

# THE MOMENTUM REPORT—2007 EDITION

*An Analysis of Key Indicators of LGBT Equality in the US*



**Movement Advancement Project**

## Movement Advancement Project

The Movement Advancement Project (MAP) is an independent, intellectual resource for LGBT organization executives and donors, funded by a small number of committed, long-term donors to the LGBT civil rights movement. MAP's mission is to speed achievement of full social and political equality for LGBT people by providing donors and organizations with strategic information, insights and analyses to help them increase and align resources for highest impact. In sum, MAP's research is designed to stimulate additional contributions to the LGBT movement, as well as additional productivity from those contributions.

## The Momentum Report

*The Momentum Report* measures progress toward the LGBT movement's ideal end-state: securing equal opportunities, rights, and responsibilities for all people, regardless of their sexual orientation or gender identity or expression. This publication is the first edition of *The Momentum Report*; an updated edition will be released every two years, with the next edition slated for 2009. The opinions expressed in this report reflect the best judgment of MAP and are based on extensive research, including data gathering and analysis and media and web searches.

## Acknowledgements

Sean Cahill, the former director of the National Gay and Lesbian Task Force's Policy Institute, and Gary Gates, a senior research fellow at the UCLA School of Law's Williams Institute, reviewed an earlier draft of *The Momentum Report*. Both provided very helpful insights and comments. However, MAP is responsible for the contents of the final report.

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## EXECUTIVE SUMMARY

The Movement Advancement Project's *Momentum Report* organizes and analyzes indicators of the LGBT<sup>1</sup> movement's success in securing political and social equality. Specifically, the report measures progress toward an ideal end-state for LGBT Americans: equal opportunities, rights, and responsibilities for all people, regardless of their sexual orientation or gender identity or expression.

Most indicators reflect good news for the LGBT movement and people. The American public has become very supportive of our issues in recent years, state legislatures are more likely to pass pro-LGBT legislation than laws that harm us, the movement's organizations are steadily increasing in financial size, and the number of donors—both small and large—to the movement is consistently growing.

As a result of these positive changes, nearly half of the US population now lives in a state that has nondiscrimination laws based on sexual orientation, and nearly one-third has access to a state nondiscrimination law based on gender identity or expression. Nearly one-third of all LGB adults in the US have access to a state-sanctioned relationship recognition law (and the rights, responsibilities, and benefits that these laws provide). And most states allow LGB adults to adopt and raise children.

Many of these achievements have been reached in just the past few years—decades of hard work are finally and quickly bearing fruit. The expansion of LGBT equality in recent years is nothing short of remarkable.

Of course, much more work still needs to be done and some setbacks have occurred. Many more people need access to relationship rights and nondiscrimination legal protections. A few states have recently cut back on LGB adoption rights. HIV/AIDS is once again spreading quickly among men who have sex with men, and the disease disproportionately impacts men of color. Gay men and lesbians are still barred from serving openly in the US military. And hate crimes, although beginning to decline, still terrorize too many of our people and communities.

The *Momentum Report* tracks all of these recent changes in detail over time through 23 different indicators, which are grouped into three categories: Cultural and Social; Political and Legal; and LGBT Movement Capacity. *Each category is summarized in the table on the right.*

In sum, the *Momentum Report* delivers mostly good news for the LGBT movement and the current state of LGBT equality. By most measures, the US public is becoming more supportive of LGBT equality and has increasingly favorable opinions about LGBT people. And despite the generally anti-LGBT political climate in the US in recent years, LGBT equality has

### Indicators Summary

<b>CULTURAL AND SOCIAL INDICATORS</b>	<ul style="list-style-type: none"> <li>▶ Over the past 25 years, public sentiment regarding gays and lesbians has become increasingly supportive, suggesting that a strong foundation exists for marshalling public will for federal and state laws supporting LGBT equality.</li> <li>▶ A few indicators point to erratic and possibly even waning public support for the LGBT community, which should prompt LGBT leaders to rethink the movement's overall public messaging and relations strategy.</li> <li>▶ Anti-LGBT religious beliefs remain an obstacle to equality.</li> </ul>
<b>POLITICAL AND LEGAL INDICATORS</b>	<ul style="list-style-type: none"> <li>▶ A clear majority of LGB people still does not have access to formal relationship recognition laws, and most of the US population is not covered by state-level non-discrimination laws.</li> <li>▶ But the previous ten years have shown remarkable expansion in the percentage of the LGB and US population that is covered by such laws.</li> <li>▶ State legislatures are increasingly supportive of the LGBT community.</li> <li>▶ HIV/AIDS is once again on the rise for American men who have sex with men, as the federal government directs attention (and money) to combating the disease around the globe.</li> </ul>
<b>LGBT MOVEMENT CAPACITY INDICATORS</b>	<ul style="list-style-type: none"> <li>▶ The total financial size of leading LGBT organizations has grown steadily in recent years.</li> <li>▶ The number of donors to the LGBT movement is also growing quickly.</li> <li>▶ New data collection efforts and other intellectual resources are expanding at unprecedented rates.</li> </ul>











expanded rapidly in the previous decade. To be sure, many more changes must take place before equality for all LGBT people is secured, but it is undeniable that substantial progress has been made, thanks to the many local, state, and national organizations fighting for LGBT rights and the donors who support their efforts.

Many opportunities to advance and expand LGBT equality currently exist both in Washington, DC and state legislatures across the country. With continued growth in the movement's donor base and the financial size and strength of its organizations, today's opportunities will become tomorrow's victories.

## INDICATORS QUICK VIEW



### Ten Cultural and Social Indicators











INDICATOR	CURRENT TREND/STATUS*	PAGE AND FIGURE NUMBER
Public Perceptions of Homosexuality as an Acceptable Lifestyle		Page 8, Figure 4
Public Perceptions of Homosexuality as an Innate Trait		Page 8, Figure 5
Public Attitude Toward Legality of Same-Sex Sexual Relations		Page 8, Figure 6
Public's General Acceptance of Homosexuality		Page 9, Figure 7
Public Support of Marriage Equality for Same-Sex Couples		Page 9, Figure 8
Public Support of Equal Employment Rights for Lesbians and Gay Men		Page 9, Figure 9
Public Support of Open Military Service by Lesbians and Gay Men		Page 9, Figure 10
Number of Hate Crimes Based on Sexual Orientation		Page 10, Figure 11
Hate Crimes Rates by Race, Religion, and Sexual Orientation		Page 10, Figure 12
Christian Denominations' Support of LGBT Americans, by Denomination Membership		Page 11, Figure 13

\*The weather symbols below represent MAP's overall qualitative judgment of recent progress for each indicator.

## INDICATORS QUICK VIEW CONTINUED



### Ten Legal and Political Indicators

INDICATOR	CURRENT TREND/STATUS	PAGE AND FIGURE NUMBER
Expansion of Sexual Orientation Non-Discrimination Coverage for Total US Population		Page 11, Figure 14
Expansion of Gender Identity Non-Discrimination Coverage for Total US Population		Page 12, Figure 15
Access to Same-Sex Relationship Recognition for US LGB Population		Page 12, Figure 16
Expansion of Same-Sex Relationship Recognition for US LGB Population		Page 12, Figure 17
Access to Adoption for US LGB Population		Page 13, Figure 18
Access to Same-Sex Second-Parent Adoption for US LGB Population		Page 13, Figure 19
New HIV/AIDS Diagnoses for Men		Page 14, Figure 20
US Federal Government Spending on HIV/AIDS		Page 14, Figure 21
Number of Out LGBT Candidates for Public Office		Page 15, Figure 22
State Legislative Climate		Page 15, Figure 23

## INDICATORS QUICK VIEW CONTINUED



### Three Indicators of LGBT Movement Capacity

INDICATOR	CURRENT TREND/STATUS	PAGE AND FIGURE NUMBER
Total Revenue of 25 Leading LGBT Organizations		Page 16, Figure 24
Individual Donor Support for 25 Leading LGBT Organizations		Page 16, Figure 25
Number of Scholarly Reports on LGBT Topics and Issues		Page 16, Figure 26

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**Figure 1:** Two Primary Sources of LGBT Discrimination, Page 6

**Figure 2:** LGBT Movement Capacity, Page 7

**Figure 3:** LGBT Movement Timeline, Page 7

## BACKGROUND

Measuring the impact of nonprofit organizations is an emerging art and science, with numerous organizations and projects recently established to help the nonprofit sector attempt to understand its impact on society. Assessing the work of social justice nonprofit organizations—as opposed to those that deliver specific services—is especially difficult. There is no single way to measure progress toward winning the fight for LGBT equal rights, for example.

