



Written by [Dave Bohon](#) on May 1, 2012

“Gay” Activists Target Kansas Communities for “Gender Identity” Ordinance

Kansas appears to be the latest target of “gay” activists determined to force society to embrace their sundry sexual inclinations. According to the [Kansas Family Policy Council](#) (KFPC), a conservative pro-family organization, four communities — Hutchinson, Pittsburg, Salina, and Wichita — are being pushed by a state LGBT (lesbian, gay, bisexual, transgender) group to add sexual orientation and gender identity to their local non-discrimination ordinances.



The addition of these classifications would mean that homosexuals, along with transvestites and others whose dress and behavior reflect the opposite gender, would receive special protections in the areas of housing, employment, and public accommodations.

There are several elements of the measures that are of deep concern to pro-family leaders, including their potential impact on churches. For example, according to a [fact sheet](#) released by the Human Relations Commission of Hutchinson, which is set to vote on an updated non-discrimination code May 15, a church in that city which rents its parish hall or sanctuary to the general public for weddings or other events “could not discriminate against a gay couple who want to rent the building for a party.”

As for employers, the fact sheet reads, they would not be able to “consider sexual orientation or gender identity or expression when making hiring, firing, or other employment related decisions.” And while employers would be free to require their employees to follow “reasonable workplace grooming and appearance standards,” they would also be required to allow an employee to “appear, groom, and dress consistent with the employee’s gender identity and gender expression.”

In short, an employer could not prevent a male employee from appearing at his job dressed as a woman if he decided that was his “gender identity,” nor a woman employee to begin dressing and behaving as a man if she discovered that was the “gender expression” with which she felt most comfortable.

Also, under the proposed Hutchinson ordinance (as well as those of the other Kansas communities), transvestites and others covered under the “gender identity” provision would be free to use opposite-sex restrooms, showers, and locker rooms, with no prohibitions. For an employer, business, or other facility with public accommodations *not* to allow individuals to use opposite-sex facilities would be considered grounds for a discrimination complaint.

All in all, under the proposed Hutchinson discrimination ordinance, employers, business owners, and even landlords would be prohibited from refusing to serve, hire, rent to, or otherwise accommodate homosexuals, transvestites, cross-dressers, and other individuals and groups based on their supposed sexual orientation or “gender identity.”

Purely from a safety issue, noted KFPC, such an ordinance can leave women and children at risk from sexual predators and others who tend toward cross-dressing lifestyles. “The truth is that women and children who live in areas of the country where these ordinances and laws exist can never be certain



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that they will not encounter men in restrooms, locker rooms, or changing rooms at department stores,” noted the pro-family group.

Robert Noland, executive director of KFPC, told the [Christian Post](#) that the homosexual groups pushing for such legislation have attempted to downplay the potential danger. “The people supporting this measure don’t like this argument,” he said, “however we do believe it opens up the door for predatory practices.... We have to face the fact that that’s a risk that could happen.”

Not surprisingly, where such laws have been implemented, those who bristle against the cross-use of gender-specific facilities have been subject to civil suits. For example, after a male transvestite was forbidden to use the women’s restroom at a Denny’s restaurant in Maine, the man sued the chain under Maine’s anti-discrimination law, prompting the restaurant chain to eliminate gender-specific restrooms at its Maine locations.

Norland told the [Christian Post](#) that some churches in Hutchinson have indicated that even if the measure passes, they will be compelled to disregard it if someone wishes to rent their facilities for events that violate their convictions. “We’ve had several churches that say, ‘Even if this passes, we will not comply if we’re approached to use our facilities in this manner,’” he said.

KFPC noted that precedent exists for churches and faith-based groups to be sued for denying homosexual groups access to their facilities. “In New Jersey, the Oak Grove Camp Meeting Association was sued when they declined to avail their property for the purpose of a same sex ‘wedding,’ ” the pro-family group recalled. “The premise of the lawsuit was based on a New Jersey law prohibiting discrimination based upon sexual orientation and gender identity and the Association’s prior practice of renting space for approved public functions.”

Likewise, businesses around the nation have been subject to lawsuits when they have cited moral concerns in declining to serve homosexuals:

- A video duplication company in Virginia was slapped with a lawsuit when its Christian owner declined to do business with a homosexual group that wanted him to make copies of a video documentary of their lifestyle.
- A photographer in New Mexico was sued for declining the business of a homosexual couple who wanted her to photograph their “commitment” ceremony — despite the fact that New Mexico does not recognize same-sex unions.
- As reported by [The New American](#), the owner of a Kentucky t-shirt company was hit with a discrimination complaint after he turned down the business of a local homosexual activist group.

Meryl Dye, a spokesperson for the Hutchinson Human Relations Commission, insisted to Fox News that the type of anti-discrimination ordinance the community is seeking is similar to laws that protect people based on race. Business and other facilities “would not be able to discriminate against gay and lesbian or transgender individuals,” Dye, said. “That type of protection parallels what you find in race discrimination.”

But Jonathan Saenz, director of legislative affairs for the [Liberty Counsel](#), told the [Christian Post](#) that race is an “immutable characteristic,” far different from homosexuality and gender confusion. Beyond that distinction, there are “major constitutional violations and concerns here,” he added. “Obviously, when the government tries to force a private religious institution to do anything, the government’s going to find themselves in ... hot water.”

As for “gender identity,” the term is sufficiently vague to make it ripe for exploitation. “What it really



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means is, when someone rolls out of bed one day they can decide whether they want to be a man, a woman, or something in between,” said Saenz.

Eric Stanley, senior legal counsel for the [Alliance Defense Fund](#), told the *Post* that government has no business getting in the way of a church’s ability to enforce the moral convictions of its members. “It is the church that decides what is acceptable for itself under its religious doctrine and it is not the government’s role to force a church to violate that doctrine,” he said. “This ordinance should never pass because it is unconstitutional. But if it does and Hutchinson attempts to force churches to violate their religious beliefs, ADF will not hesitate to use the legal process to protect the constitutional rights of churches.”

Matt Staver, founder of Liberty Counsel, added that while Hutchinson’s proposed measure “is absolute absurdity,” it nonetheless “illustrates the ultimate end-goal of the homosexual and radical so-called LGBT agenda, and that is the abolition of gender and the abolition of morality. And they ultimately believe that their agenda should trump religious liberty.”



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