

# LGBT Rights Quiz

## HOW WELL DO YOU KNOW YOUR HISTORY OF LGBT AND HIV RIGHTS?

The legal landscape is changing every day. Are you up-to-date? Take this quiz highlighting Lambda Legal’s landmark litigation and find out.

**1. JOHN LAWRENCE AND TYRON GARNER** were arrested in 1998 in Lawrence’s Houston home after police who were responding to a false crime report found the men having sex. The two men were convicted of violating Texas’ “Homosexual Conduct” Law. When the Lambda Legal case, *Lawrence v. Texas*, reached the U.S. Supreme Court in 2003, the justices struck down the law—and all similar state laws around the country, which had long been used to justify discrimination against LGBT people. At the time, how many states still had laws on the books banning private, non-commercial consensual sodomy?

- a. 3
- b. 13
- c. 23
- d. 50

**2. IN 1993, 21-YEAR-OLD BRANDON TEENA** was raped and later killed by two men who discovered he was transgender. Prior to the killing, the sheriff not only notified the rapists that Teena had pressed charges against them but also took no steps to protect Teena. (Teena’s life and death were the subject of the 1999 film *Boys Don’t Cry*.) Teena’s mother, JoAnn Brandon, sued. After a bad trial court ruling, Lambda Legal stepped in to help with the appeal, and in 2001 the Nebraska Supreme Court ruled unanimously that the sheriff:

- a. Had acted appropriately in that there was no “imminent peril” to the victim.
- b. Had been negligent in his duty to protect Brandon Teena and “laid an essential link in the chain that led to the victim’s death.”
- c. Had “not foreseen and could not have foreseen that the course of action he chose would have led to the murder of [Brandon Teena].”

**3. TRUE OR FALSE: BEFORE CONGRESS** enacted the “Don’t Ask, Don’t Tell” law in 1994, dismissals from the military on the basis of sexual orientation were ruled unconstitutional.

