance. They never answered my letter. I
18 wrote the letter in June.

19 So when I made the decision to come
20 here tonight, I again called my human resources
21 director and I said, you know, I'm going to go
22 up and I'm going to testify in front of this
23 commission. Well, you can't imagine how fast
24 my phone rang.

25 Well, they couldn't imagine that

1 the Board hadn't answered my letter, who had I
2 directed it to? So I gave them all of that
3 information.

4 I don't know where this is going to
5 go, but I know that Yvonne and I have seriously
6 considered dissolving our civil union, because
7 it has put us in a tremendously precarious
8 financial position. Because now in the event
9 that something happens with her and she has no
10 insurance coverage, our entire estate is in
11 jeopardy, rather than just half. Thank you.

12 THE CHAIR: Charles Vandergrift.

13 MR. VANDERGRIFT: Vandergrift. Good
14 evening. My name is Charles Vandergrift,
15 C-h-a-r-l-e-s, V-a-n-d-e-r-g-r-i-f-t, yes,
16 that's correct.

17 Good evening. Thank you to the
18 Commission. This is actually my first
19 hearing. I wasn't sure what to expect. I
20 personally-- I'm a student here at Camden
21 County College. I'm a single homosexual male.
22 I have not yet experienced these experiences
23 that some people have, but I thought that maybe
24 my voice could make a little bit of a
25 difference. I do have a loud voice, I know

1 that.

2 I just know, you know, eventually
3 when I do graduate college, I'm here currently
4 as a pre-nursing student, I would very much
5 like what some of these folks have. You know,
6 I would like to recognize a partner and be able
7 to have the same rights as everyone else does.
8 I would eventually like to adopt a child as
9 well. It won't be possible if it is not
10 considered a marriage.

11 I was always under the assumption
12 that a marriage-- all it takes for a marriage
13 is to have a little bit of happiness and some
14 love. I believe that's all what we're asking
15 for and what we're looking for.

16 As well, you know, back in 1967 the
17 Supreme Court declared marriage as one of the
18 basic civil rights of man and presumably of
19 women as well. The Court also said the freedom
20 to marry is essential to the orderly pursuit of
21 happiness. I believe that's all that we're
22 looking for here as well.

23 For myself, you know, when and
24 eventually I do get into a meaningful
25 relationship and a committed relationship, I

1 would like to have the same benefits as
2 everyone else, you know.

3 I don't think this was all about to
4 have the word "marriage" put on everything, the
5 way that everything is going today, you know,
6 it is going to have been to called a marriage
7 equality in order to have the benefits that we
8 need. You know, health benefits are definitely
9 the most important thing right now. Eventually
10 I will need them as well.

11 I guess that's all I have, thank
12 you.

13 THE CHAIR: Thank you. Next is
14 Paster Jeff Ziegler, Reverand Carol Hague and
15 Laurin Stahl. So Pastor Jeff Ziegler.

16 PASTOR ZIEGLER: Pastor Jeff
17 Ziegler, Z-i-e-g-l-e-r. Thank you once again
18 for this opportunity to be here with you this
19 evening. A little bit of background on me an my
20 family. I met my partner Scott a little over
21 nine years ago. Within five months we had two
22 kids, as we-- I was in the process of becoming
23 a foster parent.

24 Over the years we have fostered six
25 children and have been able to adopt jointly

1 two of them. Part of why I'm grateful to be in
2 the State of New Jersey where that was possible
3 long before it was possible in other states and
4 still not possible in many of them.

5 There are many obstacles on that
6 journey, including case workers trying to
7 sabotage a judge that refused to do our
8 adoption and was doing every other adoption
9 that day.

10 But a week before we adopted our
11 first son, Scott and I had a church service
12 where we made promises to one another before
13 God and gathered friends, to love each other,
14 to carry for each other, to be committed to
15 each other. We did that a week before our
16 first adoption because, well, we are just old
17 fashioned that way. We felt it was important to
18 make those promises to one another and seek
19 God's blessings on our relationship before we
20 became adoptive parents.

21 As for civil unions, they are not
22 the same as marriage. The most important way
23 in which I'm aware of that, is because at our
24 dinner conversation this evening our kids Mark
25 and Quan, Q-u-a-n, discussed it with us, they

1 are ten and eight. They were thinking of
2 coming this evening but thought it was stupid
3 because you weren't going to change the law
4 tonight anyway.

5 They are concerned that why does
6 not the State of New Jersey recognize what we
7 in our family know what what God knows, that we
8 are married.

9 Now, a number of years ago when
10 domestic partnership became available, we
11 registered as domestic partners. Instead of
12 having no legal status, Scott is now my
13 domestic partner. Civil unions, I suppose is a
14 way for us to upgrade our legal status. But by
15 having something separate than marriage it is
16 quiet clear that's all it is, a legal status
17 and not recognized by anything more in our
18 society.

19 When we went Christmas shopping
20 last year. I was encouraging the kids to buy
21 something for their Daddy Scott. I asked them
22 about their ideas, what they think he might
23 like? Each of them separately said, I don't
24 know, he's your husband, what do you think he
25 wants?

1 In our family we are married. So
2 the language that we choose to use is that,
3 yes, we are married. The State of New Jersey
4 refuses to recognize that.

5 If you have better ways to explain
6 that to an eight year old and a ten year old,
7 that would be helpful to know.

8 Another piece is not only am I a
9 pastor where faith comes into this for me as
10 well, that what God has Blessed is not
11 recognized legally, there is some hurt in
12 that. I know that legal recognition in the
13 State of New Jersey does not mean everything is
14 fine everywhere. When we travel as a family we
15 have a whole file of documents that we take.

16 Because as we travel to visit my
17 mom in North Carolina, we go through states
18 where we have no idea what we might face if we
19 end up in a hospital. So one time when we
20 forgot to bring the birth certificates, the
21 adoption certificates, the domestic partnership
22 and all the legal stuff that we've got, my mom
23 didn't understand why we needed all of that. We
24 are treated differently, in New Jersey and
25 elsewhere.

