



City of Long Beach

R-19
Office of Robert Garcia
Councilmember, First District

Date: October 5, 2010

To: Honorable Mayor and Members of the City Council

From: Councilmember Robert Garcia, First District
Councilmember Patrick O'Donnell, Fourth District
Councilmember James Johnson, Seventh District
Councilmember Steve Neal, Ninth District

Subject: Resolution in Support of Overturning Proposition 8

Background:

On August 25, The City of Long Beach Human Relations Commission submitted a letter to the Mayor and City Council opposing Proposition 8 and calling for full marriage equality. The Commission has requested the City Council adopt a resolution affirming the City's support for marriage equality and for overturning Proposition 8.

In November 2009, the voters of California narrowly approved Proposition 8, which amended the California Constitution to define marriage as being only between one man and one woman. Advocates for civil rights and equality immediately committed to overturning Proposition 8, and quickly appealed in Federal Court.

On August 4, in the case of Perry V. Schwarzenegger, Judge Vaughn Walker of the U.S. District Court for the Northern District of California ruled that Proposition 8 violates the Equal Protection Clause of the 14th Amendment to the United States Constitution. His courageous and intelligent decision is a great victory for the highest American, and human, values – freedom, equality, justice, and love.

The decision will be appealed, and will possibly be heard by the United States Supreme Court. Thankfully, California Governor Arnold Schwarzenegger and California Attorney General Edmund "Jerry" Brown have chosen not to defend Proposition 8 on appeal, improving the chance that Judge Walker's decision will stand. Their position, that State resources should not be further committed to defending inequality, deserves the support of every Californian. It is especially important that the City of Long Beach, which has long been a leader on LGBT issues, express support for this decision.

The Council should honor the request of the Human Relations Commission and adopt this resolution.

Recommendation:

Request the City Attorney prepare a resolution in support of overturning Proposition 8, affirming the support of the City of Long Beach for full marriage equality, and for the decision of the Governor and Attorney General not to further defend Proposition 8 in court.