



# 2012 Municipal Equality Index

A Nationwide Evaluation of Municipal Law and Policy



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# Q&A

# About the MEI

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## WHERE CAN I GET MORE INFORMATION ABOUT THE CITIES RATED?

This booklet contains only a summary of the scorecards for each of the 137 cities rated on the 2012 MEI. The full scorecards are available online at [hrc.org/mei](http://hrc.org/mei).

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## HOW ARE THE SCORES CALCULATED?

Cities are rated on a scale of 0-100, based on the city's laws, policies, and services. There are 100 standard points and 20 bonus points (bonus points are awarded for exemplary programs which do not apply to all cities). For more information on the scoring system, see page 11.

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## HOW WERE THESE CITIES CHOSEN?

This year, the cities rated are: the 50 state capitals, the country's 50 largest cities, and 75 cities & municipalities that have high proportions of same-sex couples (see page 9 for more information). Next year the number of cities rated will likely double.

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## CAN ONLY CITIES IN STATES WITH GOOD LAWS GET GOOD SCORES?

Definitely not. The MEI was specifically designed to measure the laws and policies of the municipality, not the state. While state law might affect the city's score, it is not determinative of a city's ability to score a 100. In fact, some cities without positive state laws did score 100s.

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## DID YOU KNOW THAT \_\_\_\_\_ ISN'T A CITY?

Yes. A few of the places rated in the MEI are "census-designated places" which are not incorporated as cities. This is a result of the way the cities were selected, and it is explained further on page 9. In these instances, we rated the local government that actually serves that census-designated place.

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## IS THIS A RANKING OF THE BEST CITIES FOR LGBT PEOPLE TO LIVE IN?

No. This is not a ranking of a city's atmosphere or quality of life. It is an evaluation of the city's laws and policies, and an examination of how inclusive city services are of LGBT people.



Dear Readers,

It is with great excitement that the Human Rights Campaign Foundation presents the inaugural *Municipal Equality Index*. As we make progress towards full equality at the state and federal levels, it is crucial to recognize the progress at the local level as well. In fact, we've found that's often where progress begins.

Some of our community's earliest victories took place in cities and municipalities. Even more, we've found that these local results have a tendency to "bubble up" to the state level and business world. Often municipalities will move first, passing nondiscrimination ordinances that later serve as important models when inclusive statewide laws or corporate policies are under consideration.

**The goal of the MEI is to lift up and celebrate precisely this kind of progress in cities around the country while accelerating improvements in municipalities with work left to do.**

The MEI takes an even-handed look at cities big and small, from coast to coast and everywhere in between, in order to determine the extent to which city and municipal governments are leading the way on equal treatment for LGBT people. What we found motivated us.

Even in states with few legal protections, LGBT equality is on the move on the municipal level.

We hope that the MEI will be a toolkit which helps cities and municipalities around the country better understand what they can do for their LGBT citizens. The following pages contain a wealth of information, and we encourage you to take advantage of the additional resources available at the MEI website: <http://www.hrc.org/MEI>.

HRC thanks our partners at the Equality Federation Institute and the Victory Institute for their invaluable contributions to this project. Local and state level advocacy ensures that LGBT voices are heard in public squares across the country. The MEI is a testament to that work, and we hope this report is helpful to city and municipal governments and to individual LGBT Americans hoping to better understand what their city can do for them.

Sincerely,



**Chad Griffin**  
HRC Foundation President

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# Why Cities Should Invest in Equality

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## IT'S GOOD BUSINESS

### **Inclusiveness isn't just good policy – it's good business.**

Beyond the important issues of fairness and equality lies an additional reason for cities to take matters of equality seriously: it is good business.

Cities are in constant competition for business, residents, and employers. A growing body of research has shown that cities that have significant and vibrant gay and lesbian communities have higher levels of income, life satisfaction, housing values, and emotional attachment to their community, as well as higher concentrations of high-tech business. Richard Florida's fascinating work on this subject reveals a link between a city's inclusivity and its ability to attract top talent and innovative business.

In addition to competing for business and taxpayers, however, there is also a business argument for creating a city workplace that treats every employee fairly and with respect. Fair workplaces enhance reputation, increase job satisfaction, and boost employee morale. As the private sector continues to offer better policies and benefits for LGBT employees, cities may struggle to attract and retain

qualified employees. Cities would be well-advised to respond to the workplace considerations measured by the MEI – some of which are associated with minimal cost and may pay dividends in productivity.

All citizens should be equals when they come before their government, and this is as much the case at the municipal level as it is at the federal level. Public servants deserve to be treated fairly – and it is to a city's competitive advantage to recognize this. Whether it is offering inclusive employee benefits, instituting a domestic partner registry, or issuing a proclamation to celebrate Pride, cities are in the enviable position of doing the right thing and receiving tangible benefits from doing so.

**Cities do compete: they compete for business, they compete for residents, and they compete for employees.**

# Competitive Cities Care About Equality

by **RICHARD FLORIDA**

*Richard Florida is Director of the Martin Prosperity Institute at the University of Toronto's Rotman School of Management; Global Research Professor at NYU; and Senior Editor with The Atlantic.*

Cities are always vying with each other for tourism, tax dollars, and especially jobs. But no matter how much political and other capital their leaders expend to convince lucrative, cutting-edge businesses to locate or relocate within their limits, all of their efforts will be in vain unless they can show them that they are places that attract and retain top talent.

**Members of the creative class – the 40 million workers, a third of the American workforce** – the scientists and engineers, innovator and entrepreneurs, researchers and academics, architects and designers, artists, entertainers and media types and professionals in business, management, healthcare and law who power economic growth – **place a huge premium on diversity. In fact, they use it as a proxy to determine whether a city will provide a welcoming and stimulating environment for them.**

Cities that demonstrate such attributes gain a competitive edge, as evidenced by their consistently higher levels of economic growth. As the journalist and demographer Bill Bishop put it, "Where gay households abound, geeks follow." And as the Gallup-Knight Soul of the Community surveys have shown, diversity and tolerance are two of the most important determinants of people's satisfaction with and attachment to their communities.

Openness and tolerance to the LGBT community is a huge component of this, as research I've conducted with Gary Gates of UCLA's Williams Institute has shown. Leading companies have understood this for years. Today, the majority of Fortune 500 companies have pledged not to discriminate against their employees because of their sexual orientation or gender identity. Many of them provide domestic partner benefits, and an increasing number of them provide transgender inclusive health benefits. They've done so because it makes good business sense – a principle that applies to cities as well.

Cities are doing it too. And that's why the HRC's Municipal Equality Index is so important. It rates and ranks the 50 U.S. state capitals, the 50 largest cities, and the 75 cities and municipalities with the highest proportions of same sex couples on how LGBT-friendly their local laws and ordinances are.

Deciding where to live is one of the most important decisions a person can make. The Municipal Equality Index provides an important resource for people who are looking for a community to live and work in—and an important new benchmark for cities to measure themselves against.

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# How Can My City Improve Its Score?

The scoring rubric applied by the MEI is a very specific one, and a detailed, long-form scorecard for each city rated is available at [www.hrc.org/mei](http://www.hrc.org/mei). It will be clear which categories resulted in an award of points to the municipality and which did not. This publication contains an explanation of how each category is scored.

Once you know which areas of the scorecard are areas of opportunity for your city, you should begin investigating how your city can capitalize on that opportunity. For help with this, please feel free to contact the Human Rights Campaign at [mei@hrc.org](mailto:mei@hrc.org) or your local Equality Federation member.





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# Take Action for Equality

## **LEARN ABOUT WHERE THE CITY IS NOW.**

The best place to begin is by examining the city's scorecard carefully. Only summaries of each city's scorecard are printed in this booklet; go online to [www.hrc.org/mei](http://www.hrc.org/mei) to see the detailed scorecard.

## **TAKE STOCK OF THE OPPORTUNITIES.**

No city scored every point available to it on the 2012 MEI. Every city assessed has an opportunity to do better next year, and identifying that opportunity (or several opportunities) for improvement is the second step.

## **SHARE & EDUCATE.**

Use the MEI to start conversations with your city council representative, your neighbors, and your friends. Impress upon these people the opportunities you've identified for your area and the importance of achieving them. For help doing this, contact HRC at [mei@hrc.org](mailto:mei@hrc.org) or your local member of the Equality Federation.

## **MAKE IT HAPPEN.**

Work with your city leadership to turn opportunity into reality. See your score on the 2013 MEI improve. Repeat.



# Criteria



# City Selection

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## HOW WERE THESE CITIES CHOSEN?