Nonetheless, government agencies, research centers, and businesses currently publish a wide variety of social, political, and economic markers relating to LGBT equality. Taken together, these indicators can provide a broad picture of how LGBT people and organizations are faring, as well as whether the LGBT movement is winning the hearts and minds of Americans.

The Movement Advancement Project's *Momentum Report* aims to select, organize, and analyze existing indicators of the LGBT movement's success in securing political and social equality. Specifically, the report measures progress toward an ideal end-state for LGBT Americans: equal opportunities, rights, and responsibilities for all people, regardless of their sexual orientation or gender identity or expression.

### Objective

MAP's objective with *The Momentum Report* is to advance a shared understanding among organizations and funders of the LGBT movement's overall challenges and strategic choices. Ultimately, we hope to speed achievement of full equality for LGBT Americans by giving funders and organizations a strategic framework for discussing, building, and maintaining focus on overall goals and objectives.

As in all of MAP's work, this report is limited in scope to the United States. MAP will update *The Momentum Report* every other year.

### Indicators Framework

This report presents three types of indicators of progress toward LGBT equality:

- ▶ Indicators of cultural and social progress
- ▶ Indicators of legal and political progress
- ▶ Indicators of the LGBT movement's capacity to effect change

MAP based the first two components of the framework largely on Thomas B. Stoddard's "Bleeding Heart: Reflections on Using the Law to Make Social Change," published in the *New York University Law Review* in November 1997. Stoddard wrote this article after traveling to New Zealand, which in 1993 incorporated "sexual orientation" into all of its non-discrimination policies related to employment opportunity, military service, housing, etc.

Sodomy laws there had been already overturned, and immigration laws allowed New Zealand citizens to sponsor their international same-sex partners for New Zealand citizenship. Compared to the US, New Zealand offered far more legal equality for its LGB citizens.

But upon arriving in New Zealand, Stoddard was struck by the fact that Auckland, the country's largest urban area, "felt very much like a large American city (Washington, DC, perhaps, or Chicago or Los Angeles) twenty years earlier." The entire country of New Zealand "was just beginning to experience the emergence of a collective gay consciousness." He reported that "most gay people still did not feel safe enough to 'come out,' even though their laws now offered them protection...None of the individuals I met in Auckland could name even one lesbian or gay lawyer who worked openly as a gay person for one of the large commercial law firms in that city." From Stoddard's perspective and experience, although New Zealand's laws and public policies generally supported LGB equality, the larger culture and society were not yet ready to embrace and support—or even possibly tolerate—the LGB community.

Based on Stoddard's observations, we believe it is important to track progress toward not only legal equality for LGBT people (e.g., employment non-discrimination laws), but also progress toward broader social acceptance of the LGBT community in the US (e.g., whether or not the general public thinks homosexual relationships are moral). The first two components of our indicators framework reflect this belief, and are displayed in Figure 1.

**Figure 1: Discrimination Comes from Two Primary Sources**





Changing social attitudes and values will not only allow LGBT people to openly enjoy their full equality as it is achieved, but doing so will also speed progress toward this ideal end-state as more non-LGBT citizens begin supporting political leaders who will fight for LGBT equality in the US Congress and state legislatures.

The third component of our framework, shown in Figure 2, tracks progress toward growing and strengthening the LGBT movement through the organizations that support and advocate for LGBT rights. Tracking indicators of leading organizations' overall financial health, constituency bases, and informational resources over time will likely stimulate actions to maintain and strengthen the movement's capacity.

**Figure 2: LGBT Movement's Capacity to Work for Positive Cultural and Policy Changes**



## Methodology

In devising *The Momentum Report*, MAP staff began collecting relevant data that are easily obtained, readily understood, and consistently available over time. We began with website searches of polling firms, LGBT organizations, research institutes, major media outlets, and government agencies for any reports or stories related to LGBT equality or the larger LGBT movement. We examined these reports and stories for practical long-term data. In some cases, we could use the data as-is (e.g., we have simply reproduced *Gallup* polling reports on how Americans view LGBT people). In other cases, we had to recode or reanalyze the data (e.g., we recast FBI hate crimes data to derive rates of hate crimes targeted at various minority groups as a proportion of those groups' estimated share of the US population).

Several indicators rely on the Williams Institute's estimates of the size of the LGB population in the US.<sup>2</sup> Based on this data, we calculated the percentage distribution of the adult LGB population in each state and Washington, DC, allowing us to estimate, for example, how many LGB people live in states that provide some form of same-sex relationship recognition or allow LGB individuals or same-sex couples to adopt.<sup>3</sup>

Indicators of the size and strength of the LGBT movement's capacity are from MAP's *Standard Annual Reporting* project, which collects and analyzes data on LGBT organizations and institutional funders, including general financial information, donor statistics, and programmatic goals and objectives. Because 2006 was SAR's pilot year, these statistics are not historical, but provide a good starting point for collecting and analyzing such data over time.

Due to data availability and quality concerns, many of the chosen indicators date back only to the mid-1990s. We present the timeline in Figure 3 to acknowledge the LGBT movement's long history and some of the events and organizations that established the foundation for today's movement.

**Figure 3: Struggle for Civil Rights Has Been Longtime Effort**

<b>1920</b>	<p><b>1924</b> – Earliest known gay rights group formed (Society for Human Rights, Chicago)</p> <p><b>1948</b> – Alfred Kinsey's <i>Sexual Behavior in the Human Male</i> reveals that homosexuality is far more widespread than commonly believed</p>
<b>1950</b>	<p><b>1951</b> – First national gay rights group formed (Mattachine Society)*</p>
<b>1960</b>	<p><b>1962</b> – First state, IL, decriminalizes private, consensual homosexual acts</p> <p><b>1969</b> – Stonewall riots incite widespread protest for equal rights and acceptance. Patrons of a gay bar in New York City fight police, sparking three days of riots</p>
<b>1970</b>	<p><b>1973</b> – American Psychiatric Association removes homosexuality from list of mental disorders</p>
<b>1980</b>	<p><b>1982</b> – First state, WI, outlaws discrimination on the basis of sexual orientation</p>
<b>1990</b>	<p><b>1993</b> – President Clinton signs "Don't Ask, Don't Tell" compromise on gays in military</p>
<b>1995</b>	<p><b>1996</b> – US Supreme Court strikes down CO's Amendment 2, which denied gays and lesbians protections against discrimination, calling them "special rights." Court found "nothing special in the protections Amendment 2 withholds"</p>
<b>2000</b>	<p><b>2003</b> – US Supreme Court strikes down sodomy laws in <i>Lawrence v. Texas</i></p> <p><b>2003</b> – MA Supreme Court ruled that barring gays and lesbians from marrying violated state constitution because it "denied the dignity and equality of all individuals" and made them "second-class citizens"</p> <p><b>2004</b> – May 17, same-sex marriages become legal in MA</p>
<b>2005</b>	<p><b>2005</b> – CT legislature is first to legalize civil unions without court mandate</p> <p><b>2006</b> – NJ Supreme Court rules state must offer equal relationship protections</p> <p><b>2007</b> – Best year ever for LGBT-favorable state legislation: CO, IA, OR, and VT add or expand nondiscrimination protections for LGBT people; NH and OR legalize relationship recognition.</p>

\*First national lesbian rights group, Daughters of Bilitis, appears in 1956. Source: *InfoPlease.com*; MAP analysis.

Finally, please note that MAP is aware of the lack of indicators specific to the transgender community and racial minorities. It was nearly impossible to track down long-term, accurate indicators of equality for these populations. Some anecdotal evidence exists related to both transgender equality and LGBT communities of color, but tracking and analyzing such qualitative data over time is nearly impossible, and beyond the scope of this first edition of *The Momentum Report*. We welcome suggestions for remedying this omission in future editions.



