2018-2019

FREEDOM
FORWARD
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A Message From Our Board Chairs

We are inspired daily by the bravery, resilience, and tireless commitment of our community working to secure LGBTQ nondiscrimination nationwide. Your support has been crucial to the recent progress showcased in the following pages. And you have our heartfelt gratitude.

On behalf of the boards of directors for Freedom for All Americans Education Fund and Freedom for All Americans (FFAA), we are also writing to honor the incredible staff at FFAA who are fighting—and winning—bigger battles than ever before. The hard work of achieving LGBTQ freedom requires committed supporters like you, a best-in-class team, and visionary leadership.

As FFAA enters a new chapter, we would like to celebrate the passing of a baton between two such visionary leaders.

In November 2019, Masen Davis will conclude his two-year tenure as our Chief Executive Officer at which point we will welcome as Masen’s successor Kasey Suffredini – incoming CEO and National Campaign Director. Masen’s two years at the helm expanded FFAA’s partnerships and organizational infrastructure, strengthened our financial position, and generated a strategic roadmap to optimize FFAA’s ability to drive our mission further and faster. For his service both as a former colleague on the board of directors and as our CEO, we are both deeply grateful and inspired by his leadership.

Kasey is a brilliant strategist and an equally powerful leader. We are thrilled to welcome him to this new role. Kasey has been with FFAA since our inception and brings 20 years of experience in LGBTQ advocacy including as former Executive Director at MassEquality, State Legislative Director at the National LGBTQ Task Force, and Acting CEO at Freedom for All Americans prior to Masen’s tenure. In his time at FFAA, Kasey has led us to unprecedented victories in partnership with local, state, and national advocates – the most recent of which you’ll find in this edition of Freedom Forward.

We couldn’t imagine a more seamless leadership transition, nor could we have asked for a more effective lineage of executives leading this organization and nationwide movement.

In celebration of Masen and Kasey, we hope you’ll remain stalwart in your support of Freedom for All Americans in the months and years ahead. Whatever battles we may face, we are proud to work side by side with you to ensure all LGBTQ Americans are safe and living free from discrimination.

With gratitude,

Tyler Deaton, Chair
Freedom for All Americans
Board of Directors

Andrea “Andy” Hong Marra, Chair
Freedom for All Americans Education Fund
Board of Directors
The most historic LGBTQ nondiscrimination accomplishment of 2018 was the nation’s first statewide ballot fight over transgender rights in Massachusetts. The popular vote on one of the most challenging aspects of comprehensive nondiscrimination bills – public accommodations protections for transgender people – offered an opportunity to show definitively that public support for transgender people and nondiscrimination protections is growing; however, a loss would have set back the nationwide movement for LGBTQ nondiscrimination considerably. By any measure, this was a must-win campaign.

And win we did. Yes on 3’s margin was jaw-dropping: 68-32% and 345 of 351 Massachusetts towns and cities. Of the six cities lost, five were lost by roughly a mere dozen votes.

Yes on 3 was both a milestone victory in transgender rights while also propelling the entire movement for LGBTQ nondiscrimination forward. It was, to the best of our knowledge, the first LGBTQ ballot campaign in U.S. history to not only hold the line on support, but to actually increase support over the course of the campaign. After the landslide victory, FFAA tracked fewer anti-LGBTQ bills filed in 2019 than in previous legislative sessions, and those filed lacked the hateful animus of so-called “bathroom bills” of the past. Thanks to Yes on 3, opponents of equality lost appetite for their strategy while reeling from a staggering defeat.

The Yes on 3 campaign also illuminated a path forward for our community and our country with this victory, during a particularly dark time for LGBTQ people in the United States. In contrast to the extreme political divisiveness of our times, Yes on 3 united diverse stakeholders from across a spectrum of ideologies and political affiliations. Arm-in-arm with conservatives, progressives, law enforcement officials, faith communities, women’s anti-violence advocates, and families, we demonstrated the universality of nondiscrimination protections as a question of American values, dedicated to treating all people with basic dignity and respect.
Yes on 3 was spearheaded by FFAA’s Incoming CEO & National Campaign Director, Kasey Suffredini, who brought to this fight extensive knowledge and expertise from both his longstanding relationships and work in Massachusetts as well as on the

I do my part to speak out and be the face of what this law is really about,” said Nicole Talbot. “I’ve knocked on countless doors at the Massachusetts State House and sat face-to-face with our legislative leaders to share my story... I wish that I could just be a teenager. But being safe and protected by the law is directly linked to my future and pursuing my dreams — right now and for years to come. And it’s worth fighting for. Being transgender is just one part of who I am. It shouldn’t determine whether I continue to have basic protections in the state I call home.