1 Finally, I'm here also as an
2 elected official in the State of New Jersey, as
3 I serve on the Stratford School Board. Every
4 year since I've been elected, I receive a
5 financial disclosure form which elected
6 officials in the State of New Jersey receive.

7 The instructions are very clear as
8 announced. It asks for sources of income and
9 the sources of income for my spouse. It's got
10 legal definitions on a sheet attached to it,
11 where it is clear that the spouse is the person
12 to whom you are legally married.

13 It is an example of a very specific
14 form from the State of New Jersey, where not
15 only are rights withheld from people in gay
16 relationships, domestic partnerships, civil
17 unions, that are not marriage. There is not
18 also not the same requirement of
19 responsibilities for financial disclosure. I
20 want both. Thank you.

21 REVERAND HAGUE: My name is Carol
22 Hague. I am a retired Unitarian Universalist
23 Minister. It is absolutely delightful to be in a
24 room with diverse religions and to discover
25 that I'm probably pretty much a minority being

1 a straight white woman.

2 As a minister I conducted numerous,
3 countless marriage ceremonies, for straights,
4 for gays, for lesbians, it didn't matter. The
5 couples would come. They would come with their
6 excitement, their enthusiasm, holding hands,
7 looking at each other in the eyes, being starry
8 eyed and hopeful. Whether they were young just
9 out of college or middle aged and mature and
10 sensible, or old and just full of peace and
11 joy, they came to be married. They came out of
12 their love for each other, full of hope,
13 brimming with commitment and planning toward a
14 future together.

15 In my experience, couples, whether
16 same or different genders, who seek out a
17 clergy person to perform a marriage service,
18 have given deep thought to their commitment to
19 marry. They do not enter into this union
20 lightly. They may not have attended a religious
21 service for years, but when they have arrived
22 at this momentous decision, they want it
23 honored and blessed with respect and solemnity.

24 I have done so many that very often
25 they blend together. But I remember one

1 particularly poignant service that I conducted
2 for a gay couple. They were head over heels in
3 love with each other, so full of kindness and
4 generosity and so dirt poor they couldn't
5 afford to pay for the service or for the
6 church.

7 They had friends come and share
8 with them their musical ability. One played
9 the organ, another one was singing for them.
10 Close friends gathered to help them celebrate.
11 It was one of the most touching marriage
12 services I've ever been part of.

13 When planning wedding services,
14 most couples are focused on articulating their
15 commitments to each other, inviting friends and
16 family to witness this major stage in their
17 lives. They are not thinking of the economic
18 benefits of marriage, most of them. They are
19 not thinking about tax returns, they are not
20 thinking about hospital visits. But these
21 benefits, a whole array of benefits, are
22 available to married couples. They don't even
23 have to think about them.

24 Civil union couples are challenged
25 at every turn. There are over 300 documented

1 incidents of equal rights being refused in New
2 Jersey since the marriage-- civil unions law
3 went into effect. That particular gay couple
4 that I mentioned, needed economic benefits of
5 marriage as much or more than the kids of rich
6 families, heterosexual kids who are having
7 lavish receptions in opulent settings.

8 We know, deep in our hearts, that
9 love is the central defining characteristic of
10 being human. Love is an attachment that is more
11 than biological, more than sexual. It is even
12 counter-intuitive, because love can transcend
13 personal likes and dislikes. Love contributes
14 to the Equality's of life. Love is what makes
15 babies thrive and when it is withdrawn makes
16 them shrivel.

17 Love is at the center of two people
18 committing their lives to one another, standing
19 beside each other through thick and thin. When
20 it is love between two adults we call it
21 marriage. Marriage has been honored by
22 religious institutions and legalized by
23 governments throughout the ages. To call this
24 bond anything but marriage, demeans that
25 relationship. To call it something different

1 but with the same benefits, trivializes the
2 deepest bonds of which humans are capable.

3 To make it something separate but
4 equal is to ignore that separate but equal has
5 never been equal, has never been fair, has
6 never been just. The bottom line is that
7 separate but equal is not and never has been
8 equal, fair or just.

9 Calling marriages between two men
10 or two women civil unions instead of marriages,
11 demeans their relationship, sets them apart,
12 condones unjust and unlawful treatment. They
13 will still face prejudice until parts of our
14 culture catch up to the justice declared by the
15 New Jersey State Supreme Court. But our laws
16 should express the equality of this ultimate
17 commitment of love in name by calling it
18 marriage, as well as in substance. Thank you
19 you very much.

20 THE CHAIR: Next is Laurin Stahl.
21 Then Stephanie Guinan and Anahi Galante.

22 MS. STAHL: My name is Laurin,
23 La-u-r-i-n, Stahl, S-t-a-h-l. I'm one of the
24 folks that didn't prepare to speak today. They
25 asked me if I would. I, of course, always take

1 that opportunity when given.

2 I want to tell you about three
3 experiences I had in hospitals in the South
4 Jersey area. They were two hospitals, two very
5 prominent hospitals in South Jersey. I was
6 going for a routine checkup. I was asked, are
7 you married, single, widowed, divorced? Well, I
8 said I'm partnered. Then I was asked,
9 legally? Again, I was shocked. I said, well,
10 do you ask the married folks that? No, I
11 don't. So why are you asking me? I said by
12 the way, yes, it is legal. But I didn't go into
13 whether it was a domestic partnership or civil
14 union.

15 Another incident at a hospital was
16 when I was going for a test when I had to be
17 put under. I was telling the nurse that my
18 domestic partner was in the waiting room. If
19 any decisions had to be made while I was
20 unconscious, she was to make those decisions.
21 Again asked, is she your legal partner? Yes,
22 she is. Do you have your certificate with you?

23 I asked the nurses are you
24 married? I notice she was because she wore a
25 ring. She said yes. I said, do you have your

1 marriage license with you? She said, no, why
2 would I carry that? I said, well, why would I
3 carry my domestic partnership certificate with
4 me? That was the end of the discussion. But I
5 wasn't convinced she would go out and grab my
6 partner should something have happened to me.