## TEN INDICATORS OF CULTURAL AND SOCIAL PROGRESS

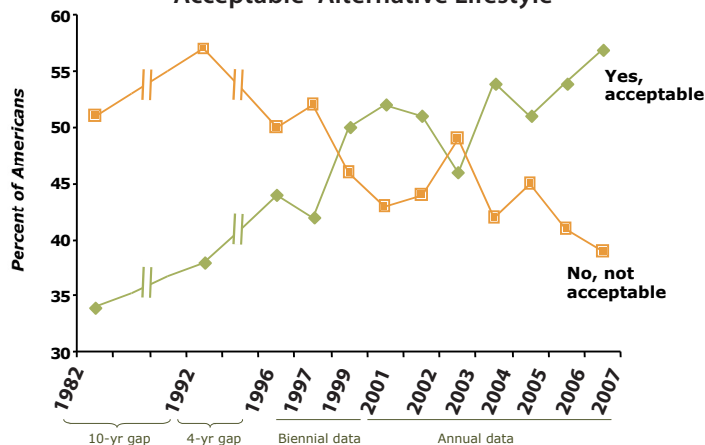
### Summary of Cultural and Social Indicators

- ▶ Over the past 25 years, public sentiment regarding gays and lesbians has become increasingly supportive, suggesting that a strong foundation exists for marshalling public will for federal and state laws supporting LGBT equality.
- ▶ A few indicators suggest erratic and possibly even waning public support for the LGBT community, which should prompt LGBT leaders to rethink the movement's overall public messaging and relations strategy.
- ▶ Anti-LGBT religious beliefs remain an obstacle to equality.

### Public Perceptions of Lesbians and Gay Men

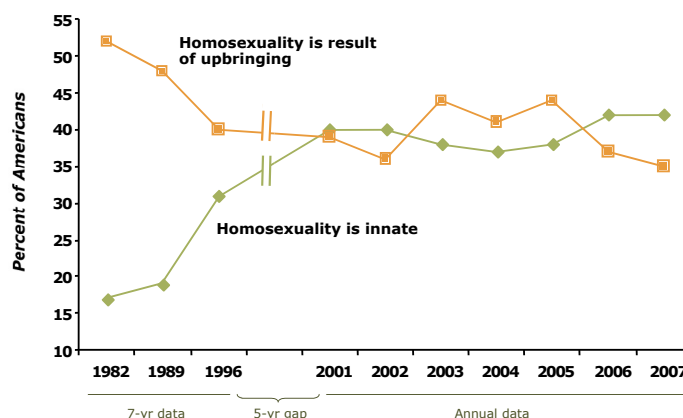
Public perceptions of lesbians and gay men have been steadily improving over time. For example, Figure 4 shows most Americans currently believe that homosexuality is an acceptable "alternative lifestyle," with 57 percent in 2007 saying it is acceptable—a full 23 percentage-point gain since 1982. Only 39 percent said that homosexuality is not acceptable in 2006, down 12 points since 1982.

**Figure 4: Most Americans Now Find Homosexuality Acceptable "Alternative Lifestyle"**



Source: Gallup Poll's "Pulse of Democracy" Survey, 2007.

**Figure 5: Increasing Number of Americans Believes Homosexuality is Innate**

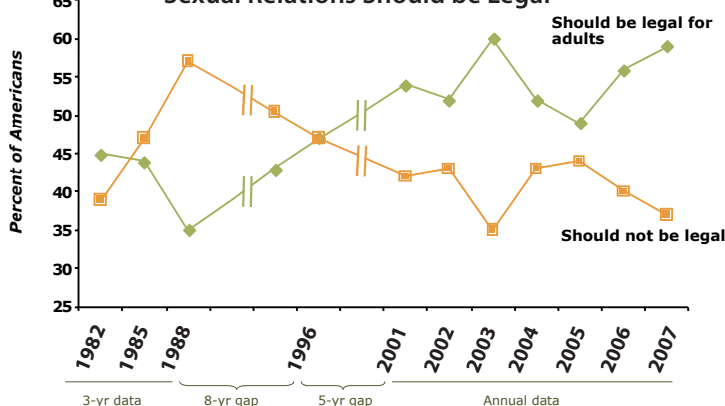


Source: Gallup Poll's "Pulse of Democracy" Survey, 2007.

Similarly, in 1982 only 17 percent of Americans thought that homosexuality was something a person is born with—most, 52 percent, believed it was a result of a person's upbringing. But in 2007, as Figure 5 shows, Americans were more likely to believe that homosexuality is innate. This indicator suggests that the public is open to accepting scientific facts and developing new perspectives about homosexuality and letting go of long held, but dubious, assumptions.

Also in 2007, a clear majority (59 percent) of Americans thought that sexual relations between two same-sex adults should be legal. As recently as 1988, nearly 60 percent of Americans believed they should not be legal. See Figure 6.

**Figure 6: Most Americans Now Say Same-Sex Sexual Relations Should be Legal**

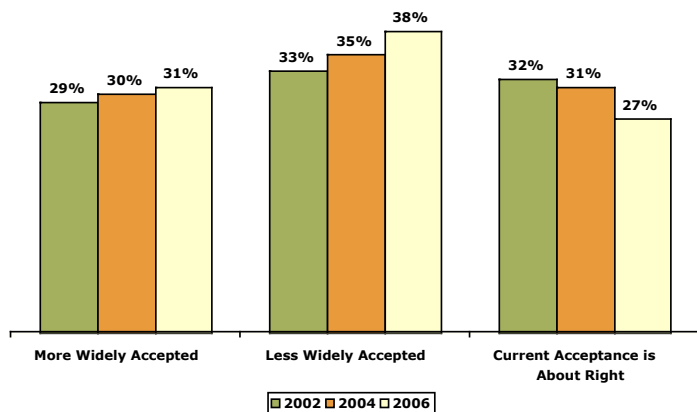


Source: Gallup Poll's "Pulse of Democracy" Survey, 2007.

The three previous indicators are moving in a positive direction for the LGBT movement. But over time they have been fluctuating, especially in recent years, suggesting that the LGBT movement's public messaging strategies need to be more proactive, consistent, and better coordinated. Messaging when a pro-LGBT legal or political victory is achieved, and large segments of the US public react negatively, should be especially reconsidered and given more attention.

Despite the generally good news discussed so far, the number of Americans who want homosexuality to be less widely accepted is growing faster than those who want it to be more widely accepted, as Figure 7 shows. In 2002, a four percentage point gap existed between those wanting more acceptance of homosexuality (29 percent) and those wanting less (33 percent). In 2006, this gap increased to seven points, with 31 percent favoring more acceptance and 38 percent favoring less. These trends might represent an increasingly vocal group of people opposed to LGBT equality, which could impact LGBT movement success in years to come. However, from another perspective, they could be interpreted as good news, indicating that society is increasingly accepting of LGBT people, causing more pronounced discomfort for some people.

**Figure 7: More Americans Want Homosexuality to be Less Widely Accepted**

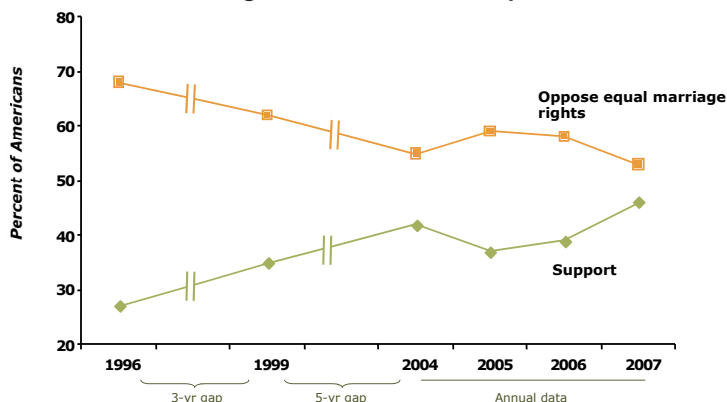


Source: Gallup Poll's "Pulse of Democracy" Survey, 2006.

## Relationship Recognition

A slowly increasing percentage of the US population is supportive of marriage equality for same-sex couples. Figure 8 shows that in 1996 only 27 percent of Americans supported same-sex marriage rights, but by 2007, that number increased to 46 percent. Over the same period, opposition to same-sex marriage fell a full 15 percentage points, from 68 percent to 53 percent. Although a majority of Americans still oppose these rights, citizens' views are clearly changing in a positive direction for the LGBT movement.

