

**Tucker for U.S. Senate**  
**Position Paper #6**  
**LGBT Issues**

In 1970, the California Peace & Freedom Party made history by calling for an end to discrimination against LGBT people, well before any other political party even recognized the categories of Lesbian, Gay, Bisexual and Transgender people as being oppressed and discriminated against. At its 1970 Long Beach State Convention, PFP went on record for:

- abolishing all laws against consenting adult sex (young people may not realize that until 1974 California had criminal laws against consenting adult same-sex couples)
- eliminating all political and social discrimination against LGBT people
- requiring that LGBT lifestyles be taught in schools in mandatory sex-education classes as legitimate alternative lifestyles.

At that time, PFP and the Gay Liberation Front shared an office and GLF West Coast founder Morris Kight pledged in his notorious campaign to take over Alpine County that it would have been a victory for PFP along with the GLF (the inside story of that campaign is one to be told over drinks...).

I still stand by the ideals expressed in that platform to this day, but I didn't wait for decades – as many liberal Democrats did – to get around to publicly espousing or implementing those precepts. As a young junior high school student activist at Pacoima Junior High, we organized a debate club. I espoused getting rid of the oppressive laws against LGBT people and their social stigmatization.

When a girl wanted to join our then all-male debate club, I insisted that she be allowed in and defended her when other boys in the club Lesbian-baited her. I made clear that I couldn't care less if she was or was not a Lesbian (she wasn't out of the closet at that point and was denying it), she had a right to be a member (this was before laws were implemented banning discrimination in campus clubs). Years later, when I was campaigning for Lieutenant Governor in 1978 I ran into her at U.C. San Diego. She was now out of the closet and reminded me of the incident where I stood up for her all those years ago. It's one of the things I've done of which I am proudest.

In 1998, I was endorsed for State Treasurer by the Northern California based Lesbian Voter Action Caucus. They called to quiz me on the issues they were concerned with and when they asked me about how I stood on same sex marriage, I replied, "Are you kidding? My running mate for Lieutenant Governor is a Lesbian."

The person questioning me wasn't satisfied. She insisted, "But you still have to answer the question." So I continued, "Okay, let me put it this way. Our slate held it's major fundraiser in a Lesbian bar."

She still wanted to know specifically where I stood on the issue, so finally I said, “Let me put it this way: I am the only candidate who has ever PERFORMED a same sex marriage. I performed the ceremony for Lisa and Paula, the co-presidents of the West Hollywood NOW Chapter, in front of the Federal Building in Van Nuys to protest DOMA [the Defense of Marriage Act]. Does that answer the question?”

She was satisfied with that answer.

During that campaign, our slate also produced a leaflet which explained why, with the Democrats as friends, LGBT people might not need enemies. The Democratic Party was extolling the virtues of their having made discrimination against LGBT people in the workplace unlawful. The problem was that discrimination against them was already deemed illegal by a State Supreme Court decision which had actually *criminalized* discrimination against LGBT people (*Gay Law Students vs Pacific Bell*). The Democrats in the legislature codified but decriminalized discrimination when they passed their law. Previously, employers who discriminated against LGBT people could have gotten six months in jail.

The solution should have been to *extend* the criminalization of discrimination in the workplace to protect all people on the basis of race, creed, color, political belief, national origin, sex, gender orientation, and all other arbitrary bases. By doing what they did, the Democrats left the only kind of discrimination that is punishable by jail as discrimination by an employer on the basis of political belief, activity, and affiliation. If elected to the United States Senate, I will work to criminalize intentional discrimination on a national basis.

Aside from my record in fighting discrimination based on sexual orientation, I have more than average experience at combating discrimination on the basis of gender orientation, i.e., Transgender issues. As a private investigator, I have worked on:

- An insurance discrimination case involving bad-faith failure to pay a death claim on a transvestite who listed herself as female
- The gang rape of a transsexual (MTF) intentionally placed in a male-only cell by a Wackenhut security guard at a privatized San Diego County jail in violation of policy
- The harassment of and physical attack on an L.A. County Mental Health worker (MTF) by her co-workers after a fellow employee illegally accessed her medical file and out-ed her at work.

My work on these kinds of issues and cases has convinced me over and over again of the need to both criminalize intentional workplace discrimination, harassment and retaliation. We must also legislate the Model Policy on Workplace Harassment which I authored and which has been nationally adopted as policy by the League of United Latin American Citizens. That policy was originated by SFV/NELA NOW and

introduced by then-Assembly Member Cindy Montanez in the 2002-3 California legislative term as AB 1617.