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April 25, 2012

City Council
City of Butler
140 W North St
Butler, PA 16001

Dear members of Butler City Council,

As the council continues to consider legislation to enact a non-discrimination ordinance, the American Civil Liberties Union of Pennsylvania applauds that effort and urges council members to vote in favor of the legislation. Local non-discrimination ordinances ensure that residents, workers, and visitors to your city have an enhanced level of protection from discrimination. This is fair legislation that deserves swift passage.

As you know, state law currently protects persons from discrimination in employment, housing, and public accommodation on the bases of race, color, ancestry, national origin, gender, disability, religion, and use of a guide dog. That begs the question: Why is a local law necessary? Municipal civil rights laws matter for multiple reasons.

First, local non-discrimination laws relieve the burden of the Pennsylvania Human Relations Commission (PHRC), the state agency that enforces the Pennsylvania Human Relations Act (PHRA), which is the state's non-discrimination law. The PHRC does effective and important work in enforcing the PHRA. As a law enforcement entity, the PHRC is meticulous in investigating complaints and working with complainants and the accused to reach resolutions on complaints. Naturally, that type of work takes time. And like any state agency, the PHRC is prone to the ebbs and flows of the state budget process and sometimes must achieve the same high level of work with fewer resources available.

The presence of municipal-level staff addressing discrimination complaints ensures that situations are addressed in a timely manner and keeps the PHRC from becoming overburdened by complaints.

In addition, establishing non-discrimination law at the local level brings local perspective to these investigations. Municipal staff understands the culture of the city. This is advantageous for mediating disputes.

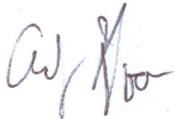
Passage of a non-discrimination law in Butler would also send a clear message to residents, workers, and visitors that the city is a place that is welcoming to all. That can only enhance the city's standing as a place to live, work, and visit.

Finally, the proposed ordinance adds a new level of protection that does not exist in the current state law by including “sexual orientation” and “gender identity or expression” as protected classes. Butler would become the 29th municipality in Pennsylvania to ensure protection from discrimination for lesbian, gay, bisexual, and transgendered (LGBT) persons. This type of law is crucial for ensuring that LGBT people can work, secure housing, and engage in business without the fear of discrimination. The ACLU of Pennsylvania and our allies who do civil rights legal work receive many complaints about employment discrimination on the basis of sexual orientation. In fact, our allies at Equality Pennsylvania report that it is the top complaint that they receive.

Thank you for the opportunity to share our views on Butler’s proposed ordinance to ban discrimination in the city. The legislation is an important step in enhancing equality and fairness for all in Butler. The ACLU of Pennsylvania supports the bill and urges the city council to vote “yes.”

If you have any further questions about the information contained in this letter or the ACLU of Pennsylvania's work to ensure full equality for all citizens of the commonwealth, please feel free to contact me by email at ahoover@aclupa.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andy Hoover".

Andy Hoover
Legislative Director