**The 2012 Municipal Equality Index rates 137 municipalities of varying sizes drawn from every state in the nation.**

The 50 state capitals are included, as are the country's 50 largest cities as identified by the 2010 U.S. Census. To create a disciplined list of cities of interest to the LGBT community, we drew from an analysis of the 2010 Census results by the Williams Institute at the UCLA School of Law that ranked the 25 large cities (populations exceeding 250,000), 25 mid-size cities (populations between 100,000 and 250,000), and 25 small cities (populations below 100,000) with the highest proportion of same-sex couples. Some of these small "cities" are in fact unincorporated census-designated places. To be consistent we rated all twenty-five of these small cities, even the unincorporated census-designated places, based on the laws and policies of the most local level of government applicable (the entity rated – for the unincorporated places this is usually the county – will be clearly indicated). We also included cities

with HRC steering committees. Significant overlap between these criteria meant the total number of cities rated in the 2012 MEI was 137. The 2013 MEI will likely rate double that number of cities.

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## KEEPING SCORES IN CONTEXT

As is detailed later in this publication,\* all cities are not created equal. Some cities have the autonomy and wherewithal to pass terrific laws and offer cutting-edge city services; other cities are hampered by severe state-imposed limitations on their ability to pass inclusive laws, or find that the small scope of their local government limits their capabilities. **The MEI is structured to reward the specific achievements of a local government, but it is also designed to acknowledge each city's unique situation.** The efforts and achievements of each city can only be fairly judged within that city's context, and despite the distillation of those efforts into a necessarily quantitative score, the MEI honors the different situations from which the selected cities come.

It does so in three major ways. First, in addition to the 100 standard points for city laws and services, there are 20 bonus points. Bonus points are awarded for items that are commendable but for which it would be unfair to hold all cities accountable; therefore, cities with the item are rewarded, but cities without it are not penalized. Bonus points provide some leeway for cities that find it challenging to accomplish the specific achievements the MEI measures, and they also ensure that every city has the ability to improve its score for next year. Second, the MEI weights state, county, and municipal law such that the effect of helpful or harmful state law does not determine the ability of a city to score well. Finally, it rates the city leadership's public position on LGBT equality and gives credit for legislative efforts (even unsuccessful efforts); so, if the city has outspoken advocates for equality who are unfortunately in the minority, it will still receive credit for the work those advocates have done.

\*For more information on this topic, please see page 29 of this publication.



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# How the Scoring System Works

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## Part I. Non-Discrimination Laws.

This category evaluates whether discrimination on the basis of sexual orientation and gender identity is prohibited in areas of employment, housing, and public accommodations. It should not be legal to deny someone the right to work, rent a home, or be served in a place of public accommodation because of his or her sexual orientation or gender identity. In each category (employment, housing, and public accommodations), cities receive three points for prohibiting discrimination on the basis of sexual orientation and three points for prohibiting discrimination on the basis of gender identity.

These points can come from one of three places: state law, county law, or city law. If the state law has a comprehensive and inclusive non-discrimination law, a city may conclude it is an inefficient use of resources to pass a local law saying the same. The same is true of a county law. As long as the protections of such a state or county law apply within city limits, the city will be marked as having such protections. Note that if a city falls within more than one county, all counties must have the protection in order to be awarded points. If there is no state or county law, but the city has passed such a law of its own volition, it will receive credit for those non-discrimination protections. However, the maximum points allowable in this section are capped at 18; therefore, where laws exist in both the city and the state (or county) level, the city will not receive double (or triple) points.

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## Part II. Relationship Recognition

Marriage equality and civil unions are matters that are dealt with by states, not by cities. Cities and counties, however, generally do have the power to create domestic partner registries. These registries do not come with all the same benefits as marriage, of course, but they do offer significant value to LGBT people who seek to have their relationships recognized as formally as possible. **Because this is an evaluation of municipalities, not states, and marriage is a state-level policy, this section is weighted so that an equal number of points are awarded for marriage (or other state relationship recognition) and municipal domestic partner registries.**

As is true with non-discrimination laws, a city may feel it has little incentive to deal with relationship recognition at the local level where a state law – like marriage equality – has already settled the matter in a productive way. Therefore, the city will receive points based on the state-level relationship recognition if applicable. Points will also be awarded if there is an applicable county domestic partner registry. There are also two bonus points available if a city had a form of relationship recognition that was subsequently preempted by negative state action.

<p><b>Part I.</b> <b>Non-Discrimination Laws</b> State or County or City</p> <p>This category evaluates whether discrimination on the basis of sexual orientation and gender identity is prohibited in areas of employment, housing, and public accommodations.</p>	Employment	3 / 3
	Housing	3 / 3
	Public Accommodations	3 / 3
	<b>Total Part I: 18 Points</b>	

<p><b>Part II.</b> <b>Relationship Recognition</b> State or County or City</p> <p>Because this is an evaluation of municipalities, not states, and marriage is a state-level policy, this section is weighted so that an equal number of points are awarded for marriage (or other state relationship recognition) and municipal domestic partner registries.</p>	<p><b>State:</b> Marriage Equality Civil Unions Domestic Partnerships</p> <p><b>or</b></p> <p><b>County:</b> Domestic Partner Registry</p> <p><b>or</b></p> <p><b>City:</b> Domestic Partner Registry</p>	12
	<b>Total Part II: 12 Points</b>	

<p><b>BONUS POINTS</b></p> <p>Logistically, not all criteria are achievable by all cities at this time. Bonus Points are awarded for such criteria so that cities without the capacity to achieve them are not penalized.</p>	Municipality had relationship recognition that was preempted by restrictive state law.	+ 2
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<p><b>Part III.</b> <b>Municipality as Employer</b></p> <p>This section is the most heavily weighted because it is an area in which almost every municipality will have extensive control and the power to do much good. It measures how cities treat their LGBT employees, and the extent to which they require their contractors to do the same.</p>	Non-Discrimination City Employment	5 / 5
	City Contractor Non-Discrimination Ordinance	2 / 2
	City Contractor Equal Benefits Ordinance	4
	Domestic Partner Health Benefits	4
	Legal Dependant Benefits	2
	Equivalent Family Leave	2
	<b>Total Part III: 26 Points</b>	

<p><b>BONUS POINTS</b></p> <p>Logistically, not all criteria are achievable by all cities at this time. Bonus Points are awarded for such criteria so that cities without the capacity to achieve them are not penalized.</p>	Grossing Up of Employee Benefits	+ 3
	Health Benefits are Transgender Inclusive	+ 4
	Municipality is a Welcoming Place to Work	+ 2

**Part IV.  
Municipal Services & Programs**

This section measures how inclusive city services and programs are of LGBT people.

EEOC or Human Rights Commission

7

+

Mayoral LGBT Liaison or  
Office of LGBT Affairs

5

+

Schools have enumerated anti-bullying policies

3 3

**Total Part IV: 18 Points**

**BONUS POINTS**

Logistically, not all criteria are achievable by all cities at this time. Bonus Points are awarded for such criteria so that cities without the capacity to achieve them are not penalized.

Municipality offers services to particularly vulnerable populations of LGBT people.

2

+

**Part V.  
Municipality as Law Enforcement**

This section assesses the attentiveness of law enforcement to LGBT issues.

LGBT Liaison or Task Force  
in the Police Department

8

+

Reported 2010 Hates Crimes  
Statistics to the FBI

10

**Total Part V: 18 Points**

**Part VI.  
Municipality's Relationship  
with the LGBT Community**

This section evaluates the city leadership's public position on equality and efforts made to advocate for equal laws and policies.

City Leadership's Public Position  
Regarding LGBT Equality

5

+

Local Pro-Equality Legislative or Policy Efforts

3

**Total Part VI: 8 Points**

**BONUS POINTS**

Logistically, not all criteria are achievable by all cities at this time. Bonus Points are awarded for such criteria so that cities without the capacity to achieve them are not penalized.

Municipality has openly LGBT city leadership

3

+

Municipality engages with LGBT community

2

+

Municipality is successful despite  
restrictive state law

2

+



<b>Total Parts I-VI</b>	<b>100</b>
<b>Total Bonus</b>	<b>+20</b>
<b>FINAL SCORE</b> (cannot exceed 100 points)	<b>100</b>

## **LGBT people live in virtually every city in the country, but the unique needs of LGBT people are not always taken into account by the services offered by the city government.**

### **Part III. Municipality as Employer**

**This section is the most heavily weighted because it is an area in which almost every municipality will have extensive control and the power to do much good.**

#### **City Prohibits Discrimination in City Employment.**

A city's non-discrimination policy, or equal employment opportunity policy, should cover conditions of employment including hiring, promotions, termination and compensation. Employers should include "gender identity or expression" and "sexual orientation" as protected classes, along with federally-protected classes, in non-discrimination policies. Cities receive five points if city employees are protected on the basis of sexual orientation and five points if city employees are protected on the basis of gender identity.