If there is one message I want to send today it is a message of love and kindness. We need to move away from the conversation centered on rights and re-center our conversations on humanity. Trans people are worthy of protection because I am human. We enrich our communities and make this world better. If you are a person of good faith, you believe in justice and equality for all people.
The campaign that our movement built – Yes on 3 – was the largest bipartisan effort in U.S. history to engage voters about what it means to be transgender.

In this divided environment, people are looking for unity. Elevating transgender voices and leadership, eschewing partisan politics, building big tent coalitions, and speaking to values are core tactics.

Teen and parent voices are among our strongest messengers. These messengers remind voters that transgender people are members of our families – and they are young people that need to be cared for, just like all of our children.

Yes on 3 shows that early investments of time and money pay off – our generous supporters were essential to the victory. Core tactics like inoculation, familiarization, building a big tent coalition, dampening opposition enthusiasm, testing messages, and identifying and developing message-disciplined youth surrogates must be started early in order to have an impact.

Myths about transgender people being a threat to women and safety are no longer working. Law enforcement officials, sexual assault prevention groups, and women’s organizations as external validators can acknowledge and calm concerns among voters and simultaneously move them to a place of greater support.

This is the nondiscrimination movement’s “no flinch” moment. We must address opposition arguments head on in the field, in earned media, and on the airwaves. When we do, we win.
LGBTQ people are being fired from their jobs, evicted from their homes, and rejected from public spaces as a routine part of daily life in America today. Millions of people in our community remain vulnerable to these harms. That’s why Freedom for All Americans and Freedom for All Americans Education Fund exist: To carve an integrated path to victory for nationwide LGBTQ nondiscrimination protections through state and national lobbying; public education campaigns; constituency mobilization; and building urgency and momentum through the courts and legislatures.

2019 has been a banner year for advancing LGBTQ equality in the states. Just a few years ago, states across the country pursued - and passed - dangerously anti-LGBTQ legislation at an alarming rate. By contrast, this year significantly fewer anti-LGBTQ bills were introduced overall and even fewer passed. This sea change at the state level reflects the growing support of LGBTQ equality among legislators and voters on both sides of the aisle:

• Governors in Kansas, Michigan, Ohio, and Wisconsin signed executive orders protecting LGBTQ people from public employment discrimination.

• After years of deadlock, the New York State Assembly passed the Gender Expression Non-Discrimination Act, making New York the nation’s 20th state to secure comprehensive, enduring LGBTQ nondiscrimination protections.

• More than two-dozen Republican lawmakers were lead sponsors of LGBTQ nondiscrimination legislation in fifteen states - including the Chair of the Republican Party of Florida, the Senate Majority Leader in West Virginia, and the Senate Appropriations Chair in Pennsylvania. Republican leaders were also critical to stopping dangerously anti-LGBTQ bills from becoming law, including the Republican Speakers of the Texas House and Georgia House who both publicly opposed such legislation in their respective states.
During the 2019 state legislative sessions, FFAA tracked 164 pieces of LGBTQ-related legislation. 95 pieces of pro-LGBTQ legislation were introduced while 14 passed in seven states and Washington, D.C. 69 anti-LGBTQ pieces of legislation were introduced and 8 passed in seven states. The 2019 session demonstrates growing support for inclusive policies and reticence to advance legislation that endangers the LGBTQ community’s ability to live free of discrimination.

Passed a series of good bills including SB 311 specifying that creditors may not discriminate against an applicant based on sexual orientation and gender identity, as well as other factors.

SB 227 extends current anti-discrimination employment protections on the basis of sexual orientation and gender identity to all employers. Previously, the law covered only those employers with 15 or more employees.

FFAA opposed a series of bills aimed at removing some protections from students on college campuses which passed in five states.

GENDA prohibits discrimination based on gender identity or expression.