7 The third incident was in another
8 prominent hospital, which happens to be a
9 Catholic hospital, a very fine institution.
10 However, when I was asking the critical care
11 nurse about the hospital's position on lesbian
12 partnerships, obviously, gay and lesbian
13 partnerships, the nurse looked at me as if I
14 was speaking a foreign language.

15 She knew nothing about domestic
16 partnerships. She knew nothing about civil
17 unions. There had been no training in that
18 hospital. This is a critical care nurse,
19 somebody that deals with life and death every
20 day. People don't have time to run home and
21 get papers to say I have the right to be in
22 this room, to say I have a right to make these
23 decisions. Why should they have those papers?
24 If you say you are not that person and have
25 that relationship, you should be deemed that

1 right. Just the same if you said that's my
2 wife, that's my husband. That's
3 understandable.

4 I don't understand why in this day
5 and age we have to have separate trainings for
6 that. Given that we do, why they are not
7 happening. My question here is are we giving
8 this hospital a tax break. Are they a 501:C-3
9 corporation? Yes, I believe they probably are
10 and they are openly discriminating.

11 I think that's an issue. I think it
12 is one that should absolutely be addressed. I
13 just want to take a look at my notes here.

14 The other thing is, I had put my
15 partner on my health benefits. As soon as I got
16 my next paycheck after that went through, I
17 immediately took her off because of the tax
18 consequences. It was just unbelievable, the
19 difference in your paycheck. I think that's
20 something that once we get through this hurdle
21 of calling it marriage in the State of New
22 Jersey, I think it is something that we need to
23 address with the federal government.

24 I know the State of New Jersey
25 right now is taking on an extremely noble cause

1 by suing the federal government on child
2 healthcare. I think the State of New Jersey,
3 once we get over this part, should look into
4 seeing how the feds treat a large portion of
5 New Jerseyans.

6 Another example of that would be if
7 a New Jersey Guard person wanted to enter into
8 a civil union, would they be discharged from
9 the military because they live in New Jersey
10 and are afforded the opportunity to have a
11 civil union or eventually marriage?

12 I think there are a lot of federal
13 issues that he need to look at, such as the
14 military, Medicaid, long term care benefits and
15 those sort of things that we need to-- once we
16 allow marriage in this state, we need to look
17 at the consequences on a federal level. As our
18 population ages, we really need to worry about
19 when we become senior citizens and maybe have
20 to go into assisted living homes and things to
21 that nature.

22 Back to the military thing. I'm
23 sorry if I jump around a little bit. Like I
24 said, I didn't really prepare to be here. I do
25 believe that the Governor is probably the

1 commander in chief of the military-- of the
2 National Guard. So it seems to me that perhaps
3 he would have the means to change some of those
4 rules. I don't know, I'm not an attorney.

5 On another subject, one of the
6 things that I find with a lot of gays and
7 lesbians, is that we tend to justify our
8 relationships by the number of years we've been
9 together, my partner and I have been together
10 for X number of years. It is almost as though
11 if you are not in double digits, then it
12 doesn't mean anything. Brittny Spears and a
13 few others, have been married for a day, a
14 week, a month and their marriages are legal.
15 But I've been with my partner-- I'm not
16 telling, for some time and our marriage isn't
17 legal.

18 Well, it is legal because we are
19 domestic partners, but it is not really a
20 marriage. Which leads me to the whole domestic
21 partner switch to civil unions. We paid for
22 our domestic partnership. Why are we paying
23 for a civil union again? It's just one of
24 those little things that got stuck into my
25 craw. Are we going to pay for a marriage

1 license next? It just kind of seems a little
2 unfair and a little expensive. That's neither
3 here nor there, I guess.

4 I guess-- you know, back to this
5 club of being married. I think there is a
6 certain acceptance of the person when you
7 notice-- when they are married. I know I wear
8 a wedding ring. I'm not married, obviously.
9 But I think people look at me differently.
10 I've actually caught people looking at me,
11 saying, oh, she's got a ring, she's calm,
12 whatever they have in their mind that you are
13 when you join that club of marriage.

14 I just want to join it. So, you
15 know, I just-- I just would like to very much
16 be a member of that club and to be a member of
17 that club legally.

18 The other thing that I'd like to
19 point out is, in the time that we've been here
20 listening to the testimony, I haven't heard
21 anything negative about marriage. Because
22 these are public hearings and they are open to
23 everybody, I think the answer is clear. New
24 Jerseyans are ready to have gays and lesbians
25 married.

1 I'd like to thank you for your time
2 thank you for your efforts and all that you do
3 to make this happen. Thank you.

4 THE CHAIR: One of our
5 Commissioners have a follow-up question.

6 MR. HYLAND: In regard to the
7 hospital, whose name probably we all know
8 around here, were you refused service if you
9 did not provide your certificate.

10 MS. STAHL: I wasn't refused
11 service. What I didn't know what would happen,
12 in the event something happened to me while I
13 was under anesthesia, I don't know if they
14 would have gone to the waiting room to ask my
15 partner for her directions on my care. That
16 was a concern of mine.

17 MR. HYLAND: Have you considered
18 perhaps bringing that to the attention of the
19 Division of Civil Rights in New Jersey.

20 MS. STAHL: I'm a little leary of
21 that. I had brought an employment
22 discrimination case to the Division on Civil
23 Rights. It was in 2002. They did not
24 investigate my case. As a matter of fact, I
25 was told by one of the intake persons that my

1 feelings were hurt and that was too bad. The
2 case is now pending in Superior Court.

3 I've kind of been there. Because
4 of the blatant or employment issue, I was kind
5 of figuring that I would see the same result.
6 No, I didn't go to DCR.

7 MR. HYLAND: May I suggest that you
8 might want to discuss that with Esther Navarez
9 over there and talk to her about some of those
10 issues?

11 MS. STAHL: Thank you.

12 MR. GOLDSTEIN: Can I ask the
13 couples who testified, just to follow-up on
14 what Steve Hyland-- for those of you who don't
15 know, he is from this area and one of the
16 world's leading experts on civil unions and
17 domestic partnerships, I want to acknowledge
18 him-- to really consider filing with the
19 Division on Civil Rights a complaint.

