REVELATIONS
Minister and Microsoft Executive Offer Wildly Different Versions of Meeting

by Sandeep Kaushik
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The Microsoft Corporation, under sustained fire from gay rights activists, employees, bloggers, and the national media after The Stranger reported last week that the company had withdrawn its support for a state gay rights bill under pressure from a Christian pastor, is disputing fresh claims by the minister that the company shifted its position on the bill in response to his demands.

The Stranger informed the company late Monday afternoon, April 25, that the minister at the center of the controversy, Dr. Ken Hutcherson of the Antioch Bible Church in Redmond, had provided the paper with his recollections of two conversations with Microsoft Senior Vice President and General Counsel Bradford L. Smith during an hour-long interview at the church office that afternoon.

Over the course of the interview, Hutcherson sharply contradicted the company’s public stance in recent days that it had decided to take a neutral stance on the bill prior to meeting with him.

Microsoft, however, continues to stress that this was the case. On Tuesday, April 26, Smith, who is traveling in Europe on company business, contacted The Stranger to offer his own account of what took place. He restated the company’s contention that Microsoft had taken a neutral stand on the bill before ever meeting with the minister, and said that the bulk of the meeting was devoted to clearing up confusion about whether the company officially backed the bill. Smith reiterated that Microsoft had not supported the
Hutcherson’s comments echo those of state Rep. Ed Murray, a gay Democrat representing Capitol Hill and the prime sponsor of the legislation, who said on Sunday that Microsoft was not being truthful in claiming that it had decided not to support House Bill 1515 prior to the start of the session. He stated that in January, after the legislative session was in full swing, Microsoft’s state-government-affairs point person DeLee Shoemaker had informed him that Microsoft intended to issue a letter in support of the bill.

The bill, which would have barred discrimination against gays and lesbians in housing, employment, and other matters, failed in the Washington State Senate by one vote last week.

In previous days, Microsoft had confirmed to other publications, in particular the New York Times, The Stranger’s original report that Smith had met with Hutcherson, and that the company had taken a “neutral” stance on the bill this year after supporting it in previous years. However, in an e-mail to the company’s 35,000 United States employees last Friday night, Microsoft CEO Steve Ballmer denied that the meetings with Hutcherson had influenced the company’s switch. Ballmer wrote that he had “done a lot of soul searching over the past 24 hours on this subject,” and that the company was “thinking hard about what is the right balance to strike—when should a company take a position on a broader social issue, and when should it not?”

Hutcherson expressed disappointment with Ballmer’s statement—“Steve Ballmer, I believe, is a liar”—and said in no uncertain terms that Microsoft was not being forthright about the substance of the conversations company executives had with him, and about the timing of the company’s decision. “The company lied, and ‘the Black Man’ is not going to lie down and say ‘okay,’” he said, referencing his nickname around the
church office. He added, “Evidently they don’t know that I won’t keep my mouth shut about unrighteousness.”

Hutcherson said that he asked for a meeting with Microsoft after becoming upset that two company employees had testified in favor of the bill on February 1. He first met with Smith and three other lower-ranking executives on February 23.

At that meeting, Smith made it clear to the pastor that the company supported the bill, Hutcherson said. Smith told him, he said, that the company had recently been asked by GLEAM, the gay and lesbian employees group at Microsoft, to come out in favor of same-sex marriage, but the company had said no. Smith went on to say that Microsoft did support the anti-discrimination legislation, and he described it as a “civil rights issue”—a red flag for Hutcherson, who is African American—Hutcherson said. The pastor recalled asking Smith a question: “You won’t stand up for two men or two women getting married, but you will put your power behind a guy who wants to dress up in a dress and come to work?”

Smith replied, according to Hutcherson’s recollection, “That’s our policy. We thought this is a good bill to stand behind.” Hutcherson then said he told Smith he would organize a national boycott of the company if it did not withdraw its support for the bill. “You’re not going to like me in your world. I am going to give you something to fear Christians about,” he said he told Smith. “I told him, ‘You have a week,’ ” to decide, Hutcherson said.

Hutcherson acknowledged that he had suggested that if he were in charge at Microsoft, he would have fired the employees, not for their testimony, but for misrepresenting the company. When Smith told him, at their second meeting in mid-March, that the employees would not be fired, Hutcherson emphasized that he said he told Smith he was fine with that decision, and thought firing them would have been too harsh a punishment.

Hutcherson further claimed that he never asked Microsoft to come out publicly in opposition to the bill, as Microsoft has said. “I never told them to be against the bill. I told them not to support it. Why would I tell them to go against it when it’s their policy in the first place?” he said.
Smith offered a very different impression of the discussion. He said the bulk of the conversation was taken up with a discussion of the confusion about Microsoft’s position on the bill that had been created by two employees who had testified on February 1. Smith had read the testimony that morning, and felt there was some confusion. Smith recalled telling Hutcherson that “the company wasn’t involved in this” and that “the company hadn’t taken a position” on the bill.

“He told me that he thought that we should fire the employees,” Smith said. He added, “It didn’t strike me as a situation where it was appropriate to fire people.” He did agree with Hutcherson that the testimony “created the impression that the company was supporting a bill when the company wasn’t involved,” he said, adding, “In my mind, that was what the meeting was about.” Smith also added that Hutcherson had requested that the company issue a letter stating that it was neutral on the bill, or that the bill was unnecessary, but that he declined.

When Smith met with Hutcherson a second time in March, he told the minister that he would not fire the employees, and said he had realized Microsoft need to “tighten up” its government-affairs processes. He told Hutcherson that he had asked the two employees to write a letter to the chair of the House committee that heard their testimony in favor of the bill in which they clarified that they had spoken there as individuals.

While Hutcherson had raised the possibility of a boycott, the threat of a boycott, he said, was not particularly unusual.

“Almost every large corporation does receive at least monthly—often weekly—letters from groups threatening to organize boycotts. You can’t run your business on that basis,” he said.

Asked if Shoemaker may have given Rep. Murray the impression the company intended to issue a letter in support of the bill, Smith said he was “not aware of any such