LDI prohibits insurance companies from discrimination based on sexual orientation or gender identity.
Our National Campaign

Freedom for All Americans is dedicated to one, focused goal: To win the strongest possible nationwide protections for the largest number of people as quickly as possible. To this end, we are committed to passing LGBTQ nondiscrimination laws at both state and federal levels until all LGBTQ people are protected.

2019 marked the first year a comprehensive LGBTQ nondiscrimination bill achieved an affirmative vote in Congress. The Equality Act (HR 5) – which would ensure federal law protects LGBTQ people against discrimination in employment, housing, education, credit, health care, federally-funded services, public places, and jury service – passed the U.S. House of Representatives by a 236-173 vote on May 17, 2019. With every Democrat and eight Republican House members supporting the bill, this milestone demonstrates growing bipartisan momentum for LGBTQ nondiscrimination.

Amidst legislative hearings on the Equality Act, FFAA prepared spokespeople and partners to counter harmful testimony propagated by anti-LGBTQ extremists. We were poised with the right lessons and responses from recent ballot fights – most notably last year’s Yes on 3 campaign in Massachusetts – to successfully spearhead messaging guidance at key moments.

My stomach sank, my eyes filled with water, and the lump in my throat felt like a rock,” Jami Contreras said. At the first checkup of Jami and her wife Krista Contreras’ six-day-old baby, the pediatrician refused to treat their newborn simply because Krista and Jami are a same-sex couple. While the women imagined they could perhaps face discrimination themselves as a same-sex couple, they never believed it would directly affect their child; however, lacking explicit statewide nondiscrimination protections in Michigan, the pediatrician’s office felt empowered to turn them away. Jami continued, “I remember staring at my new baby who was now being examined by a doctor we had never met and all I could think was, ‘What have we done, how did we get here?’” Trained and supported by FFAA, Krista and Jami shared their painful experience with lawmakers during a Congressional hearing on the Equality Act on April 2. Their story, along with many others, is inspiring lawmakers to embrace comprehensive, enduring LGBTQ nondiscrimination protections.
To help lay the groundwork for passage of explicit federal protections by 2025, FFAA is leading a collaboration with local and national partners to educate federal lawmakers about discrimination’s harms in Florida, Georgia, Michigan, North Carolina, and Texas. In just the first half of 2019, FFAA trained 16 participating organizations, including a diverse network of state and national, religious and secular, and small and large partner groups; generated 17 local, pro-LGBTQ media placements; and mobilized more than 37 meetings with influential members of Congress.

One example of this work ultimately changed the mind of Republican member of Congress, Rep. Mario Díaz-Balart. FFAAEF organized three constituent meetings to bring real, relatable, and very human stories to Rep. Diaz-Balart’s attention. While these meetings focused on the problem of discrimination in individual districts — not specific legislation — it is clear we’re moving hearts and minds. Although Rep Díaz-Balart was initially unsupportive of the Equality Act, he ultimately voted in favor of the legislation.

FFAA will continue to train and mobilize strategic constituencies to support the need for enduring, comprehensive nondiscrimination protections. For example, we launched Conservatives Against Discrimination in early 2019. This coalition of politically-conservative people who champion fairness and equal protection for LGBTQ people nationwide is a one-stop-shop for anyone looking to learn more about and actively support LGBTQ nondiscrimination.

Republican lawmakers at all levels of government are stepping up in support of LGBTQ protections and have become especially vocal at the state level; in fact, in deep red states, Republican lawmakers were critical to stopping dangerously discriminatory bills from becoming law in Tennessee, Georgia, South Dakota, and Texas during 2019 state legislative sessions. The Conservatives Against Discrimination coalition harnesses this kind of new energy behind conservative support for nondiscrimination and offers resources to conservatives looking to share their support. It is chaired by Ileana Ros-Lehtinen, former Congresswoman from Florida’s 27th district, and Trey Grayson, former Secretary of State from Kentucky.

Learn more at forallusa.org/conservatives.

The direction of the Republican party - and the nation - is clear. A strong majority of conservatives nationwide support LGBT nondiscrimination protections, including conservative primary voters. The freedom to chart a new course, build a better life, and achieve the American dream is not just a conservative value - it’s an American value. It’s one of the most important principles of this country and that’s why everybody - conservative, progressive, liberal, moderate, however you may describe yourself - can believe in that. Please join us as we demonstrate that LGBT liberty is not a partisan issue - it’s a human issue.

