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Same-Sex Couples and Their Children in Massachusetts: A View from Census 2000

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In November 2003, the Supreme Judicial Court of Massachusetts ruled that excluding same-sex couples from civil marriage violates the Commonwealth's constitution. The *Goodridge v. Department of Public Health* ruling opens the way to full economic—as well as legal—equality for gay and lesbian couples in Massachusetts by giving same-sex couples access to the state-provided financial supports for married couples. This report, based on data on Massachusetts couples from Census 2000, demonstrates that 34,000 people with same-sex partners and their 8,000 children need those same protections and would benefit from extending the right to marry to same-sex couples.

Three key reasons to allow same-sex couples to marry

The Census 2000 data for Massachusetts residents reveals three important reasons that same-sex couples should have the right to marry:

(1) Allowing same-sex couples to marry would improve the economic stability and well-being of thousands of families and more than 8,000 children in the Commonwealth.

Census data shows that same-sex couples are raising more than 8,000 children in Massachusetts. But because their parents cannot marry, these children are economically vulnerable:

- Compared to married couples with children, same-sex couples with children have lower household incomes, lower home ownership rates, and less valuable homes, even though they work in the labor market as much as married parents.
- Adding in the disadvantages not captured directly by the Census—such as the fact that most employers offer health insurance benefits only to employees' legal spouses—magnifies the disadvantages faced by same-sex couples and their children.

Continued

The Benefits of Marriage

Many of the rights and responsibilities that come with marriage have an economic component. Marriage provides a simple legal framework that makes it easier for families to combine their time and earnings to make a home and, in many cases, to raise children. The Commonwealth grants important tangible benefits to married couples that contribute substantially to families' economic stability. These benefits include the following:

- The ability to file state taxes jointly;
- The right to health care benefits and pension rights for spouses of state employees;

- No income taxation on an employer's payment for spousal health insurance;
- Security of the family home from creditors;
- The right to sue for wrongful death of a spouse;
- Inheritance rights if a spouse dies without a will; and
- Ownership rights in property bought by the couple.

Furthermore, private employers often provide pension and health care benefits to employees' spouses. As a package, the rights and responsibilities of marriage strengthen the financial well-being of families and children.

Data Used For This Report: We used the Public Use Micro Samples (PUMS) provided by the U.S. Census Bureau for our calculations (available at <http://www.census.gov/Press-Release/www/2003/PUMS.html>, and <http://www.census.gov/Press-Release/www/2003/PUMS5.html>). The Census Bureau provides two random samples from the long form data, one made up of 1% of all households and one with 5% of households. We combined the two samples to increase the sample size available. The 1% and 5% PUMS contain data on 396 and 1,856 same-sex unmarried partner couples, respectively, and 24,916 and 123,184 married couples.

The Census Bureau also provides household weights and person weights that allow us to make projections from the samples to create estimates for the whole population of couples in Massachusetts. We adjusted these weights to account for the fact that we combined the two samples.

- Allowing parents to marry would strengthen these children's economic resources and access to employer-provided benefits:
 - Same-sex couples would have access to the tax and other benefits provided by the Commonwealth to married couples.
 - Couples would not need to stretch their budgets to include spending hundreds or even thousands of dollars on legal documents—which necessarily cover only a limited set of situations faced by couples—but would gain a legal framework to live their lives together through the marriage contract.
 - If the federal government recognizes marriages of same-sex couples in the future, these couples will have access to additional rights and responsibilities that would strengthen their well-being.¹

(2) *Providing a supportive legal climate for same-sex couples contributes to a healthy cultural and economic climate in Massachusetts:*

- Individuals in same-sex couples live in all parts of Massachusetts and contribute to the Commonwealth's racial and ethnic diversity.
- People in same-sex couples are highly educated and are employed in the private sector at high rates. Therefore, they constitute a vital resource for employers and communities in the state.
- Passage of restrictive legislation or a constitutional amendment that overrules the Supreme Judicial Court's decision might discourage lesbian, gay, and bisexual people from moving to or remaining in Massachusetts. That outcome could potentially create long-lasting disadvantages for the Commonwealth's businesses, since recent research demonstrates a link between economic vitality and diversity.² High levels of tolerance that attract gay people also appear to attract talented and well-educated workers, the group that is required for economic growth. Therefore, a restrictive constitutional amendment could also drive away businesses and heterosexual people who thrive in a diverse environment.

