

CITY OF CHICAGO COMMISSION ON HUMAN RELATIONS
BOARD OF COMMISSIONERS

RESOLUTION

WHEREAS in 1990 the City of Chicago, by amending the Chicago Human Rights Ordinance, established that it was illegal to exclude individuals from employment or programs because of sexual orientation thereby declaring the will of the people that such discrimination was not acceptable;

WHEREAS, in 1996, the Chicago Commission on Human Relations found that the Chicago Area Council of Boy Scouts of America was in violation of the Chicago Human Rights Ordinance (*Richardson v. Chicago Area Council of Boy Scouts of America & Carter*) when it refused to hire a man who acknowledged that he was gay;

WHEREAS, in 2000, the Supreme Court of the United States in *Boy Scouts of America V. Dale*, where a New Jersey statute similar to the Chicago Human Rights Ordinance had been applied to the Boy Scouts, found that the Boy Scouts of America's right to freedom of expressive association guaranteed by the First Amendment had been violated, and therefore its decisions related to positions within the organization which publicly advanced the beliefs of the organization were exempt from such laws; and as a result, the Illinois Appellate Court subsequently reversed the *Richardson* decision;

WHEREAS, in 2003, the Commission on Human Relations determined that the complainant Richardson did not adequately complete a test of the Boy Scouts' hiring practices for "non-expressive" positions and therefore dismissed his claim;

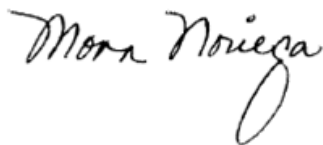
WHEREAS, such a finding did not negate the position of the Commission on Human Relations that discrimination based on sexual orientation is wrong and its hope that the Boy Scouts of America would take steps to become more inclusive and welcome all people to participate equally within its organization;

WHEREAS, on July 17, 2012, the Boy Scouts of America reaffirmed its position to exclude openly gay youth and adults as members and leaders despite strong and vocal support both within and outside the Boy Scouts of America for a change of policy,

NOW THEREFORE, BE IT RESOLVED, that the Commission on Human Relations reaffirms that any form of exclusion based on sexual orientation or gender identity is inconsistent with the spirit and policy of the mission of the Commission on Human Relations, and encourages all organizations whether public, private, or not-for-profit to foster inclusive and affirming policies for their employees, members, and the public.

ADOPTED this 15th day of August, 2012.

Chicago Commission on Human Relations Board of Commissioners



This resolution represents the formally expressed opinion of the Chicago Commission on Human Relations but does not necessarily represent the official position of the City of Chicago.