20 I know, as many people know, that
21 it is difficult because you are afraid of
22 revealing information. You know, one of
23 shibboleths we are facing, one of red herrings,
24 by those who don't want to change civil unions
25 to marriage equality, is, well, there have only

1 been four, five or six complaints to the
2 Division of Civil Rights. When, in fact, the
3 newspapers exponentially ignore our stories.
4 Even if it is a hearing, exponentially ignore
5 our stories. So it is really a red herring,
6 garbage argument, but you can help all of us if
7 you do report to the Division of Civil Rights,
8 so we can take away that nonsensical argument.

9 It would help you, too, because the
10 Division of Civil Rights in New Jersey today,
11 there are employees here, but it's an
12 extraordinary agency. For those of you who do
13 not complain who in, at least talk to them
14 informally, they are great people, truly.

15 MS. STAHL: Thank you. I'd should
16 add, too, that I did send an e-mail to the
17 governor to ask him to preside over our civil
18 union so I don't have to deal with our mayor.
19 I don't know how she stands on the whole civil
20 union thing. I haven't heard back yet.

21 THE CHAIR: Next is Stephanie
22 Guinan.

23 MS. GUINAN: My name is Stephanie,
24 S-t-e-p-h-a-n-i-e, Guinan, G-u-i-n-a-n. I'm a
25 proud New Jersey taxpayer. I am a registered

1 voter. I have the luxury of being a
2 heterosexual, in a heterosexual marriage. Many
3 of the things that are being discussed here
4 tonight don't impact me on a personal level,
5 but I'm going to tell you, I have to say to all
6 the couples, I am so sorry that you have to
7 deal with this, because it is just unfair.

8 You know, when I got the e-mail I
9 wanted to come and speak out. I support civil
10 rights on all levels. I started thinking what
11 is the difference? What is the difference
12 between a marriage and civil unions? Like I
13 said, it doesn't impact me, so I wasn't really
14 sure. They seem to have all the same rights
15 under the law. Though tonight we're hearing
16 that those rights really aren't fully helped.
17 So was it that same-sex couples weren't
18 satisfied with?

19 Then I started thinking about
20 marriage, "marriage" the title. What does that
21 mean? I looked it up in an encyclopedia,
22 Wikopedia, because everything is on e-mail
23 now. This is the definition. "Marriage is an
24 inter-personal relationship with governmental,
25 social air religious recognition, usually

1 intimate and sexual and often created as a
2 contract through a civil process. Civil
3 marriage is the legal concept of marriage".

4 Well, that seemed to define both.
5 To me that would have been the same title for
6 civil unions. Then I thought, marriage is so
7 much more than a state can provide in a list of
8 rights. It is late night talks about bills and
9 about health issues, where you're going to be
10 tomorrow. It's the creation of a new family
11 unit and usually under one name. It's the
12 union of two different families. If you've
13 ever been at an Italian Christmas dinner, that
14 could be a big deal.

15 It is trying to stay connected in
16 this really, really fast paced society. For
17 some of us it is about how to raise children,
18 whether or not to even have them. It is
19 boredom. It is monotony and it is a lot of
20 hard work.

21 So I'm going to ask the State
22 tonight not to reduce marriage to a set of body
23 parts. By keeping the two separate, what are
24 we really accomplishing? Certainly not the
25 sanctity of the institution. The State

1 recognizes marriages for inmates that have a
2 life sentence. They can't even hold their
3 partner's hands when it happens, yet they are
4 allowed to get married.

5 They give people-- they recognize
6 marriages when both or one of the couple, have
7 failed at it four, five, six, seven, countless
8 times. There is no limit to the number of times
9 you can be married. Currently first time
10 marriages fail in more than one third of the
11 cases. As the number of times a person gets
12 married increases, so does the failure rate.

13 But we are sending a message. By
14 keeping the two separate, the State sanctifies
15 inequality. It tells mayors like mine
16 mine--mine was one of those mayors, that it is
17 okay not to recognize any union. It sends a
18 message that same-sex couples are somewhat less
19 than all others.

20 The State sort of--they kind of
21 created a residential business partnership. I
22 am sure after hearing these words tonight, I
23 know their relationships are so much more than
24 a business.

25 If the State does not recognize the

1 right of marriage for all, then how can we
2 expect anyone else to? To what end?
3 Throughout history government has used marriage
4 for all sorts of purposes. They used it to
5 secure n environment for the perpetuation of
6 the species. They created a set of rules to
7 grant property rights. It's protected blood
8 lines. Arranged marriages have joined
9 countries. Government rules often included
10 family land or bride price.

11 Today all of this sounds really
12 ridiculous, so does this controversy. This
13 controversy sounds really ridiculous to me.

14 So again I ask the State, not to
15 reduce my marriage or anyone else's to be about
16 a set of body parts. Do not make another set
17 of ridiculous government rules.

18 This division seems to be
19 arbitrary, based solely on the opinion of who
20 we should love, not our commitment to love. We
21 spend our life looking for a soulmate. When we
22 find them we didn't get to pick their package
23 or even what that package was going to look
24 like ten years from now. Some people find
25 their soulmate in a wheelchair, some in a

1 hospital bed, a nursing home or even in a
2 prison. Sometimes couples can't have children,
3 they marry knowing that they will work together
4 to find a solution.

5 So when you review the idea of a
6 civil union, maybe we could keep it. Maybe we
7 could keep it as a learner's permit. Not the
8 way it is now, but the little thing you do
9 before you are really allowed to get married.

10 But don't make a decision based on
11 the package that our loved one comes in.
12 Marriage is about commitment in the best and
13 worst of circumstances.

14 This review is about all of us.
15 It's not just about same sex couples. It's
16 about children who shouldn't have to be told
17 that if they all in love with someone who has
18 body not like theirs, they have the right to
19 marriage. But if they fall in love with someone
20 with a body similar to theirs, then all they
21 get is a set of rights and no recognition of
22 their love.