(3) *Massachusetts businesses could easily absorb the health insurance costs for new spouses—and the vast majority of businesses would see no impact.*

- Roughly 8500 same-sex couples are likely to marry in the next few years, but that number is small in the overall context of Massachusetts marriages. Those new marriages would still leave the state's marriage rate below the national average.
- The number of employees who would want to sign up new spouses is predicted to be approximately 4,160 people. Therefore, at most 4,160 of the 173,267 business establishments in Massachusetts would have any new enrollment. The average would be 0.02 new enrollees, and most businesses would have no new enrollees at all.

The Census Figures

To analyze the economic status picture for same-sex couples and their children, we used Census 2000 data for Massachusetts. In most cases we compared married couples with same-sex “unmarried partners,” which the Census bureau defines as an unmarried couple who “shares living quarters and has a close personal relationship.”³ We compared economic and household variables for the two sets of couples.⁴

Census Bureau reports that 1.3% of all couples living in Massachusetts are same-sex couples. In 2000, there were 17,099 same-sex couples and 1.2 million married couples in the Commonwealth of Massachusetts. Just over half (54%) of same-sex couples are made up of two women, and 46% are male couples.

Same-sex couples live all over Massachusetts. Table 1 presents the number of same-sex couples living in each county in 2000. Every county contains same-sex couples.

Table 1: Number of Same-sex Couples by County

County	Number of same-sex couples	% of couples in county
Barnstable County	895	1.7%
Berkshire County	250	0.8%
Bristol County	1011	0.9%
Dukes County	41	1.2%
Essex County	1664	1.1%
Franklin County	341	2.1%
Hampden County	900	1.0%
Hampshire County	855	2.8%
Middlesex County	3931	1.3%
Nantucket County	39	2.0%
Norfolk County	1287	0.9%
Plymouth County	911	0.9%
Suffolk County	3505	3.6%
Worcester County	1469	0.9%
Massachusetts Total	17099	1.3%

The diversity of same-sex couples

Same-sex couples reflect the same racial and ethnic diversity as do married couples. In many ways, same-sex couples are actually more diverse than are married couples:

- Table 2 shows that same-sex couples are approximately twice as likely to be interracial and to speak Spanish in the household than are married couples.
- Individuals in same-sex couples are more likely to be Hispanic and to be African-American.

¹ Currently the Defense of Marriage Act means that federal law would not recognize marriages by same-sex couples for purposes of federal taxation, immigration, and other policies.

² Richard Florida and Gary Gates, “Technology and Tolerance: The Importance of Diversity in High-Technology Growth,” The Brookings Institution, Center on Urban and Metropolitan Policy, Survey Series, June 2001.

³ Tavia Simmons and Martin O’Connell, “Married-Couple and Unmarried-Partner Households,” *Census 2000 Special Reports*, CENSR-5, U.S. Department of Commerce, U.S. Census Bureau Feb. 2003, p. B-17.

⁴ Unless otherwise specified, all differences noted between same-sex couples and married couples are statistically significant at the 5% level.

- Individuals in same-sex couples are slightly more likely to report a disability—one in five reports some limitation, compared with 17% of married people.⁵

Table 2: Diversity Characteristics

Characteristic	Same-sex couples	Married couples
Interracial couples	11.9%	5.0%
Percent speaking Spanish in household	9.6%	5.2%
Hispanic	7.0%	3.8%
White	88.8%	90.8%
Black	4.9%	3.3%
American Indian/Alaskan	1.0%	0.5%
Asian/Native Hawaiian/Pacific Islander	2.7%	4.1%
Other	6.1%	3.0%
Percent with a disability	20.2%	16.9%

Note: The first two characteristics are based on household data; the racial/ethnic and disability breakdowns are based on person data. Because individuals could check more than one racial category, the total will not add up to 100%.

Same-sex couples who are raising children

Over 4,200 same-sex couples are raising more than 8,000 children in Massachusetts.⁶ Comparisons with married couples' households show that same-sex parents have fewer economic resources, partly as a result of the financial disadvantages of not being married.