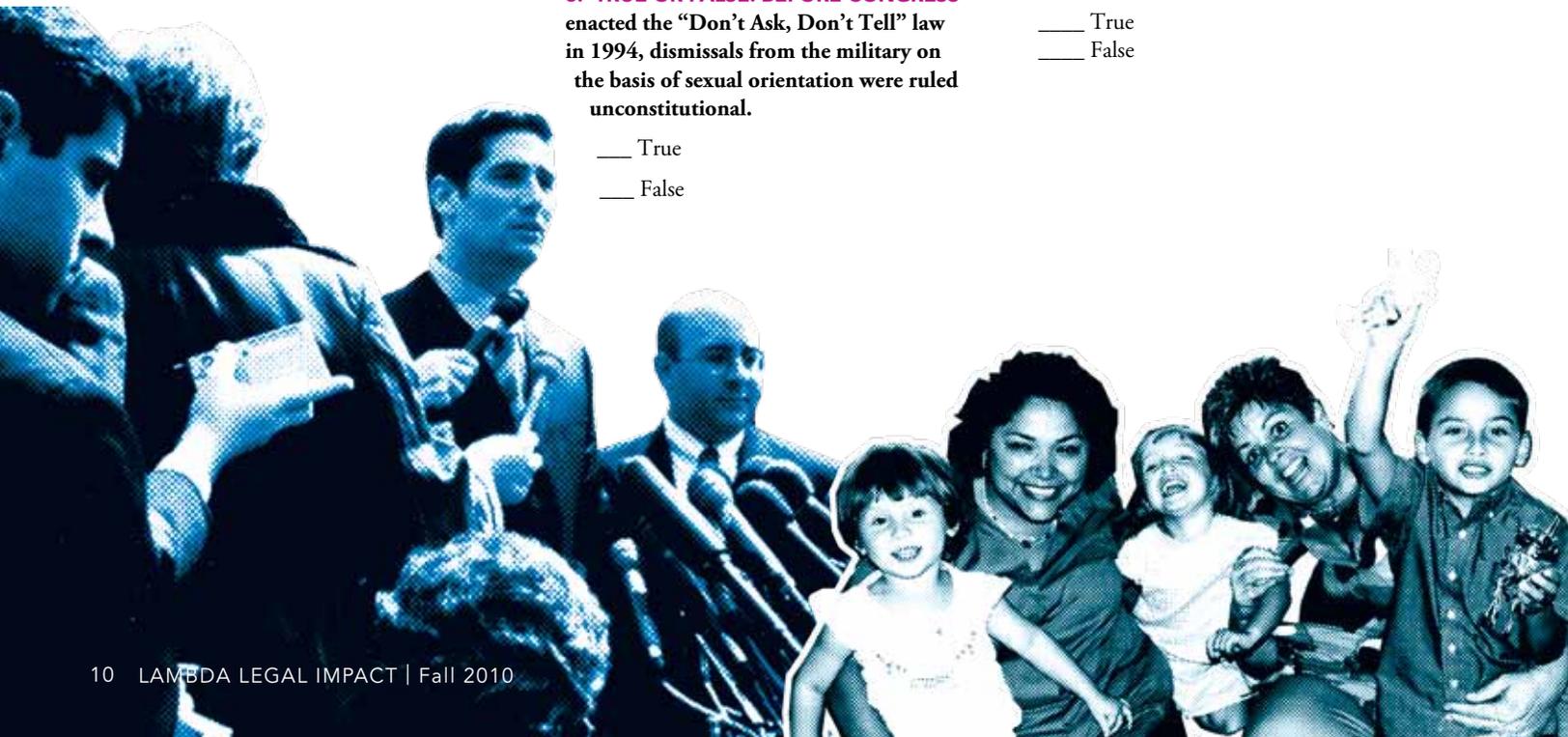
- True
- False

**4. WHEN CIRQUE DU SOLEIL FIRED AERIAL** gymnast Matthew Cusick because of his HIV status, the Equal Employment Opportunity Commission found (in *Cusick v. Cirque du Soleil*, 2004):

- a. That Cirque du Soleil’s concerns in this regard override the provisions of the Americans with Disabilities Act.
- b. That Cirque du Soleil had likely engaged in illegal discrimination by violating the Americans with Disabilities Act.
- c. That Cirque du Soleil’s 20 years of experience in this area were enough for it to determine the degree of risk.

**5. TRUE OR FALSE: THE U.S. SUPREME** Court, in *Romer v. Evans* (1996), found that Amendment 2 to Colorado’s constitution—which forbade all branches of state government from enacting legislation or adopting policies that would prohibit discrimination against lesbians, gay men and bisexuals—was valid.

- True
- False



### 6. JAMIE NABOZNY ENDURED SO MUCH

verbal and physical abuse from his high school classmates that he attempted suicide and eventually dropped out of school. He sued school officials who knew of the abuse and did nothing (see “Healing Time,” p. 7). Lambda Legal took over his case before a federal appeals court, which decided in 1996 that:

- A school cannot be held liable for the actions of students.
- Public schools have a constitutional obligation to provide gay students the same protection against harassment and abuse that they provide other students.
- The First Amendment protects public censure of outrageous behavior and mannerisms.
- The appellant had failed to present an equal protection claim based on his sexual orientation under the Fourteenth Amendment to the U.S. Constitution.

### 7. IN 1990, THE BOY SCOUTS INVITED

Eagle Scout James Dale to become an assistant scoutmaster, only to force him out of the organization after they found out he was gay. Lambda Legal sued on Dale’s behalf. When the case reached the U.S. Supreme Court, a friend-of-the-court brief on behalf of the Boy Scouts cited the research of:

- Noted sexologists William Masters and Virginia E. Johnson.
- Alfred Kinsey, author of the *Kinsey Reports* on sexual behavior.
- Paul Cameron, discredited psychologist, and George Rekers, the Baptist preacher who was caught last May with a “travel companion” he hired on Rentboy.com.

### 8. LAMBDA LEGAL CLIENT LUPITA BENITEZ

was denied infertility treatment by the North Coast Women’s Care Medical Group because she is a lesbian. The doctors claimed their conservative Christian beliefs gave them a right to withhold care from Benitez that they routinely provide to heterosexual patients. In 2008, the California Supreme Court found that:

- Freedom of religion, guaranteed by the First Amendment, gives health care providers the right to discriminate against gay men and lesbians.
- The First Amendment’s protection of free exercise of religion does not exempt health care providers from abiding by state civil rights laws.
- Conservative Christians should not practice artificial insemination.
- A medical clinic is only required to provide services that are of an emergency nature or that are not elective.

### 9. AN OKLAHOMA ADOPTION LAW, WHICH

the U.S. Tenth Circuit Court of Appeals ruled unconstitutional in 2007 (in *Finstuen v. Edmondson*), would have:

- outlawed second-parent adoptions in the state.
- allowed second-parent adoptions in the state.
- imposed criminal sanctions against individuals who attempted to “defraud” an Oklahoma adoption agency by styling themselves as married under the laws of another state or sovereign nation.
- made children adopted by same-sex couples in other states or sovereign nations legal orphans if the families traveled through or relocated to Oklahoma.

### ANSWERS

- b.
- b.
- True. The “Don’t Ask, Don’t Tell” (DADT) law went into effect in 1994. But in *Cammermeyer v. Perry* (1996), Lambda Legal’s landmark suit on behalf of a decorated colonel discharged from the military for being a lesbian, a federal court held that military policy with regard to lesbian and gay service members that was in effect *prior* to DADT was unconstitutional.
- b.
- False. The Court found Colorado’s Amendment 2 violated the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution.
- b.
- c.
- b.
- d.

Freedom Fighters (pictured, left to right): expelled Eagle Scout James Dale and Lambda Legal counsel Evan Wolfson (question 7); Guadalupe Benitez (left) and family (question 8); actor Glenn Close and Col. Margarethe Cammermeyer (question 3); Brandon Teena (right) with a friend (question 2); Tyron Garner and John Geddes Lawrence (question 1).

