

Justice for Ann Committee
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FOR IMMEDIATE RELEASE:

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SAN DIEGO CIVIL RIGHTS ATTORNEY AND HOMELESS ADVOCATE ANN MENASCHE
SUES DISABILITY RIGHTS CALIFORNIA FOR WRONGFUL TERMINATION

Menasche claims she was fired for declaring, “safe, legal abortion is a life and death issue for women as a sex,” and for supporting the maintenance of sex and sexual orientation as protected characteristics under law.

On January 26, 2023, Ann Menasche filed suit in San Diego Superior Court against her former employer, Disability Rights California (DRC), the largest legal non-profit in the state, asserting claims of sex and sexual orientation discrimination, harassment, and retaliation related to her termination after almost twenty years of employment.

Ms. Menasche is a lesbian who was a leader in the local marriage equality movement a decade ago. She is a feminist with deep roots in the abortion rights struggle both pre- and post-*Roe vs. Wade*. She has been at the center of peace and justice activism in San Diego for decades. She is a long-time champion of the rights of all disenfranchised people.

The Complaint alleges that her termination came without warning despite Ms. Menasche’s strong work record advocating for her clients with disabilities, her groundbreaking homeless advocacy, and her supervisors giving her high marks in cultural competence.

The Complaint further alleges that DRC’s drastic action followed an email exchange on May 5, 2022 that was in response to the leak of the *Dobbs* draft opinion that called for the reversal of *Roe* and allowed states to ban abortion. DRC issued a statement opposing the likely reversal of *Roe* and listed a litany of groups that would be negatively affected by the reversal, but failed to mention women. The Executive Director stated on the All-Staff email list that he welcomed staff comment.

Ms. Menasche responded on the list, thanking DRC for coming up with a statement in defense of *Roe* and proclaimed that “Access to safe legal abortion is a life and death necessity for women as a biological sex across the board...” Though her language did not criticize

transgender individuals in any way, she was quickly attacked as an “anti-trans hate monger” and she was labelled a “TERF¹” – a misogynistic and anti-lesbian slur. Ms. Menasche clarified that she was talking about sex, not gender, and requested that the email discussion on the list be ended.

The Complaint alleges that on the following business day, May 9th, DRC’s Civil Rights Practice Group (of which Ms. Menasche was a member) met outside her presence and issued a letter calling Ms. Menasche’s email communications “a threat to civil rights.” Ms. Menasche complained to DRC that she was being targeted for harassment because of her sex and sexual orientation. She wrote in part, “If sex is no longer recognized as a protected class, or to be deemed to have no existence, not only are half the human race born female unable to name or fight sex discrimination but lesbian and gay rights or the rights of same sex attracted people are made invisible or effectively eliminated as well and redefined as transphobic bigotry...”

Two days later she was fired. The only reason given was “ongoing performance issues.”

“Asserting the existence of biological sex—that in humans as in all mammals, only females can get pregnant—has nothing to do with hatred or bigotry of any kind,” said Plaintiff Menasche. “I support the rights of people who identify as transgender or nonbinary—as well as everyone else—to dress and express themselves as they like, love who they love, call themselves what they will, and live their lives free of discrimination, stigma, or violence. I never harassed or targeted the jobs or livelihoods of any of my co-workers. Rather it was I who was targeted and fired.”

Andrew Hillier, of Hillier DiGiaccio LLP, representing Ms. Menasche, declared: “Sex and sexual orientation remain protected characteristics under California law. No company has the right to adopt policies or procedures that ignore and violate that reality. The law protects Ms. Menasche—and every other individual in this state—from such discrimination.”

¹ “TERF” (which stands for “Trans-Exclusionary Radical Feminist”) is a slur intended to denigrate women as a sex and lesbians. It is associated with violent images and calls to violence against women. See www.terfisaslur.com.