

IMPACT STATEMENT

Legislation title: Authorize the City Attorney to appear as *Amicus Curiae* supporting gender equality on behalf of City of Portland and Portland Police Chief.
(Resolution)

Contact name: Ellen Osoinach, Sr. Deputy City Attorney

Contact phone: 3-9968

Presenter name: Ellen Osoinach and Chief Mike Marshman (if available)

Purpose of proposed legislation and background information:

- To affirm authority of City Attorney to act on behalf of the City and Police Chief in joining amicus curiae briefs in a gender equality case currently pending before the Supreme Court. In *Gloucester County School Board v. G.G.*, the Court will decide whether Title IX's equality mandate requires schools to "generally treat transgender students consistent with their gender identity." The *Gloucester* case involves a Virginia school's refusal to allow a transgender boy to use the boys' restroom. The City Attorney's office was recently contacted by attorneys from San Francisco and Lambda Legal offering the City and our Police Chief an opportunity to sign onto two important amicus briefs. They requested a response no later than February 27, which is why the City Attorney office is requesting this Resolution be heard tomorrow, February 22. The City/County brief will speak on behalf of cities and will focus on the importance of gender non-discrimination protections to a city's overall health and welfare. The Lambda brief will speak on behalf of Police Chiefs and Sherriff's nationwide who support non-discrimination protections because they enhance public safety for everyone without undermining efforts to detect and prevent the predatory behavior of sex offenders.

Financial and budgetary impacts:

- There are no financial or budgetary impacts. The City Attorney's Office will spend a minimal amount of time reviewing the draft brief(s) and providing input. There are no out-of-pocket expenses for the City.

Community impacts and community involvement:

Because of the time-sensitive nature of this request, the opportunity to involve community directly in the Resolution drafting was not feasible. However, the City had extensive community involvement in developing its code and administrative rules related to gender equality (see Title 23, HRAR 2.04, and ADM 13.03) and this Resolution seeks to amplify that work. In addition, an announcement about this Resolution was sent electronically to interested groups, and the CAO office will continue to receive comments until the briefs are signed.

**MATTERS TO BE CONSIDERED BY THE COUNCIL AT THE MEETING
TO BE HELD WEDNESDAY, FEBRUARY 22, 2017 AT 9:30 A.M.**

FOUR-FIFTHS AGENDA

MAYOR WHEELER

Agenda No.

Title

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| 186-1 | Authorize the City Attorney to appear as Amicus Curiae supporting gender equality on behalf of City of Portland and Portland Police Chief (Resolution) |
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