Table 3 presents the comparisons. Although many same-sex couples are raising children, as noted above, married couples are more likely to have children. One quarter of all same-sex couples, and 32% of female same-sex couples, are raising children, compared with 46% of married couples. Table 3 also shows some basic similarities of parents in the two groups: they are similar in age, and four out of five parents are employed.⁷

However, the figures in Table 3 also show that same-sex couples and their children need the same kind of protections that married couples receive through marriage. Same-sex couples who have children are homeowners (although are slightly less likely to own homes), but those homes are not as valuable on average.⁸ These differences could be related to the fact that same-sex couples cannot marry, making it more complicated for same-sex couples to get credit for home purchases.

The household incomes of same-sex couples with children are \$7,000–\$8,000 lower than for lower than for married couples, even

though employment rates are roughly the same.⁹ Contrary to the image of the affluent, urban, childless gay person, the picture of lesbian and gay parents (who have partners) presented here is quite different. The actual economic situation of parents suggests that the financial protections and benefits of marriage are likely to be even more important for these same-sex couples and their children.

Table 3: Households with Parents and Children in 2000

Household characteristic	Same-sex couples	Married couples
Proportion with own children under 18 in household	All: 24.6% Women: 31.6%	45.9%
Average age of parents	39.3	39.8
% of parents employed	77.7%	79.9%
Percent homeowners	73.3%	79.6%
Property values (average)	\$201,893	\$214,030
Household income (average)	\$86,405	\$94,838
Household income (median)	\$67,400	\$74,900

Economic contributions of same-sex couples

People who are in same-sex couples contribute greatly to the economy of the Commonwealth. Table 4 shows that people with same-sex partners are younger, with an average age of 43, compared with the average age of 49 for married people. Almost half of people with same-sex partners have a bachelor's or graduate degree, compared with 37% of married people. Finally, in looking at people who are employed, we can see that people in same-sex couples are more likely to be employed in the private sector than are married people. Overall, same-sex couples clearly contribute valuable skills to the economic vitality of the state.

The presence of same-sex couples has an additional effect on the business climate, according to recent research that finds a link between economic vitality and tolerance. A study published by the Brookings Institution shows that high-tech industries are larger and grow faster in metropolitan areas with larger gay populations.¹⁰ High levels of tolerance that attract gay people also appear to attract talented and well-educated workers, the group that is required for economic growth. This connection suggests that a constitutional amendment to deny the right to marry to same-sex couples could also drive away businesses and heterosexual people who thrive in a diverse environment. The threat is real: the 1992 fight over the anti-gay Amendment 2 in Colorado resulted not just in a boycott of the state by tourists and conference organizers, but in the departure of some gay and lesbian residents.¹¹

⁵ In this case, a disability is defined by reporting a "long-lasting condition" such as blindness or deafness, or a condition that limits basic physical or life activities.

⁶ Simmons and O'Connell, as well as our calculations. This 8,003 figure is the number of "own children" reported for a householder who has a same-sex unmarried partner. This is undoubtedly a low estimate, since a partner's children might be counted only in an alternative census variable, "persons under 18 living in the household." Using that broader measure shows that 8859 children are actually living in households that contain a same-sex couple. That higher figure would also include any foster children living in the household.

⁷ The differences in age and employment rates between parents in same-sex couples and married parents are not statistically significant

⁸ The difference in property value is statistically significant at the 10% level.

⁹ Both the household incomes for parents in male couples (average \$77,958) and female couples (average \$89,462) are lower than the household incomes of married parents.

¹⁰ Richard Florida and Gary Gates, see footnote 2.

¹¹ Russell, G.M. *Voted Out: The Psychological Consequences of Anti-Gay Politics*. New York: New York University Press, 2000.

Table 4: Economic characteristics

Characteristic	People in same-sex couples	Married people
Percent with bachelor's or graduate degree	48.8%	36.7%
Average age	43	49
Type of employment for those employed:		
• Private sector	77.0%	73.9%
• Public sector (federal, state, local govt.)	12.6%	14.8%
• Self-employed	10.4%	11.4%

The impact of same-sex marriage on businesses

Since many businesses cover employees' spouses as part of a health care benefits package, allowing more couples to marry might increase employers' labor costs. For several reasons we conclude that this impact will be small and easily absorbed.

