



## Kriss Worthington

Councilmember, City of Berkeley, District 7

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### CONSENT CALENDAR

February 12, 2008

To: Honorable Mayor and Members of the City Council

From: Councilmembers Kriss Worthington and Darryl Moore

Subject: Proclamation: February 2008 as Freedom to Marry Month

#### RECOMMENDATION:

Adopt a proclamation declaring February 2008 as Freedom to Marry Month in the City of Berkeley and urge the state to end discrimination against lesbian, gay, bisexual, and transgendered people and their families by removing references to sex and gender as eligibility requirements for a civil marriage license and enacting a law providing for equal access to marriage and all of its legal benefits and obligations by all persons, regardless of sex, gender identity or sexual orientation.

#### BACKGROUND:

Marriage is a basic human right as well as an individual choice. In the past, relationships and families have been placed in jeopardy or discriminated against by being denied access to civil marriage.

In the previous years, the City of Berkeley has recognized Freedom to Marry day. However, recently a number of states have recognized the importance of marriage equality and have passed or are currently considering legislation to either allow same-sex marriage or pledge non-discrimination against marriages between same-sex couples. For example, Massachusetts allows same-sex couples to marry, while Rhode Island and New York recognize marriages conducted in Massachusetts. Additionally a number of states provide broad protection for same-sex couples including civil unions.

This past year 11 marriage equality bills were introduced in state legislatures, including in the California Legislature and the courts are considering cases regarding the rights of same-sex couples to marry.

In recognition of this important period in the movement for marriage equality and the need for further education on the issue, the City of Berkeley should recognize February as Freedom to Marry Month and continue to support efforts to end discrimination against same-sex couples and provide equal access to marriage regardless of ones background.

#### FINANCIAL IMPLICATIONS:

NONE

#### CONTACT PERSON:

Councilmember Kriss Worthington, 981-7170.

Councilmember Darryl Moore, 981-7120

Attachments:

1. Proclamation

**DECLARING FEBRUARY 2008 AS FREEDOM TO MARRY MONTH**

- WHEREAS,** National Freedom to Marry Day is traditionally celebrated on February 12<sup>th</sup> because it is Lincoln's Birthday, with Valentine's Day two days later, thus emphasizing our themes of Love and Equality; and
- WHEREAS,** Marriage is an important personal choice and a basic human right. The decision to get married should belong to the couple in love, not the government; and
- WHEREAS,** Legally, religious and civil marriage are two separate institutions. Though many faiths do perform same-sex commitment ceremonies now, they are not the same as civil marriages. The state should not dictate which marriage any religion performs or recognizes, just as religions should not dictate who gets a civil marriage license from the state; and
- WHEREAS,** Many same-sex couples already take on many of the same responsibilities as married couples, but have none of the legal protections or benefits that accompany civil marriage; and
- WHEREAS,** Marriage was traditionally defined as a union of two people of the same religion or the same race, or one in which wives were the property of their husbands. Those "traditional" elements of marriage changed to reflect the equality of individuals. Today, we recognize that the choice of a marriage partner belongs to each person, not to the government; and
- WHEREAS,** Currently a number of states offer broad protections short of marriage including civil unions and are considering legislation to provide equal marriage rights to all couples; and
- WHEREAS,** While the City of Berkeley has in the past recognized February 12<sup>th</sup> as Freedom to Marry Day, in recognition of this important period in the movement for marriage equality and to further educate the public about this important issue it is important that we recognize the entire month of February as Freedom to Marry Month.

**THEREFORE BE IT RESOLVED** that the Berkeley City Council support the non-interference of the government with same-gender couples who choose to marry and share fully and equally in the rights, responsibilities, and commitment of civil marriage, and

**BE IT FURTHER RESOLVED** that the City Council of the City of Berkeley hereby proclaims **February 2008** as

**Freedom to Marry Month**

in the City of Berkeley and urges all citizens of our City to reflect now and throughout the year on ways all of us can live and work together with a commitment to mutual respect and understanding.

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Mayor Tom Bates  
Anderson

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Councilmember Linda Maio

Councilmember Max

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Councilmember Darryl Moore  
Capitelli

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Councilmember Dona Spring

Councilmember Laurie

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Councilmember Betty Olds  
Wozniak

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Councilmember Kriss Worthington

Councilmember Gordon