**Figure 8: More Americans Support Equal Marriage Rights for Same-Sex Couples**

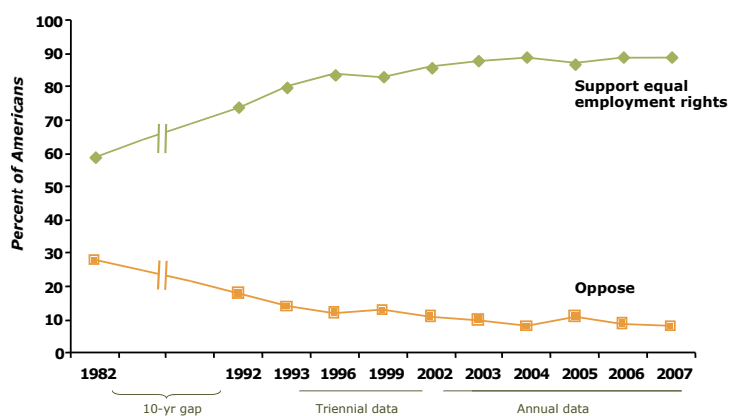


Source: Gallup Poll's "Pulse of Democracy" Survey, 2007.

## Employment and Military Service

A strong and growing majority of Americans support equal job opportunity rights for gay men and lesbians, as Figure 9 shows, with 89 percent of Americans supporting such rights in 2007. This number has been steadily increasing since at least 1982, when 59 percent of Americans favored employment equality. Only 8 percent were against equal employment rights in 2007, down from 28 percent in 1982.

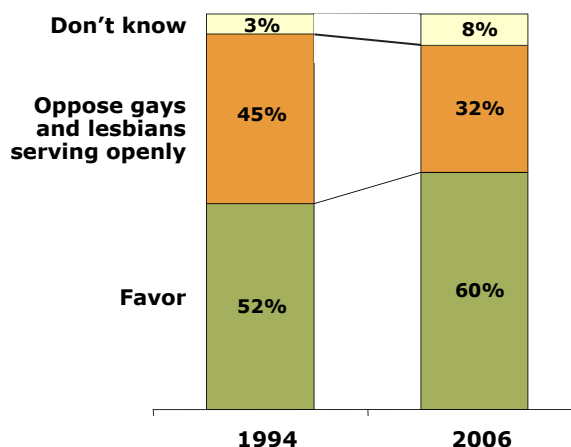
**Figure 9: Large Majority of Americans Support Equal Employment Rights**



Source: Gallup Poll's "Pulse of Democracy" Survey, 2007.

Similarly, a growing number of Americans support allowing lesbians and gay men to serve openly in the military. In 1994—right after "Don't Ask, Don't Tell" was implemented—52 percent of Americans supported open service, while 45 percent were opposed. By 2006, the majority of people in favor of open service increased to 60 percent, with those opposed dropping to 32 percent. See Figure 10.

**Figure 10: More Americans Support Open Military Service for Gays and Lesbians**



Source: Pew Research Center, 2006.

Recent legislative developments reflect this broad public support for equal employment and military service. In February 2007, a bill banning sexual orientation discrimination in the military was introduced in the US House of Representatives, and then in April the House introduced a bill that would make it illegal to fire or refuse to hire or promote someone based on his or her sexual orientation or gender identity. Companion Senate bills have yet to be introduced, and whether President George W. Bush would sign these bills into law is unclear. However the indicators presented above suggest that sufficient public support exists for both bills to succeed in the near future.

## Hate Crimes

Hate crimes based on real or perceived sexual orientation are beginning to decline after increasing for several years, according to the FBI. Figure 11 shows that the number of hate crimes incidents based on sexual orientation in the past decade peaked in 2001 with 1,393 reported incidents. That year also saw the largest number of victims of hate crimes based on sexual orientation, with 1,664 people targeted for their real or perceived sexual orientation. In 2002 the number of incidents and victims both began dropping, reaching 1,017 and 1,213, respectively, in 2005.

**Figure 11: Hate Crimes Based on Sexual Orientation Beginning to Decline**



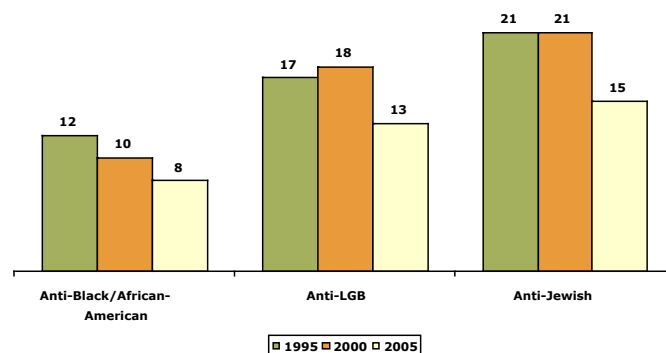
Source: FBI's Uniform Crime Reports, 1997-2007.

Many activists and researchers dispute the credibility of the FBI's hate crimes data because of varying (and sometimes non-existent) collection and reporting methods by city, county, and state law enforcement agencies. Most experts agree that hate crimes of all types, including LGB-related crimes, are drastically underreported.<sup>4</sup> Despite these drawbacks, FBI data are used here because the agency also collects hate crimes data for other minority groups. Making comparisons between LGB-related crimes and crimes directed toward these other groups (in relation to their shares of the total US population) provides more context than simply presenting the raw numbers of incidents and victims.

The FBI data show that hate crimes against lesbians and gay men are greater than those against African Americans and fewer than those against people who are Jewish. The good news is that all three groups saw noticeable declines in hate crimes between 2000 and 2005. See Figure 12.

**Figure 12: Anti-LGB Hate Crimes Rate is Comparable to Other Minorities'**

**Number of Hate Crime Victims per 100,000 Individuals:**



Source: US Census Bureau, 1995, 2000, 2005; North American Jewish Data Bank, 1995 and 2000; Wikipedia, 2007; FBI Uniform Crime Reports, 2007; Williams Institute, 2006.

According to a 2007 Gallup poll, 68 percent of Americans support expanding current hate crimes laws to include crimes based on sexual orientation and gender expression and identity. In May 2007 the US House passed a hate crimes bill, which includes these protections, by a vote of 237-180—the Senate is expected to vote soon on its version of the legislation. President Bush, however, has indicated that he would veto the current version of the House bill.

## Spirituality

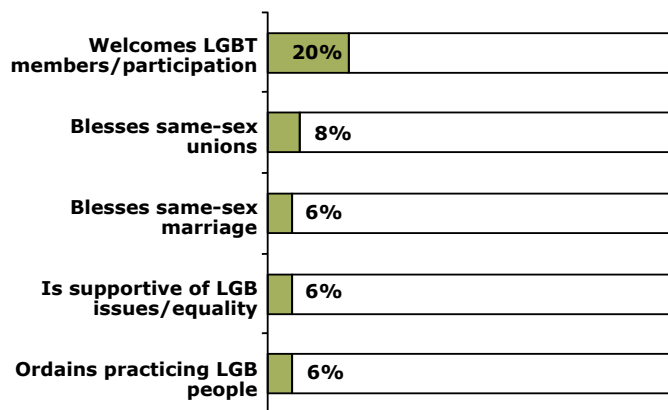
According to recent research, as a person's religious commitment increases, his or her support of LGBT rights falls.<sup>5</sup> Considering this connection between religious commitment and LGBT rights—and recognizing that spirituality is important to many LGBT people—several LGBT organizations are trying to increase the number of LGBT-friendly religious denominations in the US.

Unfortunately, Figure 13 shows that most US Christian denominations are not very supportive of the LGB population, with only 6 percent of Christians in the US belonging to a denomination that is generally LGB supportive.<sup>6</sup> With about 96 percent of all religious Americans identifying as Christian, tracking this data going forward could provide key insights into why some Americans oppose LGBT equal rights, and how the LGBT movement can

most effectively and strategically work to change their opinions. Over time, these efforts can bolster public support for LGBT equality and help more LGBT people worship freely and openly.

**Figure 13: Most US Christians Belong to LGBT-unfriendly Denominations**

**Percentage of US Christians Belonging to a Denomination that:**



Source: Estimates calculated from data presented in MAP's Responding to Anti-Gay Religion, 2006.

When looking at the data in Figure 13, keep in mind that some very conservative denominations are made up of relatively progressive adherents. Catholicism, for example, has some of the most stridently anti-LGBT positions and policies among Christian denominations, yet polling data suggest that Catholics are more likely than conservative Evangelical Protestants to have favorable views of gay men or support marriage equality for same-sex couples.

