



National Asian Pacific American Bar Association

Statement of Support for LGBT Equality

Endorsed March 2014

WHEREAS, the National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors and law students, representing the interests of over 40,000 attorneys and nearly 70 national, state, and local Asian Pacific American bar associations; NAPABA members include solo practitioners, large firm lawyers, corporate counsel, legal service and non-profit attorneys, and lawyers serving at all levels of government; and NAPABA is committed to addressing civil rights issues confronting Asian Pacific American communities and people of color;

WHEREAS, NAPABA has a long-standing commitment to supporting the civil rights of all members of our community, including our LGBT brothers and sisters;

WHEREAS, the U.S. Supreme Court ruled in *Windsor v. United States* that Section 3 of the federal Defense of Marriage Act, which defined marriage for all purposes under federal law as between only opposite-sex partners, is unconstitutional;

WHEREAS, the U.S. Supreme Court's holding in *Hollingsworth v. Perry* that proponents of California's Proposition 8—which outlawed marriage between same-sex couples—did not have standing to appeal the district court's ruling striking down the law has enabled same-sex marriages to resume in California;

WHEREAS, California is joined by an increasing number of U.S. states and jurisdictions allowing same-sex couples to marry (with a total of 17 states and the District of Columbia currently permitting marriage equality);

WHEREAS, numerous states, including Arizona, Kansas, Georgia, Tennessee, Oklahoma, South Dakota, Missouri, Ohio, and Idaho have considered or are considering legislation that would discriminate against individuals who identify as LGBT under the guise of religious freedom;

WHEREAS, in early 2014 the Arizona legislature passed S.B. 1062; and, had Governor Brewer not vetoed the bill, Arizona would have been the first state to enact legislation enabling corporations and individuals to deny services simply by asserting that they were acting because of a "sincerely held religious belief";

WHEREAS, at least 38,000 Asian Pacific Americans are part of a same-sex couple, and nearly 40% of such couples are raising children; and

Statement of Support for LGBT Equality

WHEREAS, Asian Pacific Americans have faced a history of marriage discrimination through anti-miscegenation laws in the 19th and 20th centuries, which prohibited marriage between them and whites.

THEREFORE BE IT RESOLVED, that NAPABA:

1. Continues to support the right of same-sex couples to marry and as a result will oppose efforts to eliminate or restrict marriage equality.
2. Supports efforts to ensure that the right of marriage equality is restored, protected, or enacted in jurisdictions where it currently does not exist.
3. Categorically opposes Arizona SB 1062 and any other legislation that would permit individuals or businesses to assert religious conviction to justify discrimination.
4. Authorizes its president, board, and staff to communicate the content of this resolution to its members, affiliates, other bar associations, members of Congress, the Administration, the press, and others to take steps to implement this resolution, as they deem necessary.
5. Supports this resolution as a policy priority until it is withdrawn or modified by subsequent resolution.