First, the number of couples marrying would be small in the context of annual marriages in Massachusetts: The Census provides little data with which to predict the number of marriages. However, in Vermont 44% of the state's same-sex unmarried partner couples have entered civil unions, a status that provides the rights and responsibilities of marriage within Vermont. Using that experience as a guide, roughly half of Massachusetts's same-sex couples, or around 8,550 couples, might marry once the court's stay is lifted. Thus thousands of couples would benefit from gaining the right to marry.

Looking at this increase in marriage from a statewide perspective shows that the impact on marriages overall would be quite small, however. Government statistics show that in 2002 the marriage rate per 1,000 residents was 5.7 in Massachusetts, much lower than the 2001 national rate of 8.4 marriages per 1,000 residents. If all 8,550 same-sex couples married in one year, then the state's marriage rate would be 7.1, still lower than the national rate.¹²

Second, not all of the newly married spouses will need benefits: Some of the 17,100 new spouses will have health insurance through their own employers. Census data show that both partners are employed in 67% of same-sex couples, while in 11% of couples neither partner is employed. That leaves 22% of same-sex couples in which one member is employed and the other is not, or 1,881 nonemployed people with an employed partner who might have health insurance coverage. Only 68% of employees are covered by an employer's health benefits plan, though, requiring two adjustments: we add back in 4,268 people who are employed but possibly uninsured, then we take out 32% of the 1,881 nonemployed people with

employed spouses without employer-provided insurance.¹³ This leaves 5,547 people.

Some of these individuals might now get domestic partner benefits, though, further reducing the number of new people signing up. At least 143 of the state's employers already offer domestic partner benefits, including such prominent employers as Boston Globe Co., Digital Equipment, FleetBoston, and Raytheon.¹⁴ One study suggests that 23% of workers in the northeastern United States worked for an employer that covered same-sex domestic partners' health insurance.¹⁵ When we subtract that 23%, we are left with 4,160 people who might now need coverage.¹⁶

Spreading those 4,160 people out over the state's 173,267 business establishments means that at most 2.4% of them would have a newly married employee signing up a same-sex spouse for health benefits.¹⁷ Another way to look at it is that the average employer would see an increase in enrollment of 0.02 "persons." The vast majority of businesses will see zero same-sex spouses sign up for benefits.

Implications for the Marriage Debate

The picture sketched out by the census data shows that same-sex couples make valuable contributions to Massachusetts. But same-sex couples face the same economic challenges as married couples, especially when raising children. The difference, though, is that married couples get extra economic support through the state and federal governments and through their employers. The census data suggest that same-sex couples and their children would also benefit from the economic support that the legal institution of marriage provides.

Overall, this analysis of the Census data on same-sex couples suggests that the potential impact of marriage for same-sex couples could be positive and large for thousands of couples and over 8,000 children, even though the relative number of marriages is likely to be small. The state's employers have little to fear from marriages of same-sex couples; they should worry instead about the negative impact of a constitutional amendment prohibiting same-sex marriage on the long-run business climate of the state. ■

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¹² Marriage statistics for Massachusetts are from the National Center for Health Statistics, http://www.cdc.gov/nchs/fastats/pdf/51_10_12_t03.pdf, and the state population figure is from <http://quickfacts.census.gov/qfd/states/25000.html>, both accessed 1/24/04.

¹³ Coverage of employees comes from The Kaiser Family Foundation and Health Research and Educational Trust, *2003 Employer Health Benefits Survey*, September 2003, at Exhibit 3.1, at <http://www.kff.org/content/2003/3369/> (accessed Nov. 22, 2003).

¹⁴ This figure comes from the Human Rights Campaign's database on employers at www.hrc.org.

¹⁵ The Kaiser Family Foundation and Health Research and Educational Trust, *Survey of Employer-Sponsored Health Benefits: 2001*, Exhibit 4.12. at http://www.kff.org/content/2001/3138/EHB2001_fullrpt.pdf (accessed Aug. 25, 2003).

¹⁶ We do not count people who move from their own employer's plan to their spouse's plan, since that increases one employer's enrollment but decreases the other employer's enrollment. The net effect, in other words, is zero. Also, note that we are probably overestimating the total, since we are assuming that each uninsured person goes with an insured spouse, but it is possible that both spouses could be uninsured.

¹⁷ The number of establishments in the state comes from <http://quickfacts.census.gov/qfd/states/25000.html>, accessed 1/24/04.