ILEANA ROS-LEHTINEN & TREY GRAYSON
CONServatives AGAINST DISCRIMINATION CO-CHAIRS

Our states campaign team was on the ground in Tennessee to fight the most anti-LGBTQ slate of bills in the country, pictured here with our partners at the Tennessee Equality Project and the Human Rights Campaign.
In April 2019, the U.S. Supreme Court (SCOTUS) announced that it will hear three cases that will critically affect LGBTQ equality. These cases ask whether the federal law prohibiting sex discrimination in employment covers discrimination based on sexual orientation and gender identity. There has been a growing consensus building in the courts, administrative agencies, and among scholars for decades that it does – discriminating against someone based on whom they love or the gender with which they identify necessarily takes the individual’s sex into account and therefore violates the ban on sex discrimination enacted by Title VII of the Civil Rights Act of 1964. The Supreme Court will decide whether these rulings of lower courts and agencies should be affirmed or whether it will take away these protections from LGBTQ workers.

The cases Zarda v. Altitude Express; Bostock v. Clayton County, Georgia; and EEOC v. R.G. & G.R. Harris Funeral Homes prove how true the adage is that “we are everywhere” – from New York, Georgia, and Michigan, respectively.

Melissa Zarda and her brother Don grew up in Kansas City, Missouri. Don was gay, and when he lost his job as a skydiving instructor—simply because he disclosed his sexual orientation to a customer—Melissa was there to support him. “When Donnie was challenged with something unfair, he would fight hard against it,” said Melissa. After Don tragically passed away in a base-jumping accident, Melissa teamed up with Bill, Don’s former partner and friend, to continue Don’s fight. Melissa shared, “This case was so important to Don. Continuing it was the only way I could honor my brother. To right a wrong would have meant the world to him.” Melissa speaks out vociferously that LGBTQ people should never have to suffer the same discrimination her brother faced.

In 2018 Don’s story made national headlines when the 2nd Circuit Court of Appeals ruled that discrimination based on sexual orientation is prohibited under Title VII of the Civil Rights Act of 1964. Don’s case is one of three to be decided by SCOTUS in 2020.
These cases carry monumental consequences for LGBTQ Americans. At present, there is no federal law expressly prohibiting employment discrimination based on sexual orientation and gender identity, and only 21 states have state laws that explicitly forbid such discrimination. Approximately seven million LGBTQ Americans live in the other 29 states and the Supreme Court will now decide whether federal law will protect them in their efforts to make a living and provide for their families. In addition, the Supreme Court ruling likely will also decide whether LGBTQ Americans are protected under other federal laws barring sex discrimination—in housing, in education, in health care, and in credit.

Given the stakes, FFAA worked closely with the LGBTQ litigation groups to coordinate the more than 49 amicus briefs filed in support of maintaining federal employment discrimination protections for LGBTQ Americans; engaged our key constituencies—including mayors, businesses, faith leaders, and conservatives—to join briefs aimed at convincing the Justices to affirm the protection of LGBTQ workers against employment discrimination that many lower federal courts and the Equal Employment Opportunity Commission have found to currently exist; and will continue working to educate Americans about what is at stake in these cases.

A win would improve the lives of millions of LGBTQ people and their families. No matter how the Supreme Court rules in 2020, though, it will still be critical to pass federal and state nondiscrimination laws—federal bans on discrimination in public accommodations and federally-funded services do not currently encompass sex discrimination, which is the key to winning sexual orientation and gender identity protections through the courts. For more information about the cases, please go to www.freedomforallamericans.org.

Mayors Against LGBTQ Discrimination is a bipartisan coalition of municipal leaders dedicated to securing inclusive nondiscrimination protections for all, including LGBTQ individuals, at all levels of government. Co-chaired by Mayors Muriel Bowser (District of Columbia), London Breed (San Francisco, CA), Jenny Durkan (Seattle, WA), Sly James (Kansas City, MO) and Jim Kenney (Philadelphia, PA), membership has expanded to represent 348 municipalities from nearly every state and Washington, D.C. Collectively, the mayors who have joined the coalition represent 60 million Americans and powerfully influential signatories on Freedom for All Americans Education Fund’s amicus brief.