#### **City Requires its Contractors to Offer Equal Benefits.**

An Equal Benefits Ordinance requires all of the municipality's contractors to offer equal benefits to their employees. To comply with such a law, a contractor that offers health insurance and other benefits to employees' opposite-sex spouses must offer equivalent coverage to employees' domestic partners. This ensures that employees with spouses and employees with domestic partners receive the same compensation (salary and benefits); it also ensures that the city does not unwittingly engage in or encourage discrimination by awarding bids to contractors who discriminate. Cities receive four points for having an Equal Benefits Ordinance. Cities may receive partial

credit if they have no such ordinance but instead have a policy giving preference to city contractors who offer equal benefits.

#### **City Requires Its Contractors to Have Inclusive Non-Discrimination Policies.**

An Equal Opportunity Ordinance requires contractors with a municipal government to provide equal employment opportunity to LGBT employees. To comply with such a law, a contractor must adopt an equal opportunity/non-discrimination policy that prohibits adverse employment action on the basis of sexual orientation and gender identity or expression. A municipality may earn four points in this category: two points are awarded if the city requires contractors to forbid discrimination on the basis of sexual orientation, and two points are awarded if the city requires protections on the basis of gender identity.

#### **City Offers Domestic Partner Benefits.**

The city offers equivalent medical and other benefits to the domestic partner or spouse of employees in same-sex relationships as it does spouses in opposite-sex relationships. This includes equivalent medical benefits, legal dependent coverage, and family leave.

#### **Grossing Up (Bonus Points).**

The city provides the employee with an offset to the tax penalty imposed on same-sex domestic partner or spousal benefits that couples in federally recognized marriages receive tax free. Under federal and state law, the contribution an employer makes to an employee's opposite-sex spouse's benefits is not taxable income for the employee; however, when that spouse is of the same-sex (and not a dependant), the employer's contribution is taxable to the employee.



Grossing up is when an employer – in this case, the city – pays the additional tax penalty imposed because the employee has a same-sex partner. Because this is a cutting-edge policy that is new to public sector employment, cities with grossing up policies are awarded three bonus points. In future years, these points will be folded into the standard 100 points.

#### **Transgender Inclusive Health Benefits (Bonus Points).**

The city offers health and short-term disability benefits that include medically necessary treatments and procedures for all employees, including transgender employees. Cities, as employers, should work with their insurance carriers or administrators to remove transgender exclusions from their group health insurance plans and provide comprehensive transgender-inclusive insurance coverage. Because these benefits are not available to many of the cities rated in the MEI, a municipality that offers transgender-inclusive health benefits will score four bonus points. However, in future years these points will be folded into the standard 100 points.

#### **Workplace Culture (Bonus Points).**

This section measures whether the city workplace is a welcoming workplace for LGBT employees. A total of two bonus points are awarded if a city does any of the following: makes a specific effort to recruit qualified LGBT people when hiring; provides LGBT inclusive diversity training for the entire city workforce; has a mentoring program for LGBT employees; or has an LGBT employee affinity group.

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### **Part IV. Municipality's Services and Programs**

LGBT people live in virtually every city in the country, but their unique needs are not always taken into account by the services offered by the city government. **This section assesses the efforts of the city to include LGBT constituents in city services and programs.** Seven points are awarded if there is a Human Rights Commission or other similar program (even if that program does not currently do work related to LGBT equality) whose purpose is to identify and eliminate discrimination in the city. Five points are awarded if there is a liaison between the mayor (or city manager's) office and the LGBT community or, if there is an executive task force dedicated to LGBT issues. Where the city offers services – or financially supports a third party who offers services – to LGBT youth, LGBT elderly, the LGBT seniors, or people who are living with HIV and AIDS, the city earns two bonus points.

Finally, there are six points available for anti-bullying policies in local schools. If the state or city has a policy requiring schools within the jurisdiction to have enumerated anti-bullying policies that prohibit bullying on the basis of sexual orientation, three points are awarded; if they prohibit bullying on the basis of gender identity, three points are awarded. These points are also awarded if the school district or districts encompassing the city have adopted such policies.

**When a mayor marches in a Pride parade, a city council dedicates a park to an LGBT civil rights leader, or a city paints its crosswalks in rainbow colors, it sends a message to LGBT people that they are a valued part of the community.**

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#### Part V. Municipality as Law Enforcement

The relationship between law enforcement and the LGBT community is often fraught with suspicion, misunderstanding, and danger. LGBT people continue to be vulnerable to violence arising from bigotry and ignorance, and this dangerous situation is only exacerbated when police are perceived to be part of the problem. However, **when a police force treats LGBT people with understanding and respect, is mindful of the unique needs of the LGBT community, and engages the community in a positive way, it can ensure safety for all.**

The MEI measures positive engagement in two basic but important categories. First, it awards eight points where there is an LGBT liaison or an LGBT task force in the police department; this person or group of people is responsible for educating the police department about the specific needs of the LGBT community and working with the community to ensure a positive working relationship is established or maintained. Second, it awards ten points where the police force reports its local hate crimes statistics, including for hate crimes based on sexual orientation and gender identity, to the FBI. Such reporting demonstrates law enforcement's attention to such crimes and ensures that the larger law enforcement community is able to accurately gauge the scope of and responses to such crimes.

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#### Part VI. Municipality's Relationship with the LGBT Community

Leadership is an aspect of policy that is not fully captured by executive memoranda or the passage of legislation into law. When a mayor marches in a Pride parade, a city council dedicates a park to an LGBT civil rights leader, or a city paints its crosswalks in rainbow colors, it sends a message to LGBT people that they are a valued part of the community. These actions may seem simply symbolic; however, as HRC reported in its groundbreaking youth report earlier this year, four in ten LGBT youth surveyed said the community in which they live is not accepting of LGBT people, and 60% of the youth surveyed said they heard negative messages about being LGBT from elected leaders. Further, LGBT youth are twice as likely as their peers to say they will need to move from their hometown in order to feel accepted. **When elected leaders speak out on matters of equality, their constituents do hear – and it informs their perception of safety, inclusion, and belonging.**

This category, therefore, measures the commitment of the city to include the LGBT community and to advocate for equality. The first category rates city leadership (on a scale of zero to five) on its public statements on matters of equality, particularly where the city leadership pushes for equality in the face of substantial adversity. For example, a city would be awarded points if the city

# Out Elected Officials Bring Change at the Local Level

by **The Gay and Lesbian Victory Institute**

council were to pass a resolution in favor of marriage equality — while this is not an issue upon which the city can legislate, it is a powerful statement of the city's principles nonetheless. The second category rates the persistence of city leadership in pursuing legislation or policy that furthers equality (on a scale of zero to three). Note that even small or unsuccessful efforts are recognized in this category, and that these efforts may be heavily weighted if the city environment is not conducive to passing pro-equality legislation. Finally, this section also includes two opportunities to earn bonus points: first, three bonus points will be awarded if there are openly LGBT people holding elected or appointed office in the municipality; second, two points will be awarded for active engagement with LGBT constituencies through participation in Pride or partnership with LGBT advocacy groups to serve the LGBT community.

Kathy Kozachenko became the very first openly LGBT candidate elected in the U.S. when she won election to the Ann Arbor City Council in Michigan in 1974. Since then hundreds of out officials have served in municipal office, including Harvey Milk, whose service on the San Francisco Board of Supervisors helped electrify the LGBT rights movement.

Today nearly every major municipality in America has been served by an openly LGBT official at city hall, where their outsized influence has helped usher in advances for LGBT equality such as employment and housing non-discrimination ordinances, domestic partner benefits for municipal workers, and innovative programs aimed at serving LGBT seniors and people living with HIV.

In New York City, the openly lesbian speaker of the city council served as a high-profile advocate during the successful fight for marriage equality in her state. In Houston, Mayor Annise Parker is changing hearts and minds as she leads her city through an economic turnaround that's won plaudits in national business publications. And in smaller towns across America, out elected officials are emerging as the public face of LGBT communities who have long felt disconnected from local government.

Still, there is work to be done. Just 530 of the nation's more than 500,000 elected officials are known to be openly LGBT. Boosting those numbers, particularly at the local level, has the power to generate tangible legislative results, but also new hope, especially among LGBT youth who so desperately need role models in their own hometowns.