23 So in conclusion, I ask you to
24 decide, recognize everyone's right to marry
25 regardless of the package. If not, then do as

1 my mayor did and recognize nobody's. But
2 please, do not reduce this life long commitment
3 no matter what the title, to a right of
4 selection, to a right to love better because of
5 the package. Because marriage is so much more
6 than any State can ever legislate.

7 THE CHAIR: Anahi Galante, Reverend
8 Bruce Davidson and Veronica Ciro.

9 MR. GALANTE: Good evening. My name
10 is Anahi Galante, A-n-a-h-i. My last name is
11 Galante, G-a-l-a-n-t-e. I am an interface
12 minister. I'm am the co-chair of Garden State
13 Equality's Latino and Latina Caucus. I am here
14 to testify that New Jersey civil union law is
15 hurting the Latino and Latina community
16 disproportionately.

17 Latinos now compromise 13.3 percent
18 of the New Jersey population. Our state is home
19 to more than 1.1 million Latino and Latinas,
20 according to the 2000 census. These numbers far
21 under-represent the totality of our Latino and
22 Latina immigrant community.

23 A 2004 study from the Urban
24 Institute indicates that more than 12,000
25 children are being raised in New Jersey by

1 same-sex parents. According to a joint 2005
2 study by the National Gay and Lesbian Task
3 Force and the National Latino Coalition for
4 Justice, Latino and Latina same-sex couple
5 households are significantly disadvantaged
6 compared to white non-Hispanic same-sex couple
7 households in terms of income, education,
8 homeownership and disability.

9 Same-sex couple households in which
10 both partners are Latino or Latina, earn at
11 least \$25,000 less on average per year than
12 white same-sex couple households.

13 In New Brunswick this Commission
14 heard that at least one in every six civil
15 unioned couples in New Jersey have had their
16 civil unions denied recognition by an
17 employer. Members of the Commission, as you
18 now know, it is not just true that civil unions
19 provides all rights of marriage simply without
20 the name.

21 We heard it tonight, I'm sure you
22 heard it before. You will continue to hear
23 that. Given the income and other disparities
24 between Latino and Latina same-sex couples and
25 much of the rest of the society, Latino and

1 Latina people in New Jersey are among those
2 being hurt most by our State's continued
3 denial of marriage equality.

4 Now, you have asked us to answer
5 some of your questions. I'm going to speak more
6 generally now, even in my experience not as a
7 member of the gay and lesbian community, but
8 also as an interface minister. I'm departing
9 from the Latino and Latina issue, which is very
10 dear to me and I'm answering some of your
11 questions.

12 Employers and hospitals do not
13 recognize civil unions. Civil unions keep
14 people separate. Because, as we know, equal
15 but separate is not equal. Not many couples
16 seek it. I thought that my phone would ring,
17 ring and ring and it doesn't. Because gay and
18 lesbian couples know that we are being cheated
19 no one wants to enter into something that the
20 law allows to be cheated.

21 I have been called to sign a civil
22 union, because we know that this employee will
23 take me for the health insurance, but we don't
24 care about it. So that hurts us so much. That
25 hurt does not make the statistics, does not get

1 reported. I'm telling you what I get on my
2 phone calls with my friends and the people that
3 seek my services as an interface minister.

4 Of course, I say well you know, I
5 didn't to sign a paper. That hurts me and
6 hurts my relationship with my community.

7 Lastly, answering your questions,
8 civil unions are also very expensive to the
9 State. We need to create a new set of forms.
10 Nobody knows how to use them. You need to
11 train people in every single office, hospital
12 and firm, training to take place and training
13 to sustain equality. I don't think so, not in
14 my state, that doesn't help.

15 Going back to my passion, the
16 Latino and Latina community. I also want to
17 pose the question-- a question to this
18 Commission. In a state that has pioneered the
19 right of same-sex couples to be parents, why
20 would our very same state send a signal to the
21 children of these parents that they are
22 families that serve an inferior label?

23 What kind of damaging psychological
24 signal does no send-- including but not limited
25 to children of Latino and Latina same-sex

1 parents?

2 The denial of marriage equality
3 affects the Latina women especially.
4 Fifty-four percent of Latina same-sex couples,
5 where both partners are women, have at left one
6 child. Female Latina couples are raising
7 children at nearly eighty percent of the rate
8 of Latino and Latina married opposite-sex
9 couples.

10 For economic security, for the
11 stability of our families and to send our
12 children a signal that their families are equal
13 to all others, I ask this Commission, as a
14 leader in the Latino and Latina community, to
15 recommend to the state legislature that our
16 civil union law be replaced with marriage
17 equality.

18 Thank you very much for your time,
19 for your work and for this opportunity.

20 THE CHAIR: Next is Melina Waldo.
21 Just before you begin, I notice some families
22 here with young children. I don't know if they
23 are here, if they wanted to testify. But if
24 they do, let me know so we can accommodate you
25 if you need to leave earlier. Melina Waldo.

1 MS. WALDO: My name is Melina Waldo,
2 M-e-l-i-n-a, W-a-l-d-o. Good evening to
3 everybody. Thank you so much for this
4 opportunity to be here to testify in favor of
5 marriage equality.

6 Before I give my statement, I just
7 wanted to share with you a little experience I
8 had yesterday, a very ordinary day. I picked
9 up my New York Times, as I usually do. And on
10 the front page what do I see but this picture
11 of an elderly gay male couple. One of whom has
12 Alzheimer's and the other one tenderly feeding
13 him. One gentleman is seventy-six and the
14 other one is seventy-one.

15 This is an article about aging with
16 regard to the gay and lesbian community. I
17 recommend it to everybody to read. But I just
18 wanted to show you this, because I was thinking
19 about my testimony.

20 Listening to the news later on that
21 day I heard that Pamela Anderson had gotten
22 married for the third time. So, you know, it
23 is just an interesting juxtaposition.

24 You have heard testimony, eloquent
25 testimony tonight, as to why civil unions have

1 fallen short of the goal of protecting gay and
2 lesbian families. You heard from the experts
3 themselves, those gay and lesbian couples and
4 families most directly affected by the
5 shortcomings in any separate but not equal law.

