



ASUC Senate Meeting Agenda

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SB 175

A Bill to Oppose the Discriminatory Practices of the Salvation Army and End the Presence of its Donation Containers on the UC Berkeley Campus

Authored by Matthew Enger

Sponsored by Senator Nolan Pack, Senator DeeJay Pepito, Senator Klein Lieu, Senator Jorge Pacheco, Senator Vertiz, Senator Jacobo, Senator Majd, Felipe Flores, Caitlin Quinn, Elizabeth Hennes, Mahana Barbadillo, Travis Dunlop, Queer Alliance and Resource Center (QARC), Young Queers United for Empowerment (YQUE!), Out 4 Business (O4B), Cal Queer and Asian, Cal Berkeley Democrats Executive Board, Zawadi, Out in Science, Technology, Engineering, and Math (OSTEM), Queer Straight Alliance (QSA), Senator Bellet, Senator Huo, Senator Lurie, Senator Rajesekar

WHEREAS, the ASUC is constitutionally enjoined from sponsoring student groups that discriminate in their methods of recruitment and membership on the basis of sexual orientation, among other things; and,
(ASUC Constitution, Article VI, Section 7c)

WHEREAS, Salvation Army church services, including charity services, are available only to people “who accept and abide by the Salvation Army’s doctrine and discipline”, which excludes homosexuality, according to <http://salvationarmyusa.org>; and,

WHEREAS, the Salvation Army is a recognized, tax-exempt religious organization under federal tax laws; and,
[http://www.usc.salvationarmy.org/usc/WWW_USC.nsf/0/59E5F200647E2C548625770600790956/\\$file/TSATaxExemptionApplicationInformation.pdf](http://www.usc.salvationarmy.org/usc/WWW_USC.nsf/0/59E5F200647E2C548625770600790956/$file/TSATaxExemptionApplicationInformation.pdf)

WHEREAS, Dan Savage, a prominent gay rights activist, has reported that Salvation Army homeless shelters and soup kitchens discriminate against gay families and couples by refusing to offer charity services to both partners at the same time, effectively banishing one to the street before giving services to the other; and,
<http://www.thestranger.com/seattle/dont-donate-to-the-salvation-army/Content?oid=11182500>

WHEREAS, Salvation Army policies of discrimination contributed in part to the death of Jennifer Gale, a 47 year old transgender woman in Austin, Texas, as reported in an email from Equality

Texas:

“The Salvation Army (the only shelter in town that takes in women) would not let her in there unless she was grouped with the men (which includes sleeping with, and showering with, other homeless men). They would make her use her male birth name and completely disregard, and disrespect, her identity as a trans-woman”;

and,

WHEREAS, “in 2004, the Salvation Army threatened to close all their soup kitchens in New York City to protest the city's decision to require all vendors and charities doing business with the city to adhere to all civil rights laws”; and,
http://www.bilerico.com/2011/11/why_you_shouldnt_donate_to_the_salvation_army_bel.html

WHEREAS, in 2001, the Salvation Army lobbied the Bush administration to change the way it would distribute \$24 billion in grants and tax deductions by urging that the White House deny funding to cities and states that have non-discrimination laws protecting LGBT people; and,
<http://www.lgbtqnation.com/2011/12/the-salvation-army-ringing-anti-gay-bells-this-holiday-season/>

WHEREAS, in *Salvation Story: Salvationist Handbook of Doctrine*, an official publication of the Salvation Army, the organization asserts that practicing homosexuals “deserve to die”; and,
<http://theweek.com/article/index/229796/gays-should-die-a-timeline-of-the-salvation-armys-anti-gay-flare-ups>

WHEREAS, Major Andrew Craibe, the Australian Salvation Army spokesman, affirmed the aforementioned position that queer people deserve to die on an Australian radio program in June 2012, stating “we have an alignment to the scriptures, but that’s our belief”; and,
<http://theweek.com/article/index/229796/gays-should-die-a-timeline-of-the-salvation-armys-anti-gay-flare-ups>

WHEREAS, Salvation Army donation collection containers are located on UC Berkeley campus property, including in the Unit 1 undergraduate residential complex which is operated by the Residential & Student Services Programs (RSSP); and,

WHEREAS, University of California Regents Policy 4402 prohibits discrimination by UC “Regents, administration, faculty, student governments, University-owned residence halls, and programs sponsored by the University”; and,
<http://regents.universityofcalifornia.edu/policies/4402.html>

WHEREAS, Cal is home to students of a multitude of backgrounds, including queer students, who may take offense to the presence of collection containers operated by a discriminatory religious organization in their places of living; and,

WHEREAS, students may not be aware that their donations to the Salvation Army may be used in part to hire lobbyists to oppose sexual orientation and gender identity non-discrimination

laws, or that the Salvation Army has a history of opposing equal civil rights; and,

WHEREAS, allowing the Salvation Army to collect donations on campus is a passive form of financial assistance, that empowers the organization to spend the money it raises here in order to discriminate and advocate discrimination against queer people; and,

WHEREAS, Section 11135 of the California Government Code prohibits discrimination on the basis on sexual orientation “in any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state”; and,
http://www.leginfo.ca.gov/pub/05-06/bill/sen/sb_1401-1450/sb_1441_bill_20060828_chaptered.html

THEREFORE BE IT RESOLVED, that the ASUC Senate oppose the discriminatory practices of the Salvation Army and the presence of its donation collection containers on campus property; and,

BE IT FURTHER RESOLVED, that the ASUC President and Executive Vice President write a letter, with this bill attached, to the Chancellor and the Associate Vice Chancellor in order to:

- (1) Express the ASUC Senate’s disapproval of the presence of Salvation Army donation containers on campus;
- (2) Request that the campus administration and RSSP revoke the licenses permitting the Salvation Army to operate on campus property effective immediately;
- (3) Request that the RSSP invite Goodwill or another non-discriminatory charitable organization to bring donation containers to campus so that students continue to have the option to donate to charity;
- (4) Request that the campus administration and the RSSP refrain from doing business with the Salvation Army in the future;

and,

BE IT FINALLY RESOLVED, that the President and Executive Vice President write an email to the student body, on behalf of the ASUC Senate, informing them of the decision to oppose the discriminatory practices of the Salvation Army, to ask students to choose to donate to organizations that do not discriminate on the basis of sexual orientation, and to provide a list of such organizations.