# Results

**Results // Scores for 137 Municipalities**

State	City	Final Score	Regular Points	Bonus Points	Part I Non-Discrimination	Part II Relationship Recognition	Part III Municipality as Employer	Part IV Municipality's Services and Programs	Part V Municipality as Law Enforcement	Part VI Municipality's Relationship with LGBT Community
<b>AK</b>	Juneau	<b>14</b>	14	0	0	0	0	10	0	4
<b>AL</b>	Montgomery	<b>0</b>	0	0	0	0	0	0	0	0
<b>AR</b>	Little Rock	<b>17</b>	14	3	0	0	0	13	0	1
<b>AZ</b>	Mesa	<b>28</b>	26	2	0	0	0	15	10	1
	Phoenix	<b>70</b>	61	9	0	12	11	12	18	8
	Tucson	<b>83</b>	76	7	18	12	18	12	10	6
<b>CA</b>	Berkeley	<b>95</b>	86	9	18	12	17	13	18	8
	Brisbane	<b>57</b>	57	0	18	12	11	6	10	0
	Cathedral City	<b>81</b>	76	5	18	12	20	6	14	6
	Concord	<b>64</b>	59	5	18	12	6	13	10	0
	Fresno	<b>52</b>	50	2	18	12	4	6	10	0
	Guerneville (Sonoma County)	<b>68</b>	63	5	18	12	6	13	10	4
	Long Beach	<b>100</b>	95	9	18	12	26	13	18	8
	Los Angeles	<b>100</b>	94	7	18	12	20	18	18	8
	Oakland	<b>80</b>	73	7	18	12	20	13	10	0
	Palm Springs	<b>95</b>	86	9	18	12	13	18	18	7
	Pasadena	<b>56</b>	54	2	18	12	11	13	0	0
	Rancho Mirage	<b>89</b>	80	9	18	12	15	11	18	6
	Richmond	<b>66</b>	62	4	18	12	6	13	10	3
	Sacramento	<b>79</b>	74	5	18	12	17	6	18	3
	San Diego	<b>100</b>	95	7	18	12	26	13	18	8
	San Francisco	<b>100</b>	95	13	18	12	26	13	18	8
	San Jose	<b>85</b>	78	7	18	12	22	13	10	3
	Santa Rosa	<b>59</b>	54	5	18	12	6	6	10	2
	Signal Hill	<b>73</b>	66	7	18	12	13	6	14	3
	Vallejo	<b>52</b>	52	0	18	12	6	6	10	0
	West Hollywood	<b>98</b>	89	9	18	12	26	11	14	8
<b>CO</b>	Colorado Springs	<b>45</b>	43	2	18	12	0	13	0	0
	Denver	<b>97</b>	90	7	18	12	16	18	18	8
<b>CT</b>	Hartford	<b>95</b>	88	7	18	12	22	18	10	8
<b>DE</b>	Dover	<b>41</b>	39	2	9	12	5	13	0	0
	Rehoboth Beach	<b>53</b>	50	3	9	12	9	6	10	4
<b>FL</b>	Fort Lauderdale	<b>62</b>	55	7	18	12	6	6	10	3
	Hollywood	<b>36</b>	36	0	18	12	0	6	0	0
	Jacksonville	<b>15</b>	13	2	0	0	0	10	0	3
	Miami	<b>72</b>	65	7	9	12	18	13	10	3
	Miami Shores	<b>28</b>	25	3	9	12	4	0	0	0
	Oakland Park	<b>54</b>	52	2	18	12	14	6	0	2
	Orlando	<b>77</b>	74	3	18	12	13	13	10	8
	St. Petersburg	<b>46</b>	43	3	9	12	9	6	0	7
	Tallahassee	<b>46</b>	46	0	18	0	16	0	10	2
	Tampa	<b>66</b>	59	7	18	12	11	13	0	5
	Wilton Manors	<b>62</b>	59	3	18	12	8	6	10	5
<b>GA</b>	Atlanta	<b>82</b>	77	5	18	12	12	13	18	4
	Avondale Estates	<b>8</b>	6	2	0	0	0	6	0	0
	Decatur	<b>27</b>	22	5	0	0	14	6	0	2
	North Druid Hills (Unincorporated, DeKalb County)	<b>15</b>	15	0	0	0	9	6	0	0

**Results // Scores for 137 Municipalities**

State	City	Final Score	Regular Points	Bonus Points	Part I Non-Discrimination	Part II Relationship Recognition	Part III Municipality as Employer	Part IV Municipality's Services and Programs	Part V Municipality as Law Enforcement	Part VI Municipality's Relationship with LGBT Community
<b>HI</b>	Honolulu	<b>60</b>	56	4	18	12	10	13	0	3
<b>IA</b>	Des Moines	<b>79</b>	74	5	18	12	14	13	10	7
<b>ID</b>	Boise	<b>26</b>	24	2	0	0	0	0	18	6
<b>IL</b>	Chicago	<b>97</b>	88	9	18	12	16	18	18	6
	Springfield	<b>70</b>	65	5	18	12	7	13	10	5
<b>IN</b>	Indianapolis	<b>64</b>	59	5	18	0	18	7	10	6
<b>KS</b>	Topeka	<b>16</b>	16	0	0	0	5	7	0	4
	Wichita	<b>15</b>	13	2	0	0	3	0	10	0
<b>KY</b>	Frankfort	<b>0</b>	0	0	0	0	0	0	0	0
	Louisville	<b>40</b>	35	5	18	0	4	7	0	6
<b>LA</b>	Baton Rouge	<b>2</b>	0	2	0	0	0	0	0	0
	New Orleans	<b>79</b>	74	5	18	12	14	18	8	4
<b>MA</b>	Boston	<b>100</b>	95	7	18	12	24	15	18	8
	Cambridge	<b>100</b>	95	11	18	12	24	15	18	8
	Northampton	<b>64</b>	59	5	18	12	12	13	0	4
	Provincetown	<b>59</b>	52	7	15	12	17	3	0	5
<b>MD</b>	Annapolis	<b>66</b>	63	3	9	12	13	13	10	6
	Baltimore	<b>88</b>	79	9	18	12	14	18	10	7
<b>ME</b>	Augusta	<b>67</b>	64	3	18	12	18	6	10	0
<b>MI</b>	Ann Arbor	<b>84</b>	75	9	18	12	14	13	10	8
	Detroit	<b>72</b>	63	9	18	0	14	13	10	8
	Ferndale	<b>38</b>	33	5	18	0	0	3	10	2
	Lansing	<b>55</b>	48	7	18	0	0	7	18	5
	Pleasant Ridge	<b>3</b>	3	0	0	0	0	3	0	0
<b>MN</b>	Minneapolis	<b>91</b>	78	13	18	12	18	12	10	8
	Saint Paul	<b>67</b>	63	4	18	12	10	7	10	6
<b>MO</b>	Jefferson City	<b>0</b>	0	0	0	0	0	0	0	0
	Kansas City	<b>85</b>	78	7	18	12	22	12	10	4
	St. Louis	<b>100</b>	93	9	18	12	20	18	18	7
<b>MS</b>	Jackson	<b>8</b>	6	2	0	0	0	6	0	0
<b>MT</b>	Helena	<b>15</b>	15	0	0	0	0	3	10	2
<b>NE</b>	Lincoln	<b>39</b>	37	2	0	0	5	7	18	7
	Omaha	<b>59</b>	54	5	12	0	8	13	14	7
<b>NC</b>	Charlotte	<b>39</b>	34	5	0	0	9	13	10	2
	Durham	<b>37</b>	31	6	0	0	11	13	0	7
	Raleigh	<b>43</b>	39	4	0	0	7	18	10	4
<b>ND</b>	Bismark	<b>17</b>	17	0	0	0	0	7	10	0
<b>NH</b>	Concord	<b>53</b>	53	0	9	12	16	6	10	0
<b>NJ</b>	Asbury Park	<b>59</b>	54	5	18	12	8	6	10	0
	Jersey City	<b>83</b>	74	9	18	12	6	13	18	7
	Lambertville	<b>74</b>	71	3	18	12	20	6	10	5
	Ocean Grove	<b>65</b>	62	3	18	12	4	13	10	5
	Trenton	<b>57</b>	55	2	18	12	5	6	14	0
<b>NM</b>	Albuquerque	<b>62</b>	55	7	18	0	13	10	10	4
	Eldorado at Santa Fe	<b>31</b>	28	3	18	0	10	0	0	0
	Santa Fe	<b>48</b>	41	7	18	0	9	8	0	6