6 I thought we learned that lesson
7 back in the sixties when I was young. I speak
8 from the prospective of someone who has been
9 married for forty-seven years, who has four
10 children and who is a proud grandmother of
11 five.

12 I will speak to you from my heart
13 and try to explain my feelings as a mother
14 experiencing the pain of being unable to
15 protect her gay child. Marriage is important to
16 our family. Our three daughters were able to
17 marry the persons of their choice, but my son
18 cannot. He and his partner must arrange their
19 lives together as best they can, as all gay
20 people must do, making it up as they go along.

21 No legal support, no social
22 support, just their love and commitment to each
23 other, to carry them through the difficulties
24 of life. Try explaining this situation to a
25 child, as my daughter attempted to last year

1 when her eight year old asked why isn't Uncle
2 Craig married? My daughter explained that,
3 yes, Uncle Craig and Uncle Robert have lived
4 together for several years. Yes, they love
5 each other. Yes, they take care of each other,
6 but they are not allowed to marry because they
7 are gay.

8 In the words of children from time
9 immemorial my granddaughter cried, but mom,
10 that's not fair. I realize, of course, that
11 not all people wish to marry. The vast majority
12 of us do, some of us many times, in fact.

13 That is because instinctively we
14 know that life is often difficult and having
15 someone who loves us by our side through thick
16 and thin can make all the difference.

17 My husband and I have been through
18 some tough times. We both had cancer. We've
19 been a support for each other through it all.

20 Civil unions just don't cut it.
21 Marriage is the gold standard in relationships
22 and that's what I want for my son, if he so
23 chooses, of course. Marriage is the only means
24 by which gay couples will realize the respect
25 and honor that their relationships deserve.

1 As long as we have a separate
2 category such as civil unions, the love that
3 gay couples have for each other will always be
4 thought of as less than. How can we be
5 discussing whether or not to grant gay and
6 lesbian couples the full rights and
7 responsibilities of marriage, when we just
8 heard about those instances that I mentioned,
9 Pamela Anderson, Britney Spears, fill in the
10 blanks. Why are we discussing this, when we
11 have all of these committed couples here?

12 I want to say two other things.
13 One on the practical level to our legislators,
14 and another on a more philosophical level, to
15 those who oppose marriage equality for gays and
16 lesbians. This to our legislators, does anyone
17 have the slightest doubt that gays and lesbians
18 will have the right to marry one day, not only
19 in New Jersey but in all fifty states?

20 I do appreciate the worthy goal of
21 trying to reach a consensus on any important
22 issue like this. But the reality is that some
23 opponents will never get there. Unfortunately
24 there are those--I refer to them as
25 professional homophobes, who profit from

1 demonizing gay people. Some organizations do
2 nothing but rally the forces of hatred against
3 our gay and lesbian loved ones, even saddest of
4 all, some churches. They know that they have
5 lost the battle and are engaging in nothing but
6 delaying tactics and will continue to do so, as
7 long as you allow them. By leaving this issue
8 unsettled it will go on and on. Please put an
9 end to it.

10 To those who oppose marriage for
11 gays and lesbians, I have searched my heart for
12 years trying to understand you. Who on earth
13 would it hurt if loving gay couples are allowed
14 to legally marry? Really, I've asked this
15 question over and over again. I have yet to
16 get an answer.

17 I'm going to ask them again. Are
18 you all going to then get a divorce? Will
19 heterosexuals not marry anymore? No church
20 will be forced to marry gays. So it can't be--
21 your objections cannot be for religious
22 reasons.

23 My own catholic church has many
24 strict rules about who will and will not
25 marry. They may continue to do so. No one is

1 asking anything of the churches except to leave
2 others alone to live their lives in peace.

3 Sometimes I think that what
4 opponents of marriage equality really fear is
5 that, indeed, nothing will happen if gays
6 marry, nothing. The earth will continue to
7 revolve on its axis, the sun will rise and set
8 each day and life will go on.

9 Massachusetts still has the lowest
10 divorce rate in the country. Does everyone know
11 that? Maybe their real fear is having the lies
12 and slander against our gay and lesbian loved
13 ones finally exposed. Our world is suffering,
14 from Camden right next door to us, all the way
15 to the Congo, and needs all of us, including
16 our gay and lesbian, bi-sexual and
17 trans-gendered citizens, working together to
18 solve the real problems threatening our
19 childrens future.

20 As a grandmother this concerns me
21 greatly. I will keep on speaking out for gay
22 and lesbian loved ones, as long as God gives me
23 the voice to do so. Thank you very much.

24 THE CHAIR: Our final three are
25 Reverand Bruce Davidson, Veronica Kairo and

1 Carol Watchler.

2 REVERAND DAVIDSON: My name is
3 Bruce Davidson, D-a-v-i-d-s-o-n. I live in
4 Delaware Township, New Jersey. Thank you for
5 the opportunity to testify. I'm going to try
6 to keep this short, because everything that I
7 had planned to say has already been said by
8 someone. That is, it is time for marriage
9 equality to exist in New Jersey.

10 For a whole variety of reasons, not
11 the least of which there is enough
12 documentation that this is not equal, civil
13 unions are not equal to marriage in the state
14 of New Jersey and they probably cannot ever be.

15 I'm a Pastor in the Evangelical
16 Lutheran Church in America. I have been for
17 thirty-three years. I am proud to say I was the
18 Pastor at Pastor Jeff Ziegler's ceremony when
19 he and Scott, his partner, decided that they
20 wanted their relationship blessed before
21 adopting their first child. That was a very
22 important moment in my life. I know that he
23 remembers every word of that sermon to this
24 day, even though I don't.

25 REVERAND ZIEGLER: Yep.

1 REVERAND DAVIDSON: Thank you. I
2 also am a gay man. I have been in a
3 relationship, one of those double digit
4 relationships, almost twenty-five years. We
5 became domestic partners when that was
6 available to us. We joined in a civil union in
7 March when that was available to us. But I
8 have to say this, we realized after we had gone
9 through all of the ceremonies all the
10 legalities that were attached to civil unions
11 and domestic partnership laws, we realized at
12 one point in time, that very little had changed
13 or us either legally or personally.