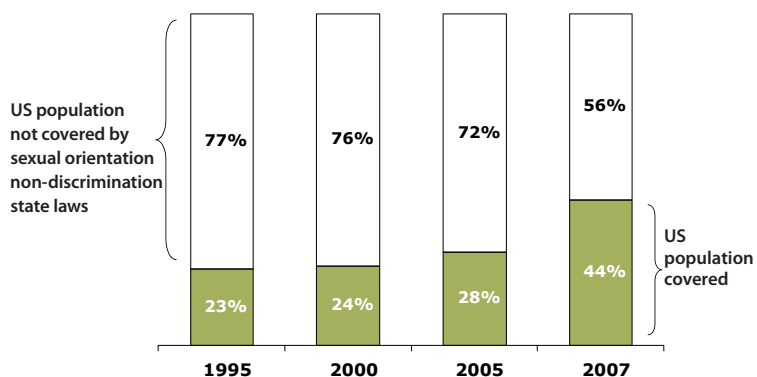
Note that we discuss several legal and political indicators below in terms of population coverage—i.e., the percentage of the total US or LGB population that is covered by LGBT-friendly laws. LGBT population estimates were calculated based on a Williams Institute analysis of 2005 US Census Bureau data for same-sex couples, as well as data collected from the Centers for Disease Control's National Survey of Family Growth. Unfortunately, the government does not collect data on the transgender population—as a result, most of the indicators below do not apply to that community.

## Non-Discrimination Laws

As national LGBT organizations fight for a federal law barring discrimination based on sexual orientation and gender identity or expression, several states over the past decade have enacted their own anti-discrimination laws. Figure 14 shows that in 1995 state sexual orientation anti-discrimination laws covering employment, housing, and public accommodations covered 23 percent of the total US population. Little expansion took place between 1995 and 2005, when 28 percent of the population was covered.

But significant progress has been made in recent years. The first several months of 2007 were especially successful, with Colorado, Iowa, Oregon, and Vermont passing or expanding nondiscrimination laws during this time.<sup>7</sup> By the end of 2007, when these new laws will be fully implemented, 44 percent of the US population will be covered by a sexual orientation nondiscrimination law. Figure 14 reflects this recent, rapid, and unprecedented expansion of LGBT equality.

**Figure 14: Recent Progress in Sexual Orientation Non-Discrimination Coverage**



Source: MAP analysis of State Nondiscrimination Laws in the U.S., National Gay and Lesbian Task Force, 2007; and U.S. Census Data, 1995-2005.



## TEN INDICATORS OF LEGAL AND POLITICAL PROGRESS

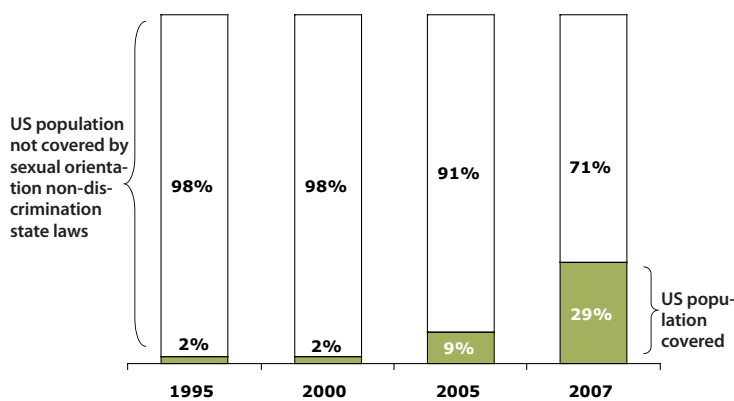
### Summary of Legal and Political Indicators

- ▶ A clear majority of LGB people still does not have access to formal relationship recognition laws, and most of the US population is not covered by state-level non-discrimination laws.
- ▶ But the previous ten years have shown remarkable expansion in the percentage of the LGB and US population that is covered by such laws.
- ▶ State legislatures are increasingly supportive of the LGBT community.
- ▶ HIV/AIDS is once again on the rise for American men who have sex with men, as the federal government directs attention (and money) to combating the disease around the globe.



Even more rapid progress has been made for state-level protections based on gender identity or expression. Until 2001, only Minnesota prohibited discrimination based on gender identity, representing just 2 percent of the entire US population. But as Figure 15 shows, by the end of 2007, 29 percent of the US population will live in a state that prohibits discrimination based on gender identity or expression.

**Figure 15: Recent Progress in Gender Identity Non-Discrimination Coverage**



Source: MAP analysis of State Nondiscrimination Laws in the U.S., National Gay and Lesbian Task Force, 2007; and U.S. Census Data, 1995-2005.

Many towns, cities, counties, and other local jurisdictions also have sexual orientation and/or gender identity non-discrimination laws. The National Gay and Lesbian Task Force estimates that 52 percent of the US population lives in a town, city, county, or state that has a non-discrimination law based on sexual orientation, and 37 percent lives in a jurisdiction offering gender identity and expression coverage.<sup>8</sup>

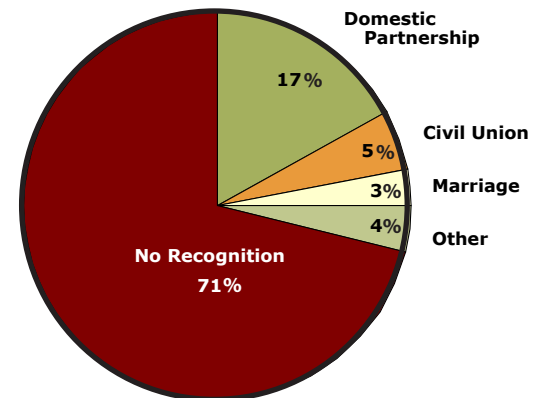
President Bill Clinton's 1998 executive order prohibiting discrimination based on sexual orientation for federal civilian employees extends employment protections to another 2 million US workers (although President George W. Bush has not made enforcement a priority). Several states have implemented similar orders for their public employees.

## Family and Relationship Laws

Figure 16 shows that most LGB people in the US lack access to any type of formal relationship recognition. About 17 percent have access to domestic partnerships (California and Oregon<sup>9</sup>), while 5 percent have access to civil unions (Connecticut, New Jersey, New Hampshire<sup>10</sup>, and Vermont) and 3 percent have access to marriage (Massachusetts). Another 4 percent (living in the District of Columbia, Hawaii, Maine, and Washington) have access to some other form of recognition, such as a domestic partnership registry.

**Figure 16: Most LGB People Lack Relationship Recognition and Rights**

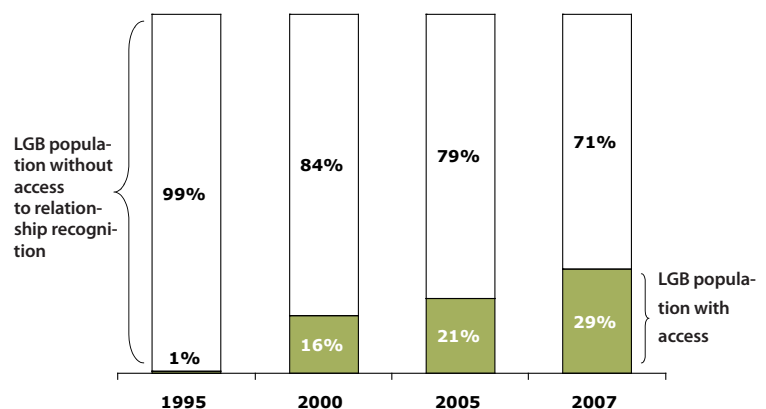
**Availability of LGB Relationship Recognition**  
% LGB Population



Source: MAP analysis of Relationship Recognition in the United States, HRC, 2007; Williams Institute, 2006.

Despite the current low levels of access to relationship laws, Figure 17 shows that coverage of such laws has been rapidly expanding. In 1995, only 0.4 percent of the LGB population had access to some form of relationship recognition, but by 2007, that percentage increased to 29 percent.