State	City	Final Score	Regular Points	Bonus Points	Part I Non-Discrimination	Part II Relationship Recognition	Part III Municipality as Employer	Part IV Municipality's Services and Programs	Part V Municipality as Law Enforcement	Part VI Municipality's Relationship with LGBT Community
<b>NV</b>	Carson City	<b>32</b>	30	2	18	12	0	0	0	0
	Enterprise (Clark County)	<b>66</b>	60	6	18	12	10	6	10	4
	Las Vegas	<b>59</b>	57	2	18	12	11	6	10	0
	Paradise (Clark County)	<b>66</b>	60	6	18	12	10	6	10	4
<b>NY</b>	Albany	<b>95</b>	88	7	18	12	20	13	18	7
	New York	<b>100</b>	93	13	18	12	22	18	18	5
	Northwest Harbor (Town of East Hampton)	<b>31</b>	31	0	9	12	4	6	0	0
	Rochester	<b>89</b>	82	7	18	12	20	6	18	18
<b>OH</b>	Cincinnati	<b>77</b>	68	9	18	0	16	10	18	6
	Cleveland	<b>77</b>	75	2	18	12	20	7	10	8
	Columbus	<b>83</b>	78	5	18	12	15	15	10	8
<b>OK</b>	Oklahoma City	<b>26</b>	26	0	0	0	5	6	10	5
	Tulsa	<b>41</b>	36	5	0	0	5	10	14	7
<b>OR</b>	Eugene	<b>91</b>	87	4	18	12	18	13	18	8
	Portland	<b>100</b>	87	13	18	12	26	13	10	8
	Salem	<b>76</b>	76	0	18	12	22	13	10	1
<b>PA</b>	Harrisburg	<b>76</b>	71	5	18	12	22	7	10	2
	New Hope	<b>48</b>	40	8	18	0	10	7	0	5
	Philadelphia	<b>100</b>	100	9	18	12	26	18	18	8
<b>RI</b>	Providence	<b>76</b>	72	4	18	12	16	13	10	3
<b>SC</b>	Columbia	<b>40</b>	33	7	6	0	10	0	10	7
<b>SD</b>	Pierre	<b>13</b>	13	0	0	0	0	3	10	0
<b>TN</b>	Memphis	<b>22</b>	18	4	0	0	0	6	10	2
	Nashville	<b>50</b>	41	9	0	0	10	13	10	8
<b>TX</b>	Arlington	<b>16</b>	16	0	0	0	5	0	10	1
	Austin	<b>91</b>	82	9	18	12	24	10	10	8
	Dallas	<b>76</b>	69	7	18	0	20	11	18	2
	El Paso	<b>49</b>	45	4	6	0	6	7	18	8
	Fort Worth	<b>89</b>	80	9	18	0	20	18	18	6
	Houston	<b>52</b>	43	9	1	0	14	10	10	8
	San Antonio	<b>48</b>	42	6	0	0	6	10	18	8
<b>UT</b>	Salt Lake City	<b>87</b>	80	7	12	12	20	18	10	8
<b>VA</b>	Alexandria	<b>68</b>	57	11	9	0	7	15	18	8
	Arlington	<b>74</b>	63	11	9	0	10	18	18	8
	Richmond	<b>15</b>	11	4	0	0	0	0	10	1
	Virginia Beach	<b>17</b>	17	0	0	0	0	7	10	0
<b>VT</b>	Montpelier	<b>68</b>	68	0	18	12	18	6	10	4
<b>WA</b>	Olympia	<b>64</b>	60	4	18	12	10	6	10	4
	Seattle	<b>100</b>	96	15	18	12	22	18	18	8
	Vashon (King County)	<b>87</b>	78	9	18	12	17	13	10	8
<b>WI</b>	Madison	<b>95</b>	86	9	18	12	17	13	18	8
	Milwaukee	<b>85</b>	79	6	15	12	20	7	18	7
<b>WV</b>	Charleston	<b>62</b>	60	2	18	0	14	13	10	5
<b>WY</b>	Cheyenne	<b>2</b>	0	2	0	0	0	0	0	0

# The Story Behind the Score: Success Stories from Across the Country

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## MISSOURI

**By AJ Bockelman**

*Executive Director of PROMO, Missouri's Statewide LGBT Advocacy Organization, and Board Member of the Equality Federation*

As Missouri continues to advance, Saint Louis and Kansas City lead the rest of the state as you see indicated in the MEI. As the LGBT community evolved, becoming more open, diverse and interactive with local government, our city infrastructure began to evolve as well. Within the last four years, several of our municipalities in the state have stepped up to recognize not just protections for the lesbian, gay, and bisexual community, many of which were passed in the 1990's, but also ended the exclusion of the transgender community in these protections as well.

While this progress has been great to see, we know that much more work is yet ahead of us. Jefferson City has not even started the process on a municipal level, despite being the nexus for all things political in the state. We hope to see Jefferson City restart their Human Rights Commission and begin the vital work of providing basic protections for all of their citizens.

As we look to the future, we look forward to seeing many more Missouri municipalities reflected in the Index and eventually, the state.

We hope many additional cities, no matter their size or region of the state, will see the many beginning steps they can take to make their city a safe and welcoming environment, regardless of sexual orientation or gender identity. It all starts with opening up a dialogue and beginning the initial education on what the issues are for the community and why the LGBT community needs to be covered by basic nondiscrimination ordinances.

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## UTAH

**By Brandie Balken**

*Executive Director for Equality Utah, and Secretary of the Board of Directors of the Equality Federation*

Working for LGBT Equality in a state like Utah can be challenging. Wins seem few and far between, and people, understandably, get disenfranchised. In 2009, after being shut down in another Legislative Session, Equality Utah decided to go local, in a strategic attempt to achieve some tangible successes while educating and empowering our constituents, and engaging them in the process of policy change.

The efficacy of municipal work is clear: Council members are much more willing to hear and act on input they receive from residents. 10 letters to a Council member or

30 people at a Council Meeting is a game changer, which is vastly different from a Senator or Representative's perspective.

The power of municipal work is clear: Residents feel empowered when they carry the message directly to their elected official, and they can actually see the tangible result of their participation in political process. As more and more residents get involved, the visibility and understanding of LGBT equality grows, which also has a positive impact on statewide work long term.

Our statewide effort for inclusive non-discrimination protections now have the support of 15 cities and counties, The Chamber of Commerce, the business community, 73% of the population and both political parties – all thanks to our municipal efforts.

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## TEXAS

**By Chuck Smith**

*Executive Director of Equality Texas*

The City of Austin has long been known as the "progressive" capital of Texas. Austin passed protections for sexual orientation more than 30 years ago; with gender identity/ expression added in 2004. Three years ago, a city/county Hate Crimes Task Force was formed following an assault on two gay men to work



toward “a respectful community free of hate”. The Task Force is implementing systemic changes in how the community responds to bias-motivated crime. In September 2012, the City of Austin formally endorsed the freedom to marry for same-gender couples.

While the City of Fort Worth enacted sexual orientation protections in 2000, the City is accurately described as more conservative than Austin. However, the pace of progress has escalated rapidly in recent years. This progress followed two significant events: the election of openly-gay City Council member Joel Burns in 2007, and the raid of a gay bar known as the Rainbow Lounge in 2009. Council member Burns is well known for his personal anti-bullying “It Gets Better” video. The bar raid gave rise to the formation of Fairness Fort Worth, a grassroots advocacy organization that has positively impacted local policy changes.

Municipal work is especially important in Texas given the less-than-friendly (some would say “hostile”) current composition of the State Legislature. However, the environment for progressive policy change affecting LGBT Texans is considerably more positive at the local level with progressive mayors and/or council majorities in many of the state’s largest cities, including Austin, Dallas, El Paso, Houston, San Antonio and Fort Worth. It is these

local efforts that will provide at least some level of equal protection at the municipal level until we are able to secure full equality statewide.

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## WASHINGTON

**By Marsha Botzer**

*Secretary, Equal Rights Washington,*

**&**

**By Jeff Albertson**

*Chair of Equal Rights Washington*

*Education Foundation*

Washingtonians are proud that the city of Seattle has earned the highest raw score in the 2012 Municipal Equality Index. Seattle has set a great example for the rest of the country, making sure that its government does everything it can to ensure that its LGBT citizens be treated equally. We are especially proud of the city’s latest accomplishment: approving transgender inclusive health benefits for the City of Seattle’s transgender employees.

