

# A DECADE OF PROGRESS ON LGBT RIGHTS

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This document, produced December 14, 2009, measures progress made in key indicators of lesbian, gay, bisexual and transgender (LGBT) equality in the U.S. from 2000 to 2009 (or the latest available data). For a more contextualized, longer-term picture of progress toward LGBT equality, see *The Momentum Report – 2009 Edition*, available at [www.lgbtmap.org](http://www.lgbtmap.org).

|  | 2000         | 2009       | Trend     |  |
|--|--------------|------------|-----------|--|
| <b>Protection from Discrimination</b>  | <b>From:</b> | <b>To:</b> |           |  |
| States outlawing discrimination based on sexual orientation  | 12           | 22         | Up 83%    |  |
| U.S. population living in such states  | 24.5%        | 44.1%      | Up 80%    |  |
| States outlawing discrimination based on gender identity   | 1            | 14         | Up 1300%  |  |
| U.S. population living in such states  | 1.7%         | 29.2%      | Up 1600%  |  |
| Fortune 500 companies that protect workers based on sexual orientation   | 51%          | 88%        | Up 73%    |  |
| Fortune 500 companies that protect workers based on gender identity  | 0.6%         | 35%        | Up 5700%  |  |
| <b>Recognition of LGBT Families</b>  | <b>From:</b> | <b>To:</b> |           |  |
| States extending the freedom to marry to same-sex couples  | 0            | 5          | Up from 0 |  |
| States with broad relationship recognition laws short of marriage  | 1            | 6          | Up 500%   |  |
| States with limited relationship recognition laws  | 2            | 7          | Up 250%   |  |
| Sum = states granting some legal recognition to same-sex couples   | 3            | 18         | Up 500%   |  |
| U.S. population living in states with some legal recognition   | 12.7%        | 37.2%      | Up 200%   |  |
| States blocking marriage equality through a statewide vote   | 5            | 31         | Up 500%   |  |
| States prohibiting gay or lesbian individuals/couples from adopting children   | 4            | 6          | Up 50%    |  |
| <b>Protection from Hate Violence</b>   | <b>From:</b> | <b>To:</b> |           |  |
| Hate crime incidents against LGB people, per the FBI   | 1,277        | 1,264      | Down 1%   |  |
| Hate crime incidents against LGBT people, per the National Coalition of Anti-Violence Programs   | 2,151        | 1,677      | Down 22%  |  |
| Anti-LGB murders, per the FBI  | 2            | 5          | Up 150%   |  |
| Anti-LGBT murders, per NCAVP   | 16           | 29         | Up 81%    |  |
| Federal law that increases penalties for hate crimes against LGBT people   | 0            | 1          | Up from 0 |  |
| <i>Important note: The 2009 Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act is the first U.S. federal law to specifically protect LGBT people</i> |              |            |           |  |
| <b>Safe and Accepting School Climate for LGBT Youth</b>  | <b>From:</b> | <b>To:</b> |           |  |
| States with safe school laws citing sexual orientation and gender identity/expression for protection   | 1            | 13         | Up 1200%  |  |
| Gay-Straight Alliance clubs in high schools  | 700          | 4,700      | Up 600%   |  |
| LGBT students who report hearing homophobic remarks in school  | 99.2%        | 99.3%      | No change |  |
| LGBT students verbally harassed at school, based on sexual orientation, in the previous year   | 83.2%        | 86.2%      | Up 4%     |  |
| LGBT students who have at least one supportive teacher at school   | 60.3%        | 82.5%      | Up 37%    |  |
| <b>Relief from HIV and AIDS</b>  | <b>From:</b> | <b>To:</b> |           |  |
| New HIV infections among adolescent and adult men who have sex with men (MSM)  | 28,000       | 30,800     | Up 10%    |  |
| New infections among MSM as a portion of all new infections  | 51%          | 53%        | Up 4%     |  |
| MSM as a portion of all adults and adolescents living with HIV/AIDS  | 52%          | 54%        | Up 4%     |  |
| <b>Service to Country – Military</b>   | <b>From:</b> | <b>To:</b> |           |  |
| Military service members discharged this year because of their sexual orientation  | 1,241        | 619        | Down 50%  |  |
| Cumulative number of service members discharged under Don't Ask, Don't Tell since 1993   | 6,716        | 12,961     | Up 93%    |  |
| <b>Service to Country – Public Office</b>  | <b>From:</b> | <b>To:</b> |           |  |
| Openly-LGBT elected officials at any level of government   | 257          | 445        | Up 73%    |  |
| Openly-LGBT members of Congress  | 2            | 3          | Up 50%    |  |
| <b>Societal Acceptance of LGBT People</b>  | <b>From:</b> | <b>To:</b> |           |  |
| Portion of the public who believe homosexual behavior is morally acceptable  | 40%          | 49%        | Up 23%    |  |
| Portion of the public who favor allowing gay and lesbian couples to legally marry  | 35%          | 39%        | Up 11%    |  |
| Portion of the public who favor giving gay and lesbian couples access to legal recognition that involves many of the rights of marriage                          | 45%          | 57%        | Up 27%    |  |
| Portion of the public who favor allowing openly-homosexual military members to serve   | 62%          | 75%        | Up 21%    |  |
| Portion of the public who favor allowing gays and lesbians to adopt children   | 38%          | 46%        | Up 21%    |  |
| Regular characters who are LGBT on broadcast network television series   | 18           | 18         | No change |  |

