

TESTIMONY BY NASW WI EXECUTIVE DIRECTOR MARC HERSTAND ON NOVEMBER  
29, 2005 BEFORE THE JOINT JUDICIARY COMMITTEE IN OPPOSITION TO  
THE CONSTITUTIONAL AMENDMENT BANNING SAME SEX MARRIAGES AND CIVIL  
UNIONS

The National Association of Social Workers, Wisconsin Chapter (NASW WI) strongly opposing the proposed constitutional amendment banning same sex marriages and civil unions.

NASW WI has a long history of providing support and resources to help individuals form and preserve healthy, stable relationships and families. Marriage is seen by all societies as an important foundation of stable families. This legislation attempts to forever exclude gay families from receiving those resources and support and thereby unnecessarily discriminates in a way that is harmful to an entire class of families. The latest census in Wisconsin identified over 8000 same sex households in the state.

This constitutional amendment would create more vulnerability for children who are being raised in gay households by making it impossible to have joint-parenting rights for gay couples. For one couple in Milwaukee, the denial of legal recognition threatened their child's health. When the couple's young daughter had an allergic reaction to a bee sting, school authorities would not allow one mother to take the child to the hospital unless she first had written permission from her partner-the legally recognized mother. This meant that the young girl could not go to the hospital until her mother first drove across town for a permission note. \* Instead of working to pass a constitutional amendment that has the potential of harming the security and well being of children raised by gay couples, legislators should instead be finding ways to help children in Wisconsin.

Civil marriage gives opposite-sex couples access to over 1,000 benefits under federal law and hundreds more under Wisconsin law. Same-sex couples do not have ready access to any of them, including the ability to receive Social Security survivor benefits, taking family leave to care for a sick partner, visiting a partner in a hospital, making medical decisions for a dying partner, inheriting a deceased partner's possessions or receiving health care coverage through your partner's health insurance. I would ask Wisconsin State Senators and Representatives to search your hearts and ask whether you really want to permanently deny all of these benefits to same sex couples who may have been together as long as 20,30, or even 40 years?

NASW WI believes that this constitutional amendment to ban same sex marriages and in all likelihood civil unions and domestic partnerships also contributes to an atmosphere of prejudice, discrimination and hatred towards Gay and Lesbian citizens. There is consistent evidence that Gay and Lesbian youth attempt suicide more often than heterosexual youth.\* Many youth and young adults live in fear of ridicule or physical attack by their peers or ostracization by their families if their sexual orientation becomes public. I am sure it is not the intention of the sponsors of this amendment to cause harm to Gay and Lesbian youth or adults. I am sure that the sponsors of this bill would support efforts to eliminate teen suicide, physical attacks against Gays and Lesbians and prejudice and discrimination in general against Gays and Lesbians. However despite the best of intentions by sponsors they need to understand the day to day reality of our Gay and Lesbian youth and adults and how this bill contributes to a feeling of isolation and depression among Gay and Lesbian youth and adults and in general a negative and punitive environment towards Gays and Lesbians.

NASW WI believes that all families, gay and heterosexual, deserve the protection of the law in matters such as inheritance, visitation, health care access and decision-making, and child custody, and therefore calls on legislators to reject this harmful constitutional amendment banning same sex marriage, civil unions and domestic partnerships.

- [www.actionwisconsin.org](http://www.actionwisconsin.org)
- Alcohol, Drug Abuse and Mental Health Administration. (1989a) *Report of the secretary's task force on youth suicide: Volume 2. Risk factors for youth suicide* (DHFS Publication No. ADM 89-1622). Washington, DC: U.S. Government Printing Office.