

## Los Angeles City Attorney's Task Force On Marital Status Discrimination Report

Los Angeles—On March 29, City Attorney James Hahn released a report which calls for sweeping reforms by government and the public sector to combat what he called “widespread and pervasive discrimination against single people, noting that 55 percent of the adults in LA are unmarried.

A parallel reality is that many of these unmarried people are the victims of widespread and pervasive discrimination in such areas as rental housing, health care services, survivors rights, membership discount and insurance.

The number of single adults is “expected to continue to grow as our society evolves and changes over the coming years,” said Hahn as he released the report by his Consumer Task Force on Marital Status Discrimination.

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—James Hahn



L.A. Commissioner Christopher McCauley joins Los Angeles attorney James K. Hahn and attorney Thomas F. Coleman in releasing the nation's first major study on discrimination against single people and unmarried couples, including gays and lesbians. Coleman chaired the 21 member Consumer Task Force on Marital Status Discrimination established by Hahn. The historic report documents that 55 percent of all LA households are made up of unmarried people and that they are frequently the victims of widespread and pervasive discrimination. (L to R, Christopher McCauley, LA City Attorney James Hahn, and Thomas Coleman.

"Those of us in government must come to grips with this reality and make the necessary adjustments in the way we do things to ensure fair and equal treatment for all citizens under the law."

The city attorney released the report at a City Hall news conference also attended by attorney and USC Law Center Professor Thomas F. Coleman, who chaired the 21-member citizens panel created by Hahn last October as a result of a recommendation by the City Task Force on Family Diversity for the problem of marital status discrimination to be studied.

"Although marital status discrimination has been against the law in California for more than a decade, many businesses continue to engage in unfair practices against unmarried individuals and couples," said Coleman. "This is ironic, considering the fact that persons who are not married constitute the majority of the adult population in the City of Los Angeles."

The Task Force, which held three extensive public meetings during its five months of research, determined that marital status discrimination is common in a number of industries, including insurance companies, airlines, health clubs, lending institutions, automobile and travel clubs, newspapers, and housing.

"Some forms of discrimination are quite blatant," the report states, "while others are more subtle."

The report also found that "many agencies with jurisdictions to protect consumers have not effectively addressed marital status discrimination" and concluded that "most consumer protection programs focus almost exclusively on consumer fraud and virtually ignore the issue of discrimination."

Another conclusion reached by the Task Force was that "efforts

to end marital status discrimination against consumers can only be truly successful with the voluntary cooperation of the business community."

"Fortunately, there are some signs of change," the report states. "Some discriminating companies have halted such practices. Others are considering changes in their corporate policies."

The report contains a number of recommendations for action by the Legislature, City Council, various government agencies, businesses, and private organizations which would be aimed at combating marital status discrimination. Included are recommendations for:

—The state insurance commissioner to defend in court the new regulations prohibiting marital status discrimination in auto insurance underwriting;

—The insurance commissioner to declare marital status discrimination as an unfair practice in all lines of insurance and instruct life insurance companies to stop interfering with an applicant's rights to name any beneficiary of his or her choice;

—The State Attorney General's Office to render an opinion as to whether credit institutions violate existing laws when they offer benefits to credit card holders and their spouses but not to credit card holders and their unmarried partners;

—Credit Unions to eliminate marital status discrimination by allowing unmarried partners to become members;

—The Los Angeles Department of Airports to survey airlines using the LA International Airport to determine if any have promotions or discounts that are granted to spouses but not unmarried partners or household members;

—The LA City Council to add "marital status" to the city ordinance prohibiting discrimination at certain types of private clubs and

to the ordinance prohibiting discrimination by city contractors. The latter ordinance should include "medical condition" as well as "marital status" among the categories of prohibited forms of discrimination and be expanded to prohibit discrimination against tenants and consumers and not merely against employees;

—The State Legislature to add "marital status" to Business and Professions Code Section 22438, which disallows business deductions for expenditures at clubs that engage in illegal discrimination;

—The Hospital Association of Southern California to encourage member facilities to end any marital status discrimination that may exist in patient visitation rules.

"What we're talking about is the basic freedom of self determination—the freedom to choose to wed or not and to not be discriminated against on the basis of that decision," Hahn said, in discussing the report and its findings. "What we are talking about is having respect for other people and the personal decisions they make. What we're talking about is the right of everyone to have equal treatment and protection under the law."

*"... civil rights are not diminished when they are shared. . ."*

**—James Hahn**

"No one wants to diminish benefits and advantages for married persons," Hahn added, but what we do want is for unmarried persons to enjoy the same benefits and advantages. As we are seeing today around the world, civil rights are not diminished when they are shared."

Coleman noted that "the movement to protect unmarried consumers also is beginning to take hold in states other than California."

"For example," Coleman said, "consumer protection and civil rights agencies of the State of New York have recently informed us of their interest in conducting a formal study of marital status discrimination similar to that just completed in LA."

"The size of the unmarried population and the fact that many unmarried consumers are beginning to fight back against discrimination is some indication that a sleeping economic and political giant is awakening," Coleman added. "It is time that the business community respected the rights of this constituency and that our elected officials respond to their needs."

Noting that over the next several days the Task Force will be distributing the report to all relevant public and private agencies," Hahn said, "I urge them to study these findings and recommendations carefully."

Over the coming months, nine Task Force members headed by Coleman will continue to function as an implementation committee to work with the relevant agencies to develop and refine the recommendations in the report and pursue their implementation.