

LIVEBLOGGING THE PROP 8 TRIAL, FRIDAY PM ADDENDUM

Zia: In most immediate sense, it was in how our families related to us. When we first got married. We have a niece, 2 years old, only known us Auntie Helen and Auntie Leah. When she saw Leah and me, she gave us a big hug, said, Auntie Leah, now you're really my auntie. I thought, well, you've always known her as your auntie. Somehow it made a difference. It made a difference to our parents. When you say you're a domestic partner. When people say "who's this person?" I can't count the number of times who said "Partner in what business." We'd say "partners in life." Often it was bewilderment. What business is life, do you mean life insurance. It's a matter of how our families relate to people. For me to show up at every event. People ask who's she. For her 90-something auntie to say, here's Leah's friend. She must be a really good friend, suddenly there were able to say, Helen is my daughter in law. My mother is an immigrant from China. She doesn't get what partner is. I would be around her, I could hear them say, sometimes in Chinese, sometimes in English, that's Helen's friend. Then it changed, she would say, this is my daughter-in-law. Whether they got it or not, you don't insult someone's wife, you don't insult someone's mother. We're not partners in life or in some business. It changed things on a huge level. Marriage in how it affected our families. Our families related to each other differently. Marriage is joining of two families. My family and Leah's family now relate to each other differently. My brother lived about 5 minutes away from Leah's father when he was still alive, in those 15 years, they didn't make an effort. After we were married, Leah's father would stop by, drop things off. My brother is quite active in HI, Leah's brother's wife, my sister in law. Has a sister who runs in

same circles. He will now say she's my in-law. My father-in-law had terminal illness. He was in hospice care, just two months ago. He would say, this is my daughter and this is my favorite daughter-in-law. Leah said, "he said daughter in law," I said, "he said favorite." When his funeral, you put out obituary. You say who is in the family, members of immediate family in closest circle. There was no ambiguity about it. Not some partner in business or partner in life. I was there with the first row in the family, I had my responsibilities as well. In those most important moments in our lives.

Chu: Nothing further.

Walker: You may cross examine.

Raum (Defense): I'd like to draw your attention back to binder. Do you remember first time you saw that?

Zia: It would have been some time in 2008.

Raum: Before the election. Recall where you were?

Zia: I was at home.

Raum: I'd like to draw your attention to document. Californians have said twice to keep one man and one woman. How did you use it before the election?

Zia: Don't understand.

Raum: One time in connection with Prop 22. Do you recall being involved in case challenging marriage laws in CA. I'll represent to you in 22. Second time was in connection with Prop 8. Would you agree that people of CA voted to define one man one woman, when they passed prop 8. I would say people voted for Prop 8. And this document indicates that people said twice to keep. You're testifying that you saw this document prior to people voting twice.

Walker: Counsel asked about 2199.

Zia: I realize I saw website before. It may have changed.

Raum: Move on to. Do you recall when you first saw that document.

Zia: Same time I saw the other one.

Raum: when's the first time you saw this document.

Zia; When you say document, what do you mean. I have seen this website, before, I have seen this document printed out on a piece of paper, this week.

Raum: There's nothing in the document that refers to Prop 8. There's nothing that says Prop 8. Nothing that says Protect Marriage. Nothing that indicates how widely it was distributed.

Zia; This was a copy of something that was on internet, available in cyberspace.

Raum: Nothing reflects how many people read it.

Zia: Not on this piece of paper, but if you went to the website.

Walker: Very well it will be admitted.

Raum: You've written materials focused on issues addressing matters important to homosexual community.

Zia: Matters relating to gay and lesbian community.

Raum: Harsher penalties for crimes motivated by sexual orientation.

Zia: Harsher penalties for crimes motivated by hatred of gays and lesbians.

Raum: Organization to promote Asian GLBT. Held a press conference opposing prop 8. Attended rallies opposing prop 8. Also advisor for Horizon's foundation. Grants money to gay lesbian bi transgender non profit organizations. Events put on by Lambda. Donated money. Attended events by National Center for Lesbian Rights. Events put on by Human Rights Campaign. Featured HRC, don't know if put on. ACLU. Donated money. Makes you a member.

Zia: Membership lapsed.

Raum: Courage Campaign.

Zia: No, I don't believe so.

Raum: You and your mother submitted declaration 2002. SF challenge to CA marriage laws.

Raum: Did you write that Asian American political activists don't all agree on what political stance to take toward marriage. For some gay activists, too petty bourgeois, all the bad patriarchal things that marriage stands for.

Zia: I believe so.

Raum: Benefits you've experienced. You've also written that your civil marriage did not affect your critical view of patriarchal institution of marriage. You've also written one reason you married Ms. Shigimora [sp], in defiance of war-mongering in Washington.

Zia: That sounds like something I wrote.

Raum: You testified first received marriage license in 2004, you began to prepare for marriage celebration and reception after that. You indicated that reception took place on August 20. Earlier in August that marriage licence invalidated, went forward with celebration nonetheless. Officiated by Ms. Shigimora's father. Attended by nephew. Your brother mother. And five of your siblings gave a toast welcoming you into family. Had a traditional Japanese banquet toast, and traditional Chinese foods. This brought about melding of your and Ms. Shigimura's extended family and friends. You said "far exceeded our expectations." To reflect a more intimate relative status. Even though marriage certificate received from Mayor Newsom,

Zia: Our families saw us as married. One week earlier, we learned that marriage no longer really a marriage. Everybody knew it had been invalidated. Her father said Courts sometimes make mistakes.

Chu: Just two questions. When Raum interrupted. Do you want to finish.

Zia: In talking about families came together, even though marriage had been invalidated. Difference between domestic partners and married. Even though it had been overturned. We had been prisoners in closet. We had been told to sit in back of bus. Suddenly, w/in four months, February to time it was invalidated, during that six months, our families had transformational moment that transformed it. It was quite a different way. The idea that we would be families. We experienced a feeling of what equality is. Instead of having to go to fountain just for gay and lesbian families. We went to fountain that said heterosexuals only. We said, yes, at time of celebration, our families coming together, did not happen in 11 years that we had been domestic partners.

Walker: Eve of three day weekend.

Thompson: ECF system may be going down for the weekend. Don't know if the court would like to send to plaintiffs, is there an email address for the court, can you hand-deliver. Email will also be down. Well, I would suggest you spend a restful weekend. 8:30 AM on Tuesday morning.

Big Beer Thirty!! (I'm headed home to Detroit—David Dayen will be joining Teddy on Tuesday. Have a good weekend!)