

April 24, 2023

Chair Lieber, Vice-Chair Knopp, and Members of the Senate Committee on Rules,

We offer this testimony in enthusiastic and urgent support of Senate Joint Resolution ("SJR") 33, the **Equal Rights For All Measure**.

By way of background, this measure would:

- Affirm that marriage in Oregon is no longer limited to, "one man, one woman," effectively repealing 2004's Measure 36.
- Affirm that our rights under the Oregon Constitution will be guaranteed regardless of: "(a) Pregnancy, pregnancy outcomes or related health decisions; (b) Gender identity or related health decisions; (c) Sexual orientation; or (d) Gender."

The two of us are white, cisgender, heterosexual, gun-owning Oregonians, who have lived as a married couple since 2006. One of us works in IT and the other is a woodcut printmaker. Neither our marriage nor our right to exist as cisgender heterosexual persons has ever been questioned by any court of law or seriously challenged by any politician. We cannot say the same for people we know and care about deeply, who are gay, lesbian, bisexual, genderqueer, transgender, or intersex. Indeed, the argument has been made that what is happening in many states, including our neighbor Idaho, should be considered genocide. (See for example: Feindel, Alycia T, *Reconciling Sexual Orientation: Creating a Definition of Genocide that Includes Sexual Orientation*, 13 Mich. St. J. Int'l L. 197 (2005) ([link](#)), and, Park, Andrew, *Yogyakarta Plus 10: A Demand for Recognition of SOGIESC*, 44 N.C. J. INT'L L. 223 (2019) ([link](#))).

Additionally, we note with great alarm that the right to reproductive autonomy has been dealt serious blows with the *Dobbs* decision that repealed *Roe v Wade*. We believe that this is not the end game. The right to access to contraception is already under attack (*Deanda v. Becerra*; *Alliance for Hippocratic Medicine et al v. U.S. Food and Drug Administration et al*).

As a couple that made the conscious decision not to have children, we are horrified by what appears to be a concerted effort to make childbearing persons into government property.

This measure, should the voters approve it, will place a bulwark in the State Constitution against these attacks on our human rights and human dignity. It is timely and necessary, and we urge swift passage of SJR 33.

Respectfully submitted,

Michael Smith, Chair, DPO Gun Owners Caucus, and Rules Chair, Democratic Party of Multnomah County  
Liv Rainey-Smith, Printmaker