**Figure 17: Growing Portion of LGB People Have Access to Relationship Recognition**

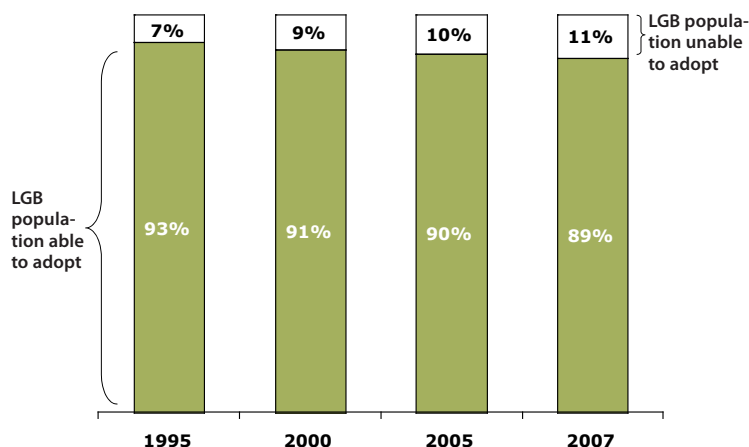


Source: MAP analysis of Relationship Recognition in the United States, HRC, 2007; Williams Institute, 2006.

Considering the recent onslaught of state-level defense of marriage acts and state constitutional amendments banning marriage equality, the fact that nearly one-third of the LGB population now has access to state-sanctioned relationships—and the benefits they confer—is remarkable. Of course, the rights associated with most relationship types available to LGB people fall far short of full marriage rights, but these new pro-LGB laws were unthinkable just 10 years ago, as the federal defense of marriage act took full effect and the LGBT movement faced broad opposition to almost all forms of relationship recognition.

As LGBT advocates have gained relationship recognition for the LGB population, small losses related to LGB-friendly adoption laws have occurred. For example, Figure 18 shows that a smaller percentage of the LGB population can adopt today compared to 1995. These losses are due to a combination of new laws (Mississippi and Utah) and judicial rulings (Michigan).

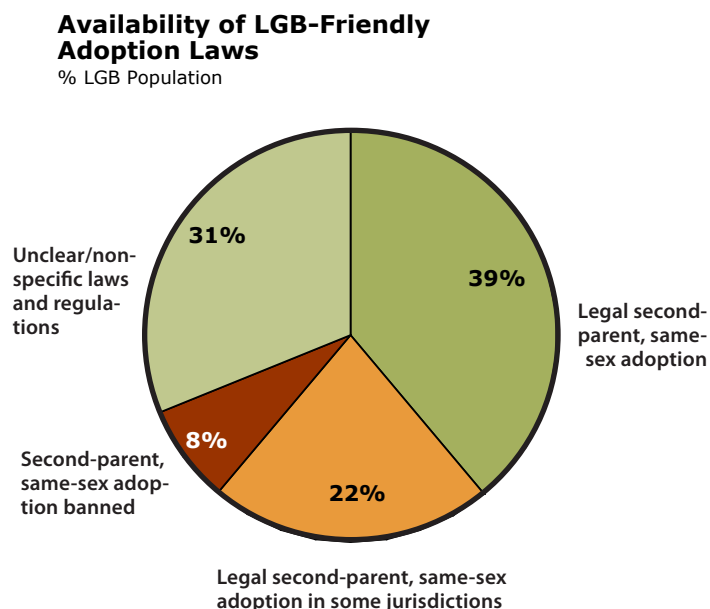
**Figure 18: Slight Recent Losses in Portion of LGB People Allowed to Adopt**



Source: Adoption Laws in the U.S., *The Task Force*, 2007; *Williams Institute*, 2006. Note that adoptions are frequently determined on a case-by-case basis—state laws can be trumped by judicial rulings.

Many states also have unclear laws regarding same-sex second-parent adoptions, with nearly one-third of the LGB population living in a state with ambiguous second-parent adoption laws.<sup>11</sup> Another 8 percent live in states that explicitly ban same-sex second-parent adoptions. See Figure 19.

**Figure 19: Many LGB People Have Access to Same-Sex Second-Parent Adoption**



Source: HRC, "Second-Parent/Stepparent Adoption Laws in the U.S." map and other policy analysis, 2007; *Williams Institute*, 2006.

Another recent sign of progress for LGBT families came from an unexpected place. George W. Bush's White House—which fought for a US Constitutional amendment banning same-sex marriage—recently endorsed (at least implicitly) same-sex families, relationships, and parenting. The White House's Web site posted a photograph that showed Vice President Dick Cheney, his wife Lynne Cheney, and their newly born sixth grandchild, Samuel David Cheney. The caption stated "...[Samuel's] parents are the Cheneys' daughter Mary, and her partner, Heather Poe."<sup>12</sup> Despite an onslaught of right-wing organizations arguing that it is impossible for Heather Poe to be the baby's parent and that "the conditions under which Ms. Cheney has chosen to bring this child into the world are to be condemned,"<sup>13</sup> the White House has kept the photo on its Web site without any apologies.

## HIV/AIDS

Government statistics show that HIV/AIDS—after first appearing nearly 30 years ago—is still a significant and growing problem in the US, with an increasing number of men contracting HIV through male-to-male sexual contact. The other major transmission types for men—heterosexual contact and intravenous drug use—have been declining for at least the past six years. Figure 20 shows that in 2000, 62 percent of new HIV/AIDS diagnoses for men were the result of male-to-male sex, increasing to 70 percent in 2005. This percentage increase is due to both a decrease in the number of cases transmitted through heterosexual sex and intravenous drug use, and an increase in the number of cases transmitted by male-to-male sex.

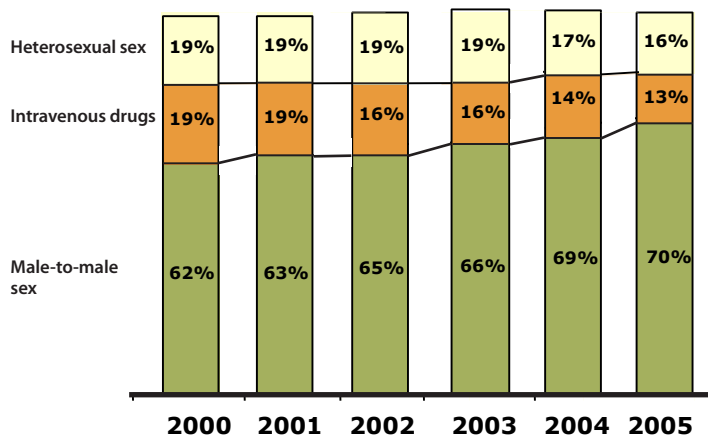
Further, the disease drastically and disproportionately impacts communities of color. In 2005, African-Americans made up 12 percent of the total US population, but accounted for 49 percent of all HIV/AIDS cases. Hispanics, who make up 13 percent of the US population, accounted for 20 percent of all HIV/AIDS cases. Traditional outreach prevention efforts in the gay community have mostly targeted white men who identify as gay or bisexual, and are often not appropriate or relevant for men of color.

As HIV/AIDS continues to spread in the US, discretionary federal spending on the disease continues to increase, from \$2.0 billion in 1990 to \$8.7 billion in 2004. At the same time, however, the government devotes an increasingly larger share of total federal HIV/AIDS spending to the global fight against the disease. For example, in 2000 the government spent just 4 percent of its discretionary HIV/AIDS budget on the international front, but that grew rapidly to 22 percent by 2004.<sup>14</sup> See Figure 21.

**Figure 20: HIV/AIDS Once Again a Growing Problem**

### New HIV/AIDS Diagnoses For Men

% by Transmission Category



Source: Centers for Disease Control, HIV/AIDS Surveillance Report, 2003, 2005.