14 Certainly our relationship was the
15 same. We intended to live together for the
16 rest of our lives, as we had for many years up
17 until that point. We also realized that we are
18 privileged. My partner is a lawyer and he has
19 a rather fine salary. So we were able to find
20 both legal assistance and financial planners
21 who help us as a couple not enjoying the
22 benefit of marriage, to have all of the
23 benefits legally that would protect our assets
24 and provide for medical directives as seemed
25 appropriate.

1 We found that with good legal
2 advice and good financial planning, we can
3 provide that kind of security for ourselves.
4 We also realized that that was not true for
5 every gay and lesbian couple in the state.
6 Those who didn't have the financial resources
7 to be able to find people to do those things
8 would simply have to struggle and hope that
9 nothing would happen to them, that would
10 challenge their relationship.

11 After we had our civil union we sat
12 down, again realized that nothing much legally
13 had changed. Although there were a few
14 benefits that the state had conferred. But a
15 couple of weeks later when our insurance person
16 came by, we were looking at changing our long
17 term care policy, we found that we could both
18 be covered under the same policy. The
19 insurance company would allow that and honor
20 that, but there was no place, again, on the
21 form where our relationship could be
22 acknowledged. So when I put my partner's name
23 down as the beneficiary of the policy, the
24 insurance person had to put a little star and
25 down on the bottom of the page say "civil

1 union".

2 It is more than a matter of
3 semantics. It is a matter of how people are
4 recognized, respected, treated and honored in
5 their life. Until we have marriage equality in
6 the State of New Jersey we can talk about
7 rights and responsibilities. We can talk about
8 people being together in loving relationships.
9 But we still will be missing something. We'll
10 be missing the opportunity to go and say to
11 someone this is my spouse, this is the person
12 that I am married to and have people instantly
13 understand that that person and I have a
14 special relationship that is honored both
15 legally and in a sacred way by our commitment
16 and love for one another, and also honored by
17 the law.

18 Thank you. I am so glad that New
19 Jersey had the wisdom to put this Commission in
20 place. I imagine that many of you wish they
21 hadn't at this stage in the evening. Let me
22 thank you for your attentiveness, for your
23 diligence, for your willingness to provide this
24 service to our community and to our state.
25 Thank you, Reverend. There are two more.

1 Just to comment on one thing, rest
2 assured that every single member of this
3 Commission is very committed to hearing exactly
4 what you have to say. We're taking this very
5 seriously. We'll be here as long as it takes.
6 So don't think that-- all of us actually
7 volunteered to participate on this. So we want
8 to be here because we want to be a part of
9 finding out how New Jersey can be a better
10 place tomorrow. I thank you for your
11 testimony. There are two more, unless any other
12 people from the audience are interested in
13 testifying. I have Veronica and Carol. Anyone
14 else want to go after or that will be it?
15 Okay. So Veronica and Carol.

16 MS. KAIROS: My name is Veronica
17 Kairos, K-a-i-r-o-s. I live in Mount Laurel,
18 New Jersey. I am a state employee. I never
19 know what word to use. I hate the word
20 partner, because that sounds like a business.
21 I don't think legally the term spouse applies.
22 I get really confused. Anyway, the person who
23 with who I am in a committed relationship with
24 their name is Forest, with one R, please.

25 We have-- we had a commitment

1 ceremony. We have gone to Vermont and had a
2 civil union. We did in New Jersey a domestic
3 partnership, we did a New Jersey civil union.
4 We've done anything that we can, because
5 ultimately we want to be optimists and believe
6 that it matters.

7 Working for the State I had a
8 pretty good experience, benefits, changes in
9 order to go onto, you know, each other's
10 policies, weren't problematic. A little
11 chaotic because nobody had the right forms, but
12 that's okay. When I needed to put in a State
13 W-4 in order to say civil union on my
14 withholding statement so that taxes would be
15 held in the appropriate form, I had to go and
16 find the form myself and take it to my
17 personnel office, tell them that the forms that
18 they had were outdated. I didn't get upset
19 about this, because I considered it an
20 education process. At least the forms were
21 updated and they were just, you know, missing
22 from our form drawer.

23 When I changed my name and took my
24 partner's name-- I'm sorry, the person to whom
25 I am in a committed legal relationship's name,

1 you know, there were-- there was no problem
2 except that you there was a delay. I wasn't
3 sure whether they were just putting it off or
4 whether it was just state inertia in following
5 up on these things. After some perseverance it
6 took place, it was fine. Some of my co-workers
7 made some remarks. Again, I figured it was an
8 education process, this is something new, I'm
9 willing to work with people.

10 I was completely unprepared a
11 couple of weeks ago when I was called for jury
12 duty. You know, I view this not only as an
13 obligation but as something that I look forward
14 to doing. You know, I'm committed to our legal
15 process. I'm committed to doing what it takes
16 to be a good citizen in this country, no
17 problem. I went and sat. I got called in for
18 jury. It was-- you know, they were going
19 through potential jurors like crazy. They had
20 been at the jury selection process, I think
21 they were on their third day and they still
22 hadn't gotten a full jury selection.

23 So I'm sitting there waiting for my
24 turn to be called up and asked all the
25 questions that the judge was going through. I

1 felt like I was hit with a ton of bricks,
2 because the judge repeatedly asked every
3 person, are you single, are you married? I'm
4 thinking how do I answer that, because I am
5 not, I'm not single, I'm not married. I'm in a
6 Court of law and here is a judge qualifying
7 candidates for the jury and what I am is not
8 represented in any way.

9 I'm sitting there waiting for my
10 chance and I am thinking how do I answer that
11 question? I'm in a position of wanting to
12 serve on a jury, give a truthful answer and I
13 can't truthfully answers what the Judge is
14 saying because he's not giving me an option
15 that reflects me. Because it never occurred to
16 him that there is something other than single
17 or married. This is a Judge, this is someone
18 who is supposed to be upholding the law.