In March 2011, representatives from the Seattle Human Rights Commission joined with activists and organizers from local schools, the Seattle Lesbian, Gay, Bisexual and Transgender Commission, Ingersoll Gender Center, QLaw, national organizations, and other Seattle civil rights groups and city commissions to create a remarkable coalition of

experience and action. Together their unity and ability to work with the informed and supportive City Council members resulted in the city adopting a letter to the City Council asking that the transgender exclusions in the city’s health plan be lifted. Several Councilmembers then endorsed the plan to the Health Care Committee, prompting months of negotiations that finally ended in the city adopting transgender inclusive health benefits for its employees, taking effect in January of this year.

Seattle city officials understand the importance of combating the discrimination the city’s transgender employees face in receiving health care. All employees of the City of Seattle are now able to receive the gender-affirming, medically necessary treatment they deserve. Another important reason for a city to adopt a policy such as this one is that transgender individuals who are denied medical coverage because of their gender identity are a higher risk of developing secondary medical conditions.

The addition of transgender inclusive benefits to the city’s health plan is a shining example of how Seattle is leading the way for the rest of the county. With this accomplishment under our belt, we look forward to moving on to new goals to help ensure that all our citizens are treated equally under the law.

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## VIRGINIA

**By James Parrish**  
*Executive Director of Equality Virginia*

We have seen our Northern Virginia communities like Arlington and Alexandria pass resolutions and ordinances prohibiting discrimination in the workplace. They're going the extra mile to create an inclusive workplace and it shows in the vibrancy of their LGBT community.

Virginia's Dillon Rule challenges the work we can do at the ground level by keeping the power in the General Assembly. When a locality wants to add a non-discrimination resolution or executive order protecting its LGBT employees, this holds no legal authority at the state level. This aside, at Equality Virginia, we continue encouraging cities and counties to lead the way and build momentum in our General Assembly as we work towards protecting all employees. Not only is a non-discrimination policy the right thing to do, it gives the public and private sectors a competitive edge in recruiting top-talent.

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## FLORIDA

**By Nadine Smith**  
*Executive Director of Equality Florida*

When Equality Florida formed 15 years ago, anti-gay conservatives had just seized control of the legislature and Governor's mansion leaving many in our community feeling hopeless about advancing LGBT issues in Florida. To make matters worse, very few local LGBT ordinances existed which meant state legislators had never wrestled with these issues when they were city council members or county commissioners. They felt no sense of accountability to our issues, and many even said outright "There are no gay people in my district."

Yet, despite a continuing anti-gay headwind, we've made tremendous progress in Florida through the passage of over 70 local LGBT policies in every region of our state - from the darkest blue progressive strongholds, to the deep red conservative enclaves. We moved from fighting to explain the existence of bullying for LGBT youth to compelling GOP leadership to pass a statewide bill banning bullying. We were able to secure that victory in such a way that more than 60% of students now go to schools with sexual orientation and gender identity enumerated in their local anti-bullying policy.

**Not only is a non-discrimination policy the right thing to do, it gives the public and private sectors a competitive edge in recruiting top-talent.**

Today most Florida legislators hail from communities that have pro-LGBT equality legislation in place - making it much more difficult to argue the protections are unnecessary. Perhaps most importantly, the process of passing local ordinances engages people like few other things can. The political becomes intensely personal when your city councilmember is deciding whether to vote for a non-discrimination ordinance or domestic partnership registry. And each success inspires a new wave of activists.

These local victories are crucial to statewide victories - perhaps even more crucial in red states like Florida.





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# Explanation of MEI Methodology

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## RESPECTING CONTEXT

Creating a metric that articulates the universe of potential actions a city government might take to be more inclusive of LGBT people in city services, law, and policy is a formidable challenge; creating a metric that fairly encompasses the myriad unique challenges faced by each city in doing so, and the various opportunities as well, is that much more daunting. The MEI has endeavored to do just that, and in creating the rubric for evaluating these cities three major questions arose. First, how could the MEI fairly account for the wide variation of state law and the considerable impact of state law on work at the municipal level? Second, how could the MEI assess a list of cities as diverse as those selected\* while acknowledging that the smaller places rated may understandably have less capacity? And third, what about culture? This last is to recognize that, when rating laws and policies, there are any number of quality of life criteria that are not captured by the rating scale.

The answer to the first question is balance; the rating system would not be fair if cities were not able to score a 100 on the MEI without living in a state that had favorable state law. Allocating the points carefully to respect the dynamic relationship between state and local government was a must. To respond to concerns about city capacity due to size, the MEI design includes a certain flexibility manifested by bonus points and multiple alternative avenues to earning them – some avenues were more likely to apply to larger cities, and some to smaller cities. The answer to the third question is to precisely define what this study is: an evaluation of the laws and policies of 137 municipalities, not a rating of the “best places for LGBT people to live”. While certainly LGBT people may prefer to live in cities where they are protected by local law and respected by their city government, there are undoubtedly many other factors that make a place a welcoming, inclusive place to live. To be clear, this report specifically and fairly rates cities on their laws and policies while respecting the context in which the city operates.

**This report specifically and fairly rates cities on their laws and policies while respecting the context in which the city operates.**

\*see page 9 for more information about city selection

### High-Scoring Cities in States Without Positive LGBT State Laws.

Philadelphia, PA	100
St. Louis, MO	100
Austin, TX	91
Fort Worth, TX	89
Salt Lake City, UT	87
Ann Arbor, MI	84
Tucson, AZ	83
Columbus, OH	83
Atlanta, GA	82

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### ACKNOWLEDGING IMPACT OF STATE LAW

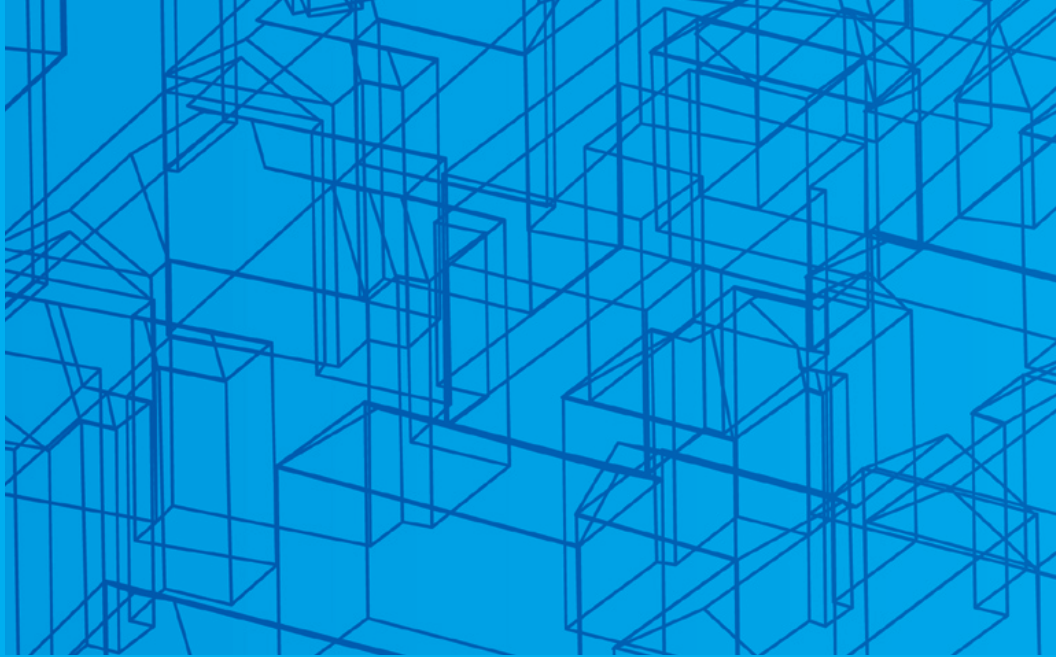
The MEI is, by definition, an evaluation of the laws and policies of municipalities. Yet municipalities are creations of the state: state law may undoubtedly provide its own substantive legal protections for LGBT people, but by doing so it thereby influences the incentives of its cities to pass similar legislation.

As was discussed in the explanation of the MEI criteria, the MEI balances the influence of positive state law on the city law by weighting state and local protections equally, and not awarding double points to a city fortunate to have both protections. If a state has a comprehensive and inclusive non-discrimination ordinance, it may – quite understandably – not be a priority of the city to pass a similar one; it follows that a city should not be penalized for not having its own law where the state’s law meets the MEI’s criteria. On the other hand, it should not be the case that good state law (or the lack thereof) determines the city’s ability to score well on the MEI. **The success of this approach is demonstrated by a number of cities who were able to achieve excellent scores despite the lack of positive state law.**

However, state law that restricts the ability of a municipality to extend protections to its LGBT citizens and employees does influence the ability of a city to score well. Some states, such as North Carolina and Virginia, labor under a Dillon’s Rule (*see next page*) which prevents cities from providing superior protections to those offered by state law. For example, in Virginia cities are forbidden from providing domestic partner benefits to LGBT employees. In Tennessee, a state law prohibiting municipalities from passing non-discrimination ordinances that govern private employers hampers the ability of Tennessee cities to pass the vital legislation that the MEI evaluates. Both domestic partner benefits for city employees and non-discrimination ordinances are measured by the MEI, and for cities with these restrictions those points are necessarily left on the table.