**Figure 21: United States Federal Discretionary Spending on HIV/AIDS**

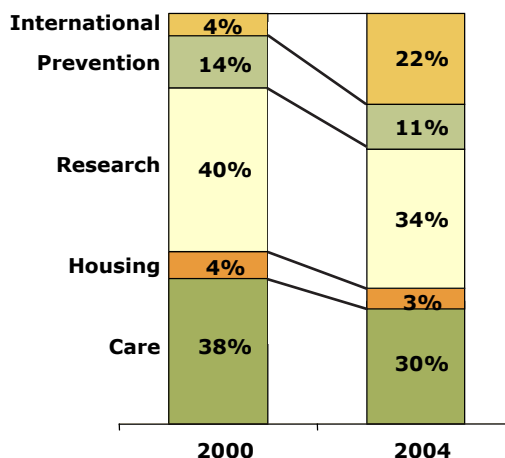
### Funding Totals

US\$ Billions



### Funding by Category

% Total



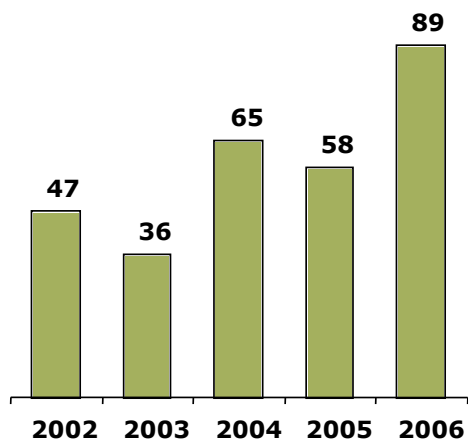
Source: The Henry J. Kaiser Family Foundation; Trends in US Government Funding for HIV/AIDS, Fiscal Years 1981 to 2004.

## Political and Legislative Environment

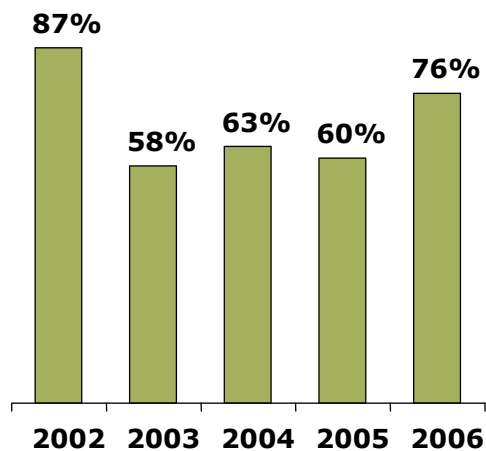
The number of openly LGBT candidates running for public office has consistently increased in recent years, based on Gay and Lesbian Victory Fund endorsements. In 2002 the Victory Fund supported 47 openly LGBT candidates for public office. By 2006 the number of candidates reached 89. The even better news is that, on average over the past five years, 69 percent of Victory Fund candidates won their races. See Figure 22.<sup>15</sup>

**Figure 22: Increasing Number of Out LGBT Candidates for Public Office**

### Number of Candidates Running for Office:



### Percent Winning:

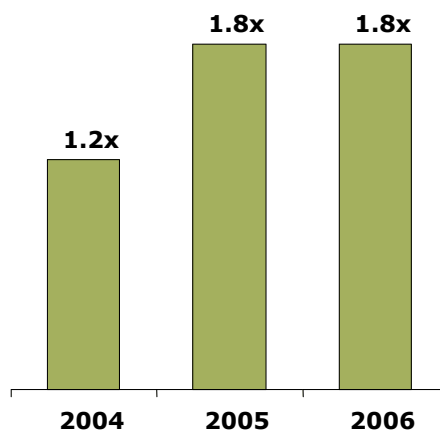


Source: MAP analysis of Gay and Lesbian Victory Fund Data, 2007.

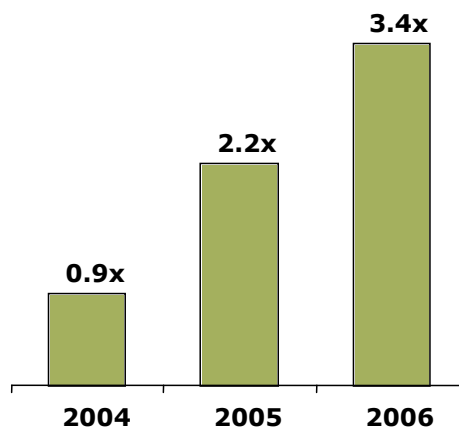
State legislatures are also becoming increasingly supportive of LGBT issues, according to data from the Human Rights Campaign. In 2004 states passed an almost equal number of LGBT-favorable (18) and unfavorable (21) bills. In 2006, however, states passed nearly 3.5 times as many favorable as unfavorable bills (34 vs. 10). The numbers and ratios of favorable and unfavorable bills proposed in state legislatures reflect a similarly positive trend. See Figure 23.

**Figure 23: Increasing LGBT Support in State Legislatures**

### Ratio of LGBT-Favorable to Unfavorable Bills Proposed:



### Ratio of LGBT-Favorable to Unfavorable Bills Passed:



Source: MAP analysis of HRC's Equality from State to State; 2004, 2005, and 2006.



## THREE INDICATORS OF INCREASING CAPACITY OF THE LGBT MOVEMENT

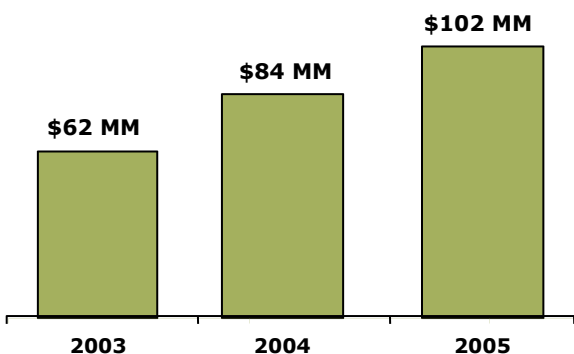
### Summary of Capacity Indicators

- ▶ The total financial size of leading LGBT organizations has grown steadily in recent years.
- ▶ The number of donors to the LGBT movement is also growing quickly.
- ▶ New data collection efforts and other intellectual resources are expanding at unprecedented rates.

### Organization Revenue

The aggregate revenue of 25 leading LGBT organizations has been steadily increasing over the past few years, as Figure 24 shows.<sup>16</sup> In 2003, these organizations had combined revenue of \$62 million, which increased to nearly \$102 million in 2005—a 65 percent increase.

**Figure 24: Increasing Total Revenues of 25 Leading LGBT Organizations**

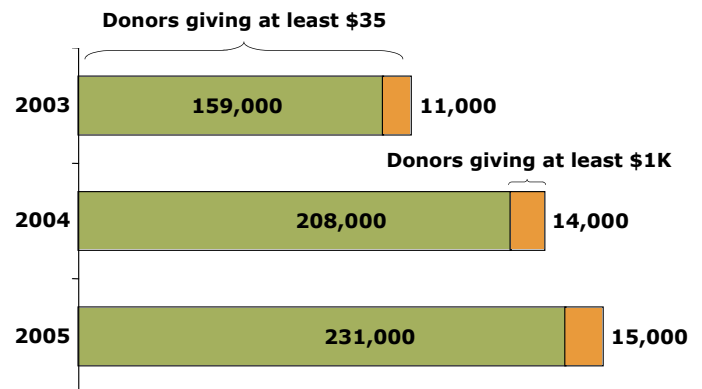


Source: 2006 LGBT Movement Standard Annual Reports, MAP. Note that four organizations were incorporated in 2004 or 2005, resulting in slightly smaller samples for the 2003 and 2004 data.

### LGBT Donor Participation

Financial support from individual donors is also on the rise. In 2003, about 170,000 individuals gave at least \$35 to the 25 leading LGBT organizations. By 2005 this number increased to 246,000 individuals. Donors giving at least \$1,000 also increased, from 11,000 in 2003 to nearly 15,000 in 2005.<sup>17</sup> See Figure 25.

**Figure 25: Increasing Number of Donors for 25 Leading LGBT Organizations**

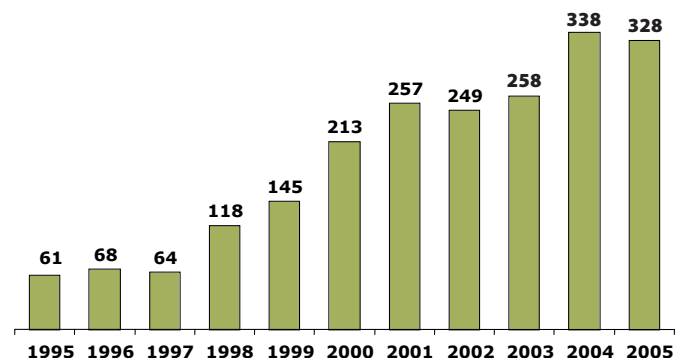


Source: 2006 LGBT Movement Standard Annual Reports, MAP. Note that four organizations were incorporated in 2004 or 2005, resulting in slightly smaller samples for the 2003 and 2004 data.

