RESOLUTION NO. _____ 46 _____ -2021

RECOGNIZING and honoring John Curp, Aaron Herzig, and the City of Cincinnati's Law Department for their contributions to the City and their advocacy on behalf of the lesbian, gay, bisexual, transgender, queer, intersex, and asexual ("LGBTQIA") community.

WHEREAS, June is LGBTQ+ Pride Month, which celebrates the LGBTQ+ community and recognizes the impact of LGBTQ+ individuals and their allies on the City of Cincinnati; and

WHEREAS, John Curp was the City Solicitor and leader of the Cincinnati Law Department Office from 2008 to 2014; and

WHEREAS, Aaron Herzig was Deputy City Solicitor from 2012 to 2014; and

WHEREAS, Cincinnati's City Charter once institutionalized discrimination against the LBGTQ+ community; and

WHEREAS, in 2004 the State of Ohio enacted statutory prohibitions against the recognition of lawful marriages between members of the LGBTQ+ community; and

WHEREAS, during their service to the City, attorneys Curp and Herzig advised City Council and the City Administration concerning advances in LGBTQ+ rights that provided benefits coverage to partners of LGBTQ+ City employees; and

WHEREAS, on July 19, 2013, James Obergefell filed a federal lawsuit demanding that the City of Cincinnati Health Commissioner, as the registrar of public health records, recognize his marriage to John Arthur on Mr. Arthur's death certificate; and

WHEREAS, with the full support of City Manager Milton Dohoney, Mayor Mark Mallory, and Assistant Health Commissioner Dr. Camille Jones, the City Solicitor refused to defend the State of Ohio's immoral and prejudiced opposition to same-sex marriage; and

WHEREAS, in a landmark moment in the history of the City of Cincinnati, the State of Ohio, and the United States, Deputy Solicitor Herzig announced the City's official position to the U.S. District Court, Southern District of Ohio: "The City will not defend Ohio's discriminatory ban on same-sex marriages…."; and

WHEREAS, the Honorable Timothy Black enjoined the State of Ohio from refusing to recognize the marriage of Messrs. Obergefell and Arthur; and

WHEREAS, on June 26, 2015, the U.S. Supreme Court affirmed Judge Black's ruling, and recognized that the Constitution bestowed on same-sex couples the fundamental right to have their

marriages legally recognized throughout the United States (*Obergefell, et al. v Hodges, et al.*, 576 U.S. 644 (2015)); and

WHEREAS, on that day James Obergefell said, "[T]he Supreme Court affirms what millions across the country already know to be true in our hearts: that our love is equal"; and

WHEREAS, President Barack Obama praised the decision as a "victory for America"; and

WHEREAS, in 2018 the State of Ohio reaffirmed its opposition to the *Obergefell* decision by adopting HB 511, declaring it state policy to oppose same-sex unions with the intent of depriving the benefits of legal marriage to the LGBTQ+ community; and

WHEREAS, attorneys John Curp and Aaron Herzig have remained publicly vigilant in support of LGBTQ+ rights, supported by their respective firms Blank Rome LLP and Taft, Stettinius & Hollister LLP; and
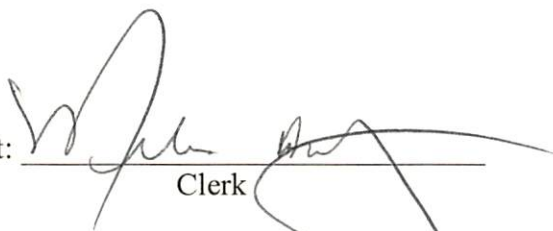
WHEREAS, the current leadership of the City Solicitor's Office continues to defend the rights of the LGBTQ+ community and enforce the City's antidiscrimination laws, including by working in 2021 with Councilmember Seelbach to enhance the City's ability to prosecute hate crimes and expand hate crime statutes to include crimes based on gender identity and gender expression; now, therefore,
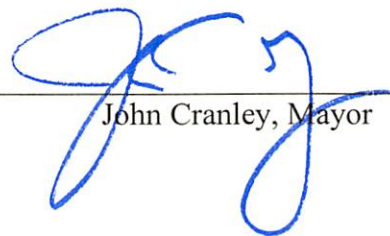
BE IT RESOLVED by the City Council of Cincinnati, State of Ohio:

Section 1. That the Mayor and Council of the City of Cincinnati recognize John Curp, Aaron Herzig, and the City of Cincinnati Law Department for their advocacy on behalf of the LGBTQIA community.

Section 2. That this resolution be spread upon the minutes of Council and copies be provided to John Curp, Aaron Herzig, and the City of Cincinnati Law Department through the office of Councilmember Chris Seelbach.

Passed: _____June 23_____, 2021

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John Cranley, Mayor

Attest: _____
Clerk

Submitted by Councilmember Chris Seelbach