19 Am I placed in a position of having
20 to make a political statement when being
21 interviewed as a juror and say excuse me,
22 Judge, but there is something else that you are
23 not asking me. You know, I'm sitting in a room
24 full of people. That's not what the purpose of
25 being on the jury is, it is to educate

1 everybody. I was just thinking, how much
2 simpler would this be if I can just say yeah,
3 I'm married. So, you know, I'm all for it, I
4 want to say, yeah, I'm married. Thank you.

5 THE CHAIR: Carol Watchler.

6 MS. WATCHLER: Good evening. My
7 name is Carol Watchler, C-a-r-o-l,
8 W-a-t-c-h-l-e-r. I'm in a committed
9 relationship and a civil union at this time. I
10 really honor all of the statements that have
11 been made by so many people this evening. I
12 can say that there has not been so much direct
13 discrimination to me, but I can reflect and
14 echo so much the difficulty with forms.
15 Medical forms, insurance forms, both medical
16 and for other forms of insurance, need to be
17 changed. I find them to be so critical because
18 having medical situations, I'm just constantly
19 dealing with insurance.

20 I know that a lot of things that
21 have to do with what I feel somewhat aggrieved
22 about, have to do with the federal law, but
23 these somewhat spill over into how things
24 interact with New Jersey law. That is, of
25 course, the fact because I was able, as a

1 retired educator, to have my partner included
2 on my insurance under the State Health Benefits
3 Plan. That needed to be dealt with by my school
4 district. This came under the Domestic Partner
5 law, as well as under the Civil Union Law.
6 This went back to my school district, so they
7 had to keep records for me of all the things
8 that--which is considered as income, all the
9 taxes. That includes, I will remind you, not
10 only income tax, but FICA and FUCA.
11 Unemployment tax for this retired person being
12 dealt with by my former school district, seemed
13 absolutely outrageous to me. I just ask that
14 New Jersey be the leader in saying "marriage",
15 so that with are at the end, we can move to the
16 end of the federal discrimination that exists
17 because of that.

18 Now, I have worked for a long time
19 with gay and lesbian educators in the State of
20 New Jersey. I'm listening very carefully to
21 the cases in which people say that their school
22 districts have not stepped up to the plate and
23 given them-- I don't have a specific example of
24 that yet, but I will continue listening and
25 encourage them to come to the Division on Civil

1 Rights and to the Commission, to make that
2 known.

3 Again, this has to do with the
4 federal and the tax laws, Social Security and
5 all the complications associated with that. As
6 a person who is retired, who because their
7 partner benefits are considered as income, now
8 has a great limitation with the Social Security
9 situation of how much income they can earn post
10 retirement. So once again, this does not have
11 to do with immediately the Civil Union Law, but
12 if we could move to marriage in the State of
13 New Jersey I believe that would move the whole
14 process throughout our country to the idea of
15 marriage and being able to straighten out the
16 federal law that penalizes us to a great extent
17 and others some very much more than others.

18 So I thank you for the opportunity
19 to speak here tonight. Thank you for the work
20 that you are doing. I hope that this moves to
21 a conclusion of New Jersey taking the
22 leadership and all of us receiving the rights
23 that we need.

24 THE CHAIR: Okay, one final
25 presentation.

1 MS. BENSON: My name is Ann Lynne.
2 Thank you for the opportunity of addressing the
3 Commission for a second time. Some things are
4 so easy and you just don't have to think about
5 you it. It is raining, you pick up an
6 umbrella. You want to go to Philadelphia, turn
7 on the radio and get the traffic report from
8 KYW. You want to get married, call the mayor,
9 Justice of the Peace, minister, go and get a
10 license. So simple anybody can do it, unless
11 you are gay.

12 The phone rang at my house one
13 night not too long ago. My partner, who is not
14 my business associate, answered the phone.
15 There was a woman on the other end of the
16 line. She said I want to get a civil union.
17 Do you know how I can do that? So we have a
18 certain amount of information about that. I
19 was able to provide her with some information.

20 She said to him what agency are
21 you? I said I'm not an agency, you've called
22 my home. He said, well, what group are you? He
23 said I'm not a group, you've called our home.
24 Then he tried to find out from her who she
25 was.

1 She was a seventy-three year old
2 woman, in a committed monogamous same-sex
3 relationship for twenty-eight years. She heard
4 about this. She read something about it in the
5 paper. She didn't know where to go to get
6 information, so she called 211, first call for
7 help. She got my number because we're listed.
8 Thank you.

9 THE CHAIR: Thank you everyone.
10 Any questions from any of the Commissioners
11 before we adjourn?

12 Okay, thank you. Thank you to
13 Camden Community College for their wonderful
14 hospitality.

15 The transcript of tonight's hearing
16 as well as the past and future hearings, will
17 be posted as soon as they are received from the
18 transcriber, on our Commission web site. That
19 address is www.njcivilrights.org/cruc. That's
20 where we post all our information.

21 Without further ado, thank you
22 again for being here. Our next hearing is on
23 October 24th, a few miles away from here, up in
24 Nutley, New Jersey, in Essex County. Please
25 let anyone interested know about that. They

1 get that information from our web site as
2 well. Thank you much. We're now adjourned.

3 (Whereupon, the matter stands
4 adjourned at 8:27 p.m.)

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C E R T I F I C A T E

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2
3 I, CHARLES R. SENDERS, a Certified
4 Court Reporter and Notary Public of the
5 State of New Jersey, do hereby certify that
6 prior to the commencement of the examination,
7 the witness was duly sworn by me to testify to
8 the truth, the whole truth and nothing but the
9 truth.

10 I DO FURTHER CERTIFY that the foregoing is
11 a true and accurate transcript of the testimony
12 as taken stenographically by and before me at
13 the time, place and on the date hereinbefore
14 set forth, to the best of my ability.

15 I DO FURTHER CERTIFY that I am neither
16 a relative nor employee nor attorney nor
17 counsel of any of the parties to this action,
18 and that I am neither a relative nor employee
19 of such attorney or counsel, and that I am not
20 financially interested in the action.

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22
23
24
25 CHARLES R. SENDERS, CCR NO. 596