**The MEI provides avenues for cities that are dedicated to equality – as some cities in Virginia, North Carolina, and Tennessee are – to have that dedication reflected in their score despite the ceiling placed on their score by the restrictive state law.** Bonus points are offered for testing the limits of a Dillon’s Rule or other

state restriction, standard points reflect city leadership advocating against the state restrictions, and bonus points are given to cities that explore creative options to engage the LGBT community when the traditional options are closed to them. Bonus points help to level the playing field somewhat for these cities; however, it is true that a city with these state restrictions will find it extremely challenging – and, in some cases, perhaps impossible – to score a 100 on the MEI. While this may initially appear to be a harsh limitation at odds with the principle that this is an evaluation of what *cities* do, not states, the bottom line is that these vital protections don’t exist for the folks who live and work in these cities. That these cities will face an uphill battle in scoring well on the MEI is simply a reflection of the uphill battle they face in real life as a result of restrictive state law.



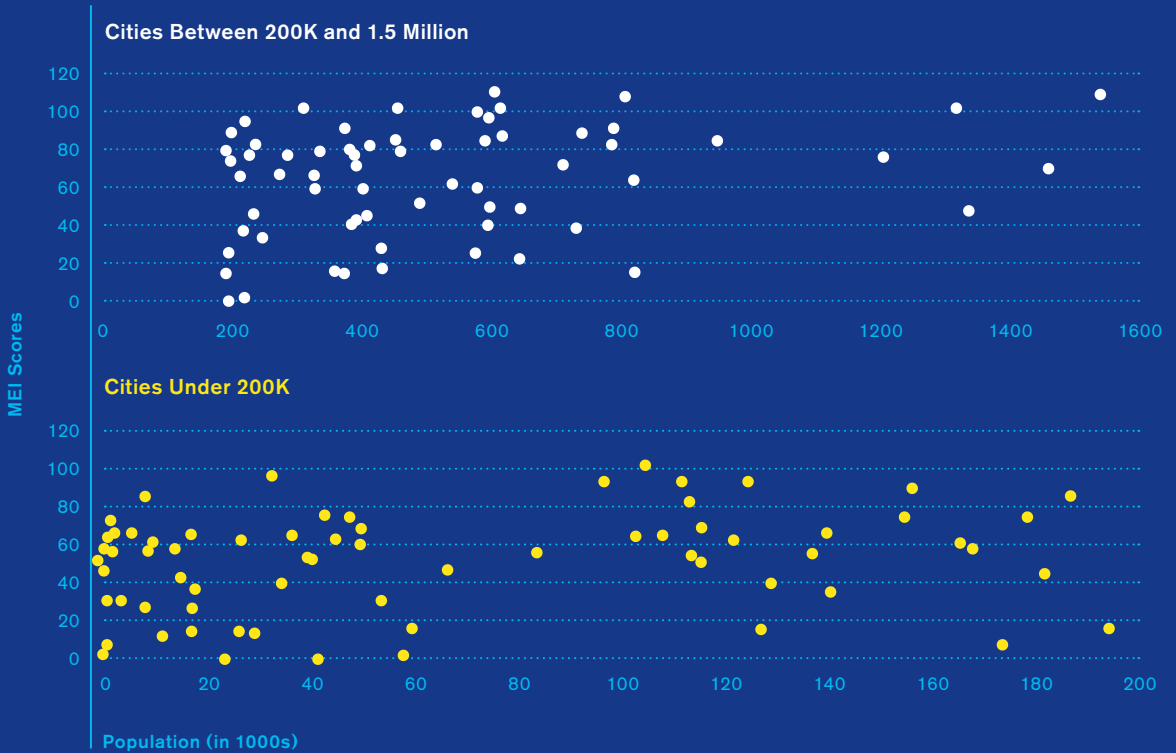
## Understanding Restrictive State Law

Cities often have a lot of personality, and people often identify more strongly with the city in which they live or work than they do with their state. However, cities are creations of the state government; cities derive their authority to exist and to govern from the state government. Different states have different philosophies in regard to how much power a city ought to have (some states have what is known as a Dillon's Rule, which holds that cities may not offer more generous protections than the state has chosen to extend), and some states have multiple classes of cities with each class having different amounts of authority. The effect of this variation is that cities rest upon a spectrum with some from near total independence to severe restrictions on governing power. Further, amendments to the state constitution or changes to state law can place further limitations on what cities are and are not allowed to do.

Therefore, not every city has the power to enact the types of legislation that the MEI measures. **While the MEI is structured so that restrictive state law does not prohibit the success of a city on the MEI, restrictive state law will necessarily make it more difficult for the cities to excel.** Cities with a dedication to equality that lie in Virginia, Tennessee, and North Carolina, for example, will never be able to score as well as cities with comparable dedication to equality that exist in states without the restrictive laws that those states imposed. Ameliorating the effect of a restrictive state law on the MEI score would be an unjust representation of the protections that the city truly is able to offer; however, cities that continue to advocate for their LGBT constituents will see that dedication reflected in their score.

A final note on this subject: where a city has passed laws protecting LGBT people, continues to enforce those laws, and those laws have not definitively been invalidated by case law or statute, we have given the city credit for the law.

## 2012 Municipal Equality Index Scores by Population



### ACCOUNTING FOR CITY SIZE

Great care was taken in the design of the MEI to ensure that small cities had the same ability to score well on the MEI as did larger cities. While some of the criteria may be more challenging for a small city to attain – the mayor of one small city cited a contractor ordinance as being a major challenge for his community, as the small pool of contractors meant the city was limited in its options – generally the criteria were not prohibitive for small cities. Flexibility in the awarding of standard points meant small cities were not penalized: an LGBT liaison in the police force or in the mayor's office might also have many other duties, and a Human Relations Commission

might be all-volunteer. Criteria relating to the city's infrastructure were generally bonus points and were often awarded in the alternative: for example, a city that did not have an active recruitment policy for new employees could earn those bonus points in the alternative by providing the city workforce with LGBT inclusive diversity training or by facilitating the creation of a Pride group for employees. Bonus points helped to even out the playing field for smaller cities.

Further, **an analysis of the data shows that smaller cities were able to score comparably with much larger cities.** About half the cities rated had a population of over 200,000 people; in these,

the average score was a 65. The other half had an average score of 52. For those cities (or census designated places) with a population of under 10,000 people, the average score was 47 (the highest score in that population category was 74). Cities in the 100,000-150,000 range averaged 64 points, which exceeded the overall average score of 59 points (this category included a 100, a 95, and a 97). Cities in the 400,000-500,000 category, on the other hand, averaged 59 points (the lowest score was a 17). There was a very slight correlation overall between the size of the city and the score, but the data clearly shows that a city's score is not well predicted by its size.

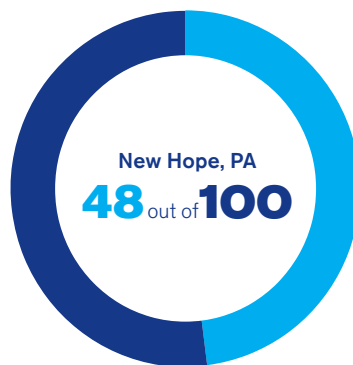
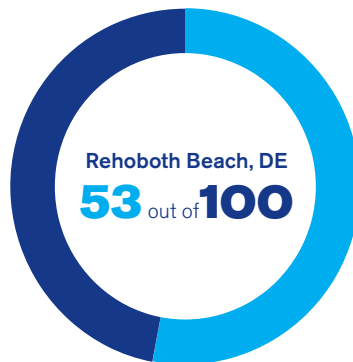


Some cities with a reputation for being very LGBT-friendly scored only at or below average.

NOT AN EVALUATION OF CLIMATE

One of the surprising things to come out of the 2012 MEI data was that several cities that are well-known for being destinations for LGBT people did not score overly well. Places like Northampton and Provincetown, Massachusetts beat the median overall score and the average score for other cities of similar size. Lambertville, Pennsylvania beat the average and had the highest score of places with a population under 10,000. Rehoboth Beach, Delaware and New Hope, Pennsylvania beat the average score for cities of their size (cities with a population under 10,000), but fell below the median overall score. Other cities that one might have expected to do better based on their reputation for being welcoming to LGBT people scored at or under the average for cities of their size.

