



## Anti-discrimination bill debated

### Three testify on behalf of adding sexual preference to protected list

February 7, 2007

By James Carlson

Jeff Potter remembers the sting of discrimination. He uses words like alone, abandoned, vulnerable.

Working as a machinist at a tool and die shop in Everest, Potter was moving up in the Brown County business. He was even in talks with the owner to buy the shop when his boss asked him a question last May.

"Are you a homosexual?" Potter said his boss asked.

Potter said, "Yes."

He said he was then fired on the spot, but under Kansas law he had no recourse for a grievance.

Potter joined three others in testifying Tuesday in support of a bill that would add sexual orientation to the list of protected classes under the Kansas Act Against Discrimination.

The bill, heard before the Senate Federal and State Affairs Committee, would prohibit discrimination based on sexual orientation in areas that include housing and employment.

Thomas Witt, chairman of the Kansas Equality Coalition, said 27 states and the District of Columbia have similar laws.

Bonnie Cuevas would like to see the measure passed so her son would come home. She told the committee that her youngest son, who is gay, left the state because he didn't feel accepted.

"He spoke often of the fact of how difficult it was for gay and lesbian people to live and work in Kansas because there were no laws to protect them from being fired from their jobs and refused public accommodations simply because of their sexual orientation," she said.

But Rep. Janice Pauls, D-Hutchinson, said you can't tell whether people are homosexual by looking at them and they shouldn't be included along with the other protected classes, such as race or religion.

"It concerns me that we're adding in a protected class that has not traditionally been recognized by the Civil Rights Act," she said.

Sen. Roger Reitz, R-Manhattan, pressed Pauls on her statement and asked whether religion should be protected because "you can't tell if someone is Jewish by looking at them."

"This offends my sense of justice," he said.

When pushed further on what she saw as discrimination, she said of homosexuals, "It's not a group that on the face has been discriminated against."

Witt disagreed and pointed to documents he presented to the committee. In a recent study of 121 homosexual men and women conducted in Topeka, 15 percent of respondents said they had been fired because of their sexual orientation, and 41 percent had received verbal or physical abuse. The study was done by the Equal Justice Coalition of Topeka and the **National Gay and Lesbian Task Force Policy Institute**.

"If [Pauls] claims there is no such thing as discrimination against gays and lesbians in Kansas, the research doesn't back it up," he said.

*James Carlson can be reached at (785) 233-7470 or [james.carlson@cjonline.com](mailto:james.carlson@cjonline.com).*