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**TESTIMONY IN SUPPORT OF 19-H 5443,
RELATING TO VETERANS' BENEFITS
March 14, 2019**

The ACLU of RI strongly supports this legislation, which would permit the recipients of "less than honorable" military discharges to qualify for state veterans' benefits when the discharge was based on the veteran's sexual orientation or gender identity. For decades, excellent military personnel – including those honored for their valor – were drummed out of the military once their sexual orientation became known. The idea that in 2019 they might be ineligible for benefits for the service they provided to their country is unconscionable. We therefore appreciate and applaud the sponsor's effort to right this terrible wrong.

The legislation is especially timely in light of its efforts to similarly protect veterans who are discharged because of their gender identity. Just today, as the attached article describes, the New York Times reported on the adoption of a new military policy that, in the Times' words, allows transgender troops to "enlist and serve, but only if they stick to their biological sex." Passage of this bill would ensure that the state is not a party to discriminating against individuals who are forced to leave the military because of this unfair policy.

We wish to offer three minor amendments for the committee's consideration:

1. Portions of the bill refer solely to sexual orientation and not gender identity. We urge that amendments correct this drafting error.

2. The bill requires personnel dealing with these benefit requests to respond in a way that will "ensure the dignity and privacy of the veteran." To better protect their privacy, we would suggest the inclusion of language that would bar agencies from maintaining this specific piece of information in qualifying veterans for benefits.

3. Finally, we would also urge the committee to consider amending this bill to address an identical wrong in another statute. Four years ago, the state's fair housing law was amended to bar discrimination against veterans in housing, a real problem that had been brought to the attention of the state Commission for Human Rights, but for which there was no remedy at the time. Unfortunately, the anti-discrimination provision that was added in 2015 applies only to veterans "with an honorable discharge or an honorable or general administrative discharge." R.I.G.L. §34-37-4(a). It thus also fails to protect veterans who were discharged because of their sexual orientation or gender identity. In accordance with this bill's goals, the ACLU therefore urges the committee to consider adding language to address this issue as well.

Thank you for considering our views. We once again commend the sponsor for introducing this important legislation.