



## Pinellas extends rights to gays

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CLEARWATER — In a split vote Tuesday, the Pinellas County Commission expanded its human rights ordinance to protect gays, lesbians and bisexuals.

Included in the vote was a promise to explore expanding the ordinance to bar discrimination against the transgendered. That promise led commission Chairman Bob Stewart and Commissioner Calvin Harris to vote against approval.

The vote satisfied none of the roughly 80 people who attended the meeting. Advocates for protecting sexual minorities had wanted the commission to either include the transgendered, or do nothing. Social conservatives wanted the human rights ordinance left untouched.

David Caton, executive director of the Florida Family Association, said afterward that the commission had acted without any specific documentation that gays, lesbians and bisexuals are subject to discrimination because of their sexual orientations.

"This is a political move to appease a very powerful, secular, progressive political group," Caton said of the commission's vote. "It's a sad state of affairs."

"It's pretty disappointing," said Karen Doering of St. Petersburg, formerly senior counsel at the National Center for Lesbian Rights. "It's not even close to a victory."

The county's human rights ordinance protects against discrimination in employment, housing and public accommodation based on race, color, national origin, sex and religion. The expanded ordinance adds to the list sexual orientation, defined as "an individual's actual or perceived heterosexuality, homosexuality or bisexuality."

In practice, what that means is anyone who thinks they've been discriminated against because of their sexual orientation can now file a complaint with the county's Office of Human Rights. Discrimination complaints most often lead to settlements. When a settlement can't be reached, the case goes before an administrative law judge.

While Tampa and St. Petersburg have passed similar laws, efforts have stalled in Hillsborough County.

Protection from discrimination based on sexual orientation had been a part of Hillsborough's human rights ordinance until it was removed in 1995. Commissioners rejected attempts to add it back in 2000 and 2005.

Where the new Pinellas ordinance falls short, in the view of some, is in its failure to go beyond sexual orientation and bar discrimination based on "gender identity or expression." That's the legal term that refers to the transgendered, people who though born male identify themselves as female, or vice versa.

Such individuals sometimes undergo hormone treatments and surgery as part of the sexual reassignment process.

The transgendered are especially vulnerable and deserving of protection, advocates argued before the commission, which at first appeared ready to go the full distance.

After speakers were heard, Commissioner Susan Latvala moved to table the revised ordinance so that the "gender identity or expression" language could be added and proposed bringing the revised measure back for a vote.

But there was no second, so the motion died.

Commissioner Ken Welch then moved to approve the ordinance, but directed the county's legal staff to further study how to implement a law protecting the transgendered. Welch said he needed to learn more about how sensitive issues, such as cross-dressing and somebody changing their gender, are handled in workplaces where such laws apply.

The legal staff is to report back in six weeks.

Commissioner Karen Seel seconded Welch's motion. The final vote saw commissioners Seel, Welch, Latvala and Ronnie Duncan in the majority. Commissioner John Morroni was absent. Stewart and Harris voted no, saying they were uncomfortable extending protections to the transgendered.

"I don't know what a transgender is," an exasperated Harris said after the vote.

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