The explanation for this is simple: **the MEI is an evaluation of laws and policies, not of the friendliest places to live.** The MEI highlights opportunities for these highly welcoming places to revisit and improve their laws and policies to ensure they are as inclusive of LGBT people in city services and protections as they are in their hearts.





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# Summation of Results

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## SUMMATION OF RESULTS

The results of the MEI are, in some ways, predictable: cities in the Northeast tended to do better than cities in the Midwest, Southwest, or South. Cities in states with some state-wide relationship recognition substantially outperformed cities in states where no such protections exist. In states won by President Obama in 2012 the average city score was 28 points higher than the average score from cities in the states that he lost.

Such generalizations are useful in their way; yet the story of this project is not well told through generalizations. Local work is, by its nature, specific and focused. Its pressures and possibilities differ from city to city even within the same state. The results of this project are better told in stories rather than statistics; its successes are not only the cities that scored 100 points. What the scores truly reflect is opportunity: opportunity already realized, opportunity still ahead, and opportunity yet to be created.

Eleven cities have realized 100 points worth of opportunity already; these cities came from both coasts and in between, were of varying sizes, and not all arose from states with favorable state laws. A quarter of the cities rated scored over 80 points, and 45 percent of the cities attained a score of 60 or higher. Nearly a third of the cities scored between 40 and 60 points; such a score reflects both some intentionally positive treatment of the LGBT community and also ample opportunity for improvement in the future. Just under a quarter of the cities scored less than 20 points, including eight cities that scored under ten points and three who scored zero. For the cities in this bottom quarter, the MEI offers an opportunity to set goals to capitalize upon the opportunity that is still outstanding.

The benefit of an annual report such as the MEI is that it can capture an evolving world; in the time between the research deadline for this project and its publication, three new states have attained marriage equality. No doubt the 2013 MEI will reflect a substantial evolution in municipal law and policy, each with its own story – and the opportunity encapsulated in those stories is anything but predictable.

**The results of this project are better told in stories rather than statistics; its successes are not only the cities that scored 100 points.**

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**MEI EXPANSION IN 2013****Municipal Equality Index 2013**

The inaugural edition of the MEI evaluated 137 cities on the basis of 47 criteria. In 2013, the intent is to double the number of cities rated and expand the scope of the criteria as well.

New categories of bonus points will be introduced in an effort to continue to reward innovation in the municipal provision of LGBT equality. Some categories of points that are “bonus” this year will become part of the standard 100 points in subsequent years as changing times make it fair to hold municipalities accountable for newer and very important means of extending equality in benefits and services. An example of this is transgender-inclusive health benefits: while these are simply not available in every jurisdiction at this time, these will become standard points in future cycles of the MEI. By making bonus points standard and by introducing new categories of bonus points, the MEI will continue to challenge cities to improve. By increasing the number of cities rated each year, the MEI will engage more cities in the discussion about how to make laws and policies that better serve their constituents.

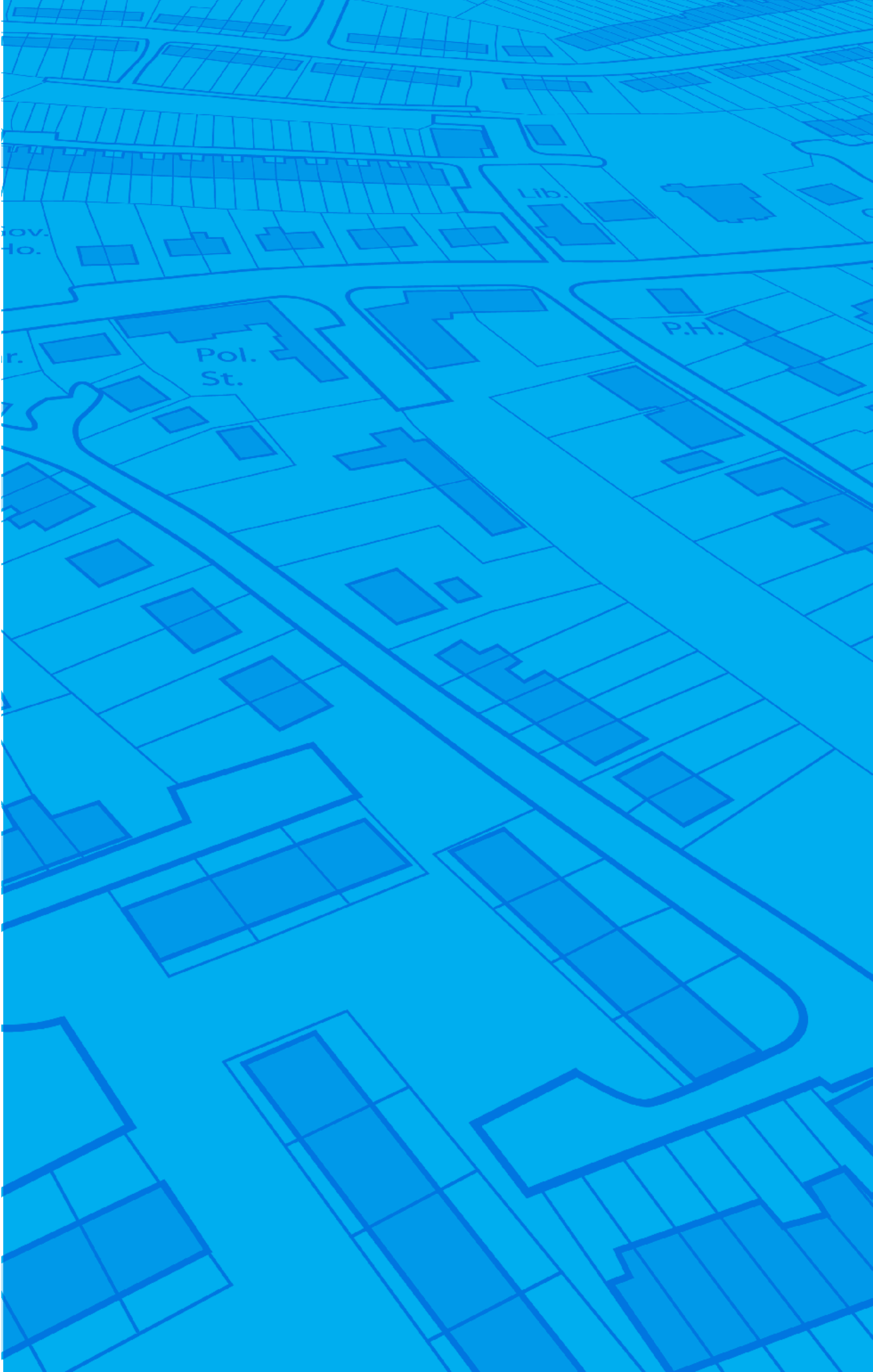
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**NEED HELP MAKING YOUR CITY MORE INCLUSIVE?****Using the MEI to Make Your City More Inclusive**

The MEI articulates the types of laws and policies that allow municipalities to more fully serve their constituents; as such, it is a valuable tool for a city that is seeking to become more inclusive and equal.

The best place for any city to begin is with a thorough and honest assessment of where the city currently stands. If your city is not rated by the 2012 MEI, you may submit information regarding your city on our web form located at [hrc.org/meisubmitcity](http://hrc.org/meisubmitcity). Please send an email to the MEI at [mei@hrc.org](mailto:mei@hrc.org) for assistance if you have questions. If your city is rated by the 2012 MEI, please access the detailed version of your scorecard online at [hrc.org/mei](http://hrc.org/mei).

For help identifying which policies have the most potential in your area, please contact HRC at [mei@hrc.org](mailto:mei@hrc.org) and reach out to your local member of the Equality Federation.



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### About the Author

**Cathryn Oakley** is Legislative Counsel, State and Municipal Advocacy at the Human Rights Campaign. She is a member of the Field Department who is responsible for assisting local legislators and advocates in enacting laws that further LGBT equality. She is also responsible for developing, conducting, and publishing the Municipal Equality Index, a nationwide evaluation of municipal laws affecting the LGBT community.

Cathryn earned her law degree from the George Mason University School of Law and is a member of the Virginia Bar. She holds a bachelor's degree in Economics from Smith College, where she was a Research Fellow at the Louise W. and Edmund J. Kahn Liberal Arts Institute. Prior to working at the Human Rights Campaign, Cathryn practiced family law at a small firm in Northern Virginia.

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For questions or additional information, please contact [mei@hrc.org](mailto:mei@hrc.org).

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