



San Diego City Attorney Mara W. Elliott

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Contact: [Gerry Braun](mailto:gbraun@sandiego.gov) at [gbraun@sandiego.gov](mailto:gbraun@sandiego.gov) or (619) 533-4782

## **Statement from Mara W. Elliott on City Attorney's role in *amicus curiae* briefs**

Today my office was accused of “playing politics” by bringing to the City Council a request from the City of San Francisco to join its *amicus curiae* brief in a case that is before the United States Supreme Court.

The allegation is baseless.

As City Attorney, I am obligated by the Rules of Professional Conduct to bring *amicus* requests to my client, the City Council. As the City's policy makers, the City Council may vote to have the City join or not join an *amicus* brief.

I would have engaged in politics had I decided not to bring a request to the City Council. That would usurp the City Council's policy role.

Additionally, I was accused of bringing “divisive DC politics” to the City Council because *Gloucester County School Board v. G.G.* concerns the constitutional rights of transgender citizens. I was told to “focus on the issues of San Diego.”

To set the record straight, protecting the rights of transgender citizens has long been an issue for San Diego, as defined by the City Council.

Specifically:

- In 2003, the City Council adopted a Statement of Policy (Municipal Code 52.9601) that discrimination based on gender identity “poses a substantial threat to the health, safety and welfare of the community,” and
- In 2015, the City Council amended its Nondiscrimination in Contracting policy (Municipal Code 22.3501) to prohibit the City from doing business with companies that discriminate based on gender expression or gender identity.

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