

# MARK HERRING

## A N E Q U A L I T Y A G E N D A

**M**ark Herring believes that all Virginians deserve equal protection under the law. As Attorney General, Mark will be committed to protecting civil rights and will use the powers of the office to promote equality. This is particularly important because Virginia’s human rights agency is now a division of the Office of the Attorney General. Mark will take politics out of the Attorney General’s office, put the law first and pursue an “Equality Agenda” that consists of the following:

### **1** PROHIBITING DISCRIMINATION IN STATE AND LOCAL GOVERNMENT .....



Mark will use the power of the Attorney General to support initiatives to protect lesbian, gay, bisexual and transgender (LGBT) Virginians from discrimination and disparate treatment in state and local agencies and programs.

He will reverse the opinion issued by then Attorney General Bob McDonnell that says the Governor does not have the authority to issue an executive order protecting LGBT workers in state government from discrimination. Mark believes that the Governor, as chief personnel officer, clearly has this power as exercised by both Governors Mark Warner and Tim Kaine, and he will issue an opinion that confirms that the new Governor is authorized by law to offer the protection of an executive order to all state employees.

Mark will adopt a nondiscrimination policy for the Office of Attorney General that protects all employees from discrimination and includes sexual orientation and gender identity. As a member of the State Senate, Mark has co-sponsored legislation that would codify protections against discrimination on the basis of sexual orientation and gender identity for all public workers. He will continue to support this legislative effort as Attorney General.

In March 2010, Attorney General Ken Cuccinelli issued an opinion that the boards of visitors of Virginia’s public colleges and universities have no legal authority to issue policies that ban discrimination on the basis of sexual orientation against either college employees or students. At the time, **Mark Herring stated, “Cuccinelli’s letter is reprehensible. It not only threatens the quality of competitiveness of Virginia’s higher education system, it severely damages the progress Virginia has made in recent years to embrace diversity and become the best place in America for business.”**

Mark agrees with former Governor and Attorney General Gerald Baliles that Virginia’s public colleges and universities do have the legal authority to ban discrimination in their hiring and admissions, and vehemently disagrees with Attorney General Cuccinelli’s opposing view. As Attorney General, Mark will ensure that Virginia’s public colleges and universities have the legal resources they need to implement and defend non-discrimination policies that include sexual orientation and gender identity.



### **2** PROTECTING CHILDREN AND ENSURING SAFETY IN OUR SCHOOLS .....

In recent years, high-profile incidents of bullying and harassment of children have made national headlines. Tragically, too many of these incidents have ended with the victim committing suicide and, in too many of these cases the victim of the bullying and harassment was targeted because of their actual or perceived sexual orientation or gender identity.

As a Senator, Mark Herring supported legislation in 2013 to strengthen Virginia's laws against bullying in public schools, such as specifically defining what behavior constitutes bullying and requiring local school boards to include in their codes of student conduct policies and procedures that include a prohibition against bullying.

As Attorney General, Mark will partner with local school divisions to implement the new law and adopt anti-bullying policies that include and protect LGBT students.

Additionally, Mark will continue to oppose efforts to pass state laws banning the formation of Gay Straight Alliances (GSAs). GSAs are clubs that seek to provide a safety net for LGBT youth and foster understanding and working partnerships with heterosexual peers.

## **3** PROMOTING STRONG FAMILIES



Mark Herring believes that civil marriage is a fundamental right, and he supports marriage equality for same-gender couples. In addition, as he works to change the current law prohibiting such marriages, Mark will work with state and local agencies to define ways to allow same-gender couples to access state-provided employee health and life insurance benefits without violating the current constitutional prohibition on relationship recognition.

Mark Herring supports changing Virginia law to permit second-parent adoptions. Second-parent adoption would guarantee a child who is adopted by same-gender couples critical rights such as:

- Legally protected financial support from both parents
- The ability to be covered by either parent's health insurance plan
- The ability of both parents to make key decisions regarding the child's health and welfare
- The guarantee that in the event of the death of one of the parents, the other parent retains legal custody

Finally, Mark believes that it is wrong that Virginia law currently requires state and local government social services agencies to contract with, and fund with taxpayer dollars, adoption and foster care agencies that actively discriminate against LGBT Virginians seeking to adopt children.


In 2012, Mark was a leader in the fight against legislation that permits private adoption and foster care agencies that receive state or local funding to deny services to parents or children who do not conform to the agency's religious beliefs or moral principles.

***"Agencies ought to make placement decisions based on what's in the best interest of the child. Period," Mark said during the debate in 2012.***

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