## SOURCES AND NOTES

**Nondiscrimination Protections** - Analyses of state nondiscrimination laws are from [State Nondiscrimination Laws in the U.S.](#) (National Gay and Lesbian Task Force, July 1, 2009) and [Statewide Employment Laws and Policies](#) (Human Rights Campaign, September 2, 2009). The District of Columbia is counted as a state.

Population calculations are based on [U.S. Census Bureau data](#) (2000 Census and 2008 population estimates).

Analyses of Fortune 500 corporations with protections based on sexual orientation and/or gender identity are from [The State of the Workplace for LGBT Americans 2007-2009](#) (Human Rights Campaign, February 20, 2009).

**Family Recognition** - Analyses of state relationship recognition laws are from [Moving Toward Marriage Equality](#) (Freedom to Marry, November 4, 2009), [Relationship Recognition of Same-Sex Couples in the U.S.](#) (National Gay and Lesbian Task Force (The Task Force), November 4, 2009) and [Marriage Equality & Other Relationship Recognition Laws](#) (Human Rights Campaign, November 6, 2009). The analysis of adoption laws uses data from [Anti-Adoption Laws in the U.S.](#) (The Task Force, November 4, 2008). The District of Columbia is counted as a state.

Population calculations are based on [U.S. Census Bureau data](#) (2000 Census and 2008 population estimates). U.S. population living in states with some legal recognition includes New York and Rhode Island, which do not themselves recognize same-sex relationships, but where government officials have affirmed recognition of same-sex marriages performed out of state. (See [Moving Toward Marriage Equality](#).)

The analysis of states that have blocked marriage equality through a statewide vote uses data from ["Same-Sex Marriage: Breaking the Firewall in California?"](#) (*Ballotwatch*, Initiative & Referendum Institute, October 2008). The figure for 2009 includes Arizona, Florida, and Maine, where statewide votes blocking marriage equality have passed since October 2008.

**Hate Violence** - Federal Bureau of Investigation (FBI) hate crime statistics are from Table 1 of [Hate Crime Statistics, 2000](#) (FBI, 2000) and [Table 1 of Hate Crime Statistics, 2008](#) (FBI, Nov. 23, 2009). National Coalition of Anti-Violence Programs (NCAVP) hate crime statistics are from [Anti-Lesbian, Gay, Bisexual and Transgender Violence in 2000](#) (NCAVP, 2001) and [Hate Violence against Lesbian, Gay, Bisexual and Transgender People in the United States, 2008](#) (NCAVP, 2009). The most recent year for which data are available is 2008.

The [Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act](#) (Public Law 111-84) was signed into law on October 28, 2009.