### Intellectual Resources

In addition to growth in the financial strength of the LGBT movement, the amount of serious scholarly attention given to LGBT issues has also increased. Figure 26 shows a more than 400 percent increase in the number of LGBT-related articles appearing in peer-reviewed academic journals, from just 61 in 1995 to 328 in 2005. This research can help improve physical and mental health services for the LGBT population, as well as offer credibility to the LGBT movement's lobbying and public education campaigns.

**Figure 26: Increasing Number of Scholarly Reports on LGBT Topics**



Source: Academic Search Premier, a database of 3,600 scholarly journals. A year-by-year search was conducted using keywords "gay", "lesbian", "bisexual", and "transgender". Search was limited to articles, case studies, and reports in peer-reviewed publications.



## CONCLUSION

The indicators presented in this report paint a largely positive picture of the LGBT movement and growth in LGBT equality and acceptance. By most measures, US citizens are becoming more supportive of LGBT equal rights and have increasingly favorable opinions about LGBT people. And despite a recently hostile political climate in the US, substantial legal and policy advancements have been made for LGBT equality in the previous ten years. To be sure, much work remains before equality for all LGBT people is secured, but it is undeniable that substantial progress has recently been made, thanks to the many local, state, and national organizations fighting for LGBT rights and the donors who support their efforts.

Many opportunities to advance and expand LGBT equality currently exist both in Washington, DC and state legislatures across the country. With continued growth in the movement's donor base and the financial size and strength of its organizations, today's opportunities will become tomorrow's victories.

## ENDNOTES

<sup>1</sup> Lesbian, Gay, Bisexual and Transgender.

<sup>2</sup> Gary Gates' *Same-sex Couples and the Gay, Lesbian, Bisexual Population: New Estimates from the American Community Survey*, released in October 2006, estimates the number of same-sex couples and LGB adults living in all 50 states and Washington, DC.

<sup>3</sup> Our estimates assume a fixed distribution of the LGB population over time. We have not taken into account any migration of LGB citizens resulting from favorable or unfavorable policies of various locales.

<sup>4</sup> See, for example, the National Coalition of Anti-Violence Programs' *Anti-Lesbian, Gay, Bisexual, and Transgender Violence in 2005*. This report counted 1,792 incidents of hate crimes based on sexual orientation in 2004, versus the 1,200 that the FBI counted that year. However, similar to the FBI's data, NCAVP's 2004 and 2005 statistics show declines in the numbers of anti-LGBT hate crimes victims and incidents.

<sup>5</sup> Baylor Institute for Studies of Religion, *American Piety in the 21st Century*, September 2006; Pew Forum on Religion and Public Life Polling Data, 2006.

<sup>6</sup> Most data and research on religion do not discuss transgender issues.

<sup>7</sup> Oregon's non-discrimination law will take effect on January 1, 2008.

<sup>8</sup> National Gay and Lesbian Task Force, "Unprecedented Series of Gains Coast to Coast for Lesbian, Gay, Bisexual and Transgender People," May 9, 2007 ([www.thetaskforce.org/press/releases/prstates\\_050907](http://www.thetaskforce.org/press/releases/prstates_050907)).

<sup>9</sup> Oregon's domestic partnership law will take effect on January 1, 2008.

<sup>10</sup> New Hampshire's civil union law will take effect on January 1, 2008.

<sup>11</sup> Second-parent adoptions allow a same-sex parent to adopt his or her partner's biological or adopted child, without terminating the legal rights of the first parent.

<sup>12</sup> [www.whitehouse.gov/news/releases/2007/05/images/20070523-4\\_v052307db-0034.jpg-731v.html](http://www.whitehouse.gov/news/releases/2007/05/images/20070523-4_v052307db-0034.jpg-731v.html); accessed May 30, 2007.

<sup>13</sup> Concerned Women for America: [www.cwfa.org/articles/13053/CFI/family/index.htm](http://www.cwfa.org/articles/13053/CFI/family/index.htm); accessed May 30, 2007.

<sup>14</sup> Consider also the effectiveness of the Bush Administration's programs related to fighting HIV/AIDS. The Administration generally ignores issues of sexual orientation in its health programs, and also pushes for abstinence-only programs, which almost all credible research—including government-sponsored studies—shows to be ineffective or even harmful for service recipients.

<sup>15</sup> The decrease in number of candidates running for office in 2003 and 2005 is largely due to those years being "off" election years.

<sup>16</sup> These organizations are ACLU LGBT/AIDS Project, Children of Lesbians and Gays Everywhere, Empire State Pride Agenda, Equality California, Equality Federation, Family Pride Coalition, Freedom to Marry, Gay and Lesbian Victory Fund, GenderPAC, Gay and Lesbian Alliance Against Defamation, Gay and Lesbian Advocates and Defenders, Gay, Lesbian, and Straight Education Network, Human Rights Campaign, Lambda Legal Defense, Log Cabin Republicans, Mass Equality, National Stonewall Democrats, National Black Justice Coalition, National Center for Lesbian Rights, National Gay and Lesbian Task Force, National Youth Advocacy Coalition, Out & Equal Workplace Advocates, PFLAG, Servicemembers Legal Defense Network, and the Williams Institute.

<sup>17</sup> If an individual gave money to more than one organization, he or she is counted multiple times; i.e., these numbers do not reflect total *unique* individual donors to these organizations.

## APPENDIX: DESIRED DATA IMPROVEMENTS

Several topics and issues lack reliable, easily accessible, or consistent data. Funding is needed to overcome these barriers so the entire LGBT movement's progress, strengths, and weaknesses can be better assessed. In no particular order, these topics and issues include:

- ▶ **A race perspective** was absent in the data collected and analyzed. Williams Institute and National Gay and Lesbian Task Force analyses of US Census data include some race-specific projects, and hopefully this work will at least continue—if not expand—in the coming years.

- ▶ Data related to **gender identity and expression**—and the overall health and wellness of the transgender population—are essentially non-existent, except for the occasional qualitative assessment of a particular transgender issue or the incidence of hate crimes in specific cities or regions. A serious effort is needed to collect data that more accurately assess the current state and needs of the transgender community.

- ▶ Finding reliable, consistent data on **religion and spirituality** was challenging. Few public disclosure requirements exist for religious organizations, and many religious leaders are reluctant to reveal data and information on LGBT issues. It would be helpful to know, for example, membership growth rates of LGBT groups within mainstream religions.

- ▶ Except for aggregate federal expenditures on HIV/AIDS, data on **government spending** for LGBT issues or services are sparse. Federal spending data would be ideal, as would spending data from several key states, such as California, Florida, Illinois, Texas, and New York, which have the highest concentration of LGB adults.

- ▶ Recognizing that litigation is a key strategy to advancing and securing LGBT equality, aggregate **data on the number of cases on the major LGBT legal organization's dockets** would be helpful, as would win/loss records. Currently, this information is not made available in a consistent way across LGBT legal organizations. Further, specific cases often last for years at a time, making it difficult for outsiders to track caseloads and win/loss statistics from year to year.

Several other specific indicators could be useful going forward, including:

### Cultural/Social Indicators:

- ▶ *Ratio of positive to negative LGBT media stories in the top 100 markets/outlets*—key to understanding the foundation of broader public perceptions of the LGBT population, as well as public support for LGBT-friendly public policies.

- ▶ *LGBT youth harassment rates* (currently these data are collected occasionally in a handful of states, but are not analyzed consistently from year to year; or they are collected nationally but not on a regular basis)—key to understanding how LGBT youth are faring, what support services they might need, and how supportive of LGBT equality future generations might be.

### Legal/Political Indicators:

- ▶ *Educational and income differentials between straight and LGBT populations*—key to understanding how lack of workplace and other nondiscrimination laws are impacting the day-to-day lives of the LGBT population.

- ▶ *Total LGBT-identified political contributions*—key to understanding the strength and influence of LGBT political donors, and their impact on state and national legislation.

### Movement Capacity Indicators:

- ▶ *Lobbyist full-time equivalents at national and/or state organizations*—key to understanding the lobbying capacity of the LGBT movement and evaluating whether such strategies are effective.

- ▶ *Unique membership levels of major LGBT organizations*—key to understanding the grassroots strength of the movement and the approximate size and health of its individual donor base.



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