



EXHIBIT 9  
DATE 3/16/05  
SB 199

American Civil Liberties Union  
of Montana  
Power Block, Level 4  
P.O. Box 1317  
Helena, MT 59624

March 16, 2005

Madame Chair, Members of the Committee,

For the record, my name is Becky Convery. I am an attorney living in Helena. I am testifying this morning as an individual and on behalf of the American Civil Liberties Union (ACLU) of Montana.

The ACLU strongly supports the inclusion of the term "sexual orientation" in SB 199 because we believe ALL Montanans are entitled to be free from discrimination in employment, public accommodations, housing, lending, education and in the provision of state and local services.

No employer, landlord, lender, educational institution or state or local government should be allowed to discriminate against a person solely based upon the most personal, private, and intimate relationship decisions made by that person any more than they should be allowed to discriminate based on race, religion, gender, age or physical or mental ability.

As guaranteed by the constitution of this great state, all people, including gays, lesbians and bisexuals deserve to be judged on their abilities, education, and contribution to the broader community, and to be free from discrimination in the pursuit of the most basic of life's necessities – the ability to earn a living, to choose suitable housing, to seek financial security and to earn an education.

As noted by Justice Jim Nelson in his concurring opinion in *Snetsinger v. Montana University System*<sup>1</sup>, gays and lesbians live in nearly every county in Montana and head more than 1200 Montana households according to the 2000 census. Gays and lesbians are productive members of this society and work in a variety of professional and non-professional contexts in Montana. They are doctors, lawyers, legislators, teachers and university professors.

In spite of this, "[i]t is overwhelmingly clear that gays and lesbians have been historically subject to unequal treatment and individual discrimination<sup>2</sup>" in a variety of contexts, including being denied the right to serve openly in the military, being denied custody of their children, and being ridiculed and harassed in the workplace.

The ACLU urges you to pass SB 199 to provide ALL Montanans fair treatment and equal protection of the law.

Thank you for your time and consideration.

<sup>1</sup> 325 Mont. 148, ¶¶ 45-52 (Mont. 2004).

<sup>2</sup> *Snetsinger*, ¶ 45