Member Mayors take a variety of actions supporting LGBTQ nondiscrimination. In the summer of 2018, for example, Birmingham, Alabama mayor Randall Woodfin took the historic step of hiring the city’s first LGBTQ liaison. The city official serves now as both a spokesperson for the city and as a representative of LGBTQ interests.

Learn more at www.mayorsagainstlgbtdiscrimination.org.
Business voices and engagement have been especially important to FFAA’s work in the 2019 state legislative sessions. Our America Competes coalition is the “connective tissue” for businesses across this dynamic landscape of LGBTQ equality in the U.S. More than 40 Fortune 500 and high-profile businesses receive confidential briefings from America Competes throughout state legislative sessions. These briefings come from a business perspective, identifying the most pressing and viable risks and opportunities; outlining the business case for engagement; and making specific calls to action for businesses that can engage.

The 2019 session demonstrates the growing corporate support for inclusive policies and the reticence to advance legislation that endangers the LGBTQ community’s ability to live free from discrimination.

Quickly educating national businesses on the pressing need in Tennessee, for example, illustrates a core goal of America Competes: To cut through the noise and keep businesses abreast of the issues most pertinent to their interests and their ability to take effective action. If it were not for FFAA, businesses, donors, and our partners on the ground, Tennessee would likely have passed the most discriminatory legislation the country has seen since HB2 in North Carolina.

Learn more about America Competes at www.americacompetes.org.

South Dakota

Lawmakers considered four anti-transgender bills in 2019 that targeted transgender young people’s access to basic medical care, accurate health education, and their ability to participate in school sports. For the third year in a row, South Dakota’s Republican-controlled legislature voted down proposed anti-transgender legislation. FFAA worked closely with local constituents, the ACLU of South Dakota, and Athlete Ally to drive the narrative — including publishing an ad in the local newspaper featuring athletes, coaches, and school administrators who opposed the discriminatory legislation.

Tennessee

In Tennessee, lawmakers pursued the most extreme anti-LGBTQ slate of bills in the country in 2019 but passed only one significantly-amended version of the six original bills. Key to our success was massive, organized opposition to the legislation among local business coalitions and businesses with multi-state profiles. America Competes supported the Nashville LGBT Chamber of Commerce, securing signatures from over 100 business leaders on an open letter opposing anti-LGBTQ legislation.

Virginia

State legislators spearheaded the strongest effort yet to enact LGBTQ-inclusive housing and public employment protections. FFAA supported outreach through local partner Equality Virginia, driving more than 2,000 calls, letters, and tweets to lawmakers. These bills sailed through the Republican-led Senate with a favorable bipartisan vote, but didn’t move in the House. Local advocates are already eyeing success in 2020 — and FFAA will be on the ground to help in any way possible.
2018 Financials
Freedom for All Americans Education Fund

Income

- 64% of total budget
- 15% of total budget
- 21% of total budget

$736,744
Indians

$512,658
In-Kind (Legal Research)

$2,230,175
Institutions & Corporations

$3,479,577
TOTAL INCOME

Expenses

- 81% of total budget
- 9% of total budget
- 10% of total budget

$310,193
Administration & Management
(Core Programs Support)

$275,601
Resource Development
(Core Programs Support)

$2,640,718
Programs

$674,914
State Programs

$726,970
Policy & Litigation

$1,238,834
Other Programs

$3,226,512
TOTAL EXPENSES

Tax-deductible, charitable giving to Freedom for All Americans Education Fund supports public education programs that build support for LGBTQ equal treatment nationwide.
2018 Financials
Freedom for All Americans

Income

- 85% Non tax-deductible giving fuels FFAA’s legislative and lobbying campaigns to secure nondiscrimination policy in municipalities, states, and nationwide.
- 15% Total income

$90,586 Individuals

$510,000 Institutions

$600,586 TOTAL INCOME

Expenses

- 86% of total budget Programs
- 4% of total budget Resource Development (Core Programs Support)
- 10% of total budget Administration & Management (Core Programs Support)

$70,304 Administration & Management (Core Programs Support)

$29,553 Resource Development (Core Programs Support)

$631,192 TOTAL EXPENSES