**School Climate and Safety** - Analyses of state safe-school laws are from [States with Safe Schools Laws](#) (Gay, Lesbian and Straight Education Network, November 2009). Four additional states prohibit bullying and harassment in schools based on sexual orientation only. The District of Columbia is counted as a state.

Analyses of homophobic remarks, verbal harassment and supportive teachers in the 2009 column are from Figures 1, 13 and 52 in [The 2007 National School Climate Survey](#) (Gay, Lesbian, and Straight Education Network (GLSEN), 2008; the latest data available). Estimates of homophobic remarks, verbal harassment and supportive teachers in 2000 have been provided by GLSEN. GLSEN also estimated the number of Gay-Straight Alliances in 2000 and 2009.

**HIV/AIDS** - HIV/AIDS figures include cases classified by the U.S. Centers for Disease Control (CDC) as among men who have sex with men (MSM) and cases classified as among both MSM and injection drug users.

For 2000, both the number of new HIV infections among MSM and the portion of new infections that occurred among MSM are from Figure 2 of ["Estimation of HIV Incidence in the United States"](#) (Hall et al, *Journal of the American Medical Association*, 2008). For 2009, the number of new HIV infections among MSM and the portion of new infections that occurred among MSM are both 2006 data (the latest available) from Table 3 of [HIV/AIDS Surveillance Report, 2007](#) (CDC, 2008).

MSM as a portion of all adults and adolescents living with HIV/AIDS in 2000 is from Table 30 of [HIV/AIDS Surveillance Report, Year-end edition, 2001](#) (CDC, 2001). The same figure for 2009 is 2007 data (the latest available) from Table 13 of [HIV/AIDS Surveillance Report, 2007](#).

**Military Service** - The number of discharges under Don't Ask, Don't Tell (DADT) are based on data from [About Don't, Ask Don't Tell](#) (Servicemembers Legal Defense Network, undated; accessed December 6, 2009) and ["Continued Discharges Anger 'Don't Ask, Don't Tell' Critics"](#) (Bryan Bender, *Boston Globe*, May 20, 2009). Note that military discharge figures are for federal fiscal years ending September 30. The figure in the 2009 column is from fiscal year 2008, ending September 30, 2008.)

**Civil Public Service** - Figures for openly-LGBT elected officials at any level of government and in the U.S. Congress were provided by the [Gay & Lesbian Victory Fund](#). The figures in the 2000 column are for 2003, the first year in which the total was tracked. In Congress, Barney Frank (D-MA) was elected in 1982 and came out publicly in 1987, Tammy Baldwin (D-WI) was openly lesbian when elected in 1998 and Jared Polis (D-CO) was openly gay when elected in 2008.

**Societal Acceptance of LGBT People** - Figures for the portion of the public who believe homosexual behavior is morally acceptable, who favor legal marriage among gay and lesbian couples, and who favor access for gay and lesbian couples to legal recognition that involves many of the rights of marriage are from [The Gallup Poll](#) (surveys conducted May 2001 and May 2009), [Pew Research Center](#) (surveys conducted March 2001 and August 2009), and [Pew Research Center](#) (surveys conducted October 2003 and August 2009), respectively. Pew did not ask questions about relationship recognition until 2003.

The portion of the public who favor allowing homosexuals who publicly disclose their sexual orientation to serve in the military is drawn from ["3/4 Support Gays in the Military Whether They 'Tell' or Don't"](#) (ABC News/Washington Post Poll news release, July 18, 2008), which reports surveys conducted in January 2001 and July 2008.

The portion of the public who favor allowing gays and lesbians to adopt children is drawn from [More Americans Question Religion's Role in Politics](#) (Pew Forum on Religion and Public Life, August 21, 2008). Polls were conducted in September 1999 and August 2008.

The numbers of LGBT regular characters on broadcast network television series are from [Where We Are on TV: Past Television Seasons](#) (Gay & Lesbian Alliance Against Defamation (GLAAD), undated, accessed December 7, 2009) and [Where We Are on TV, 2009-2010](#) (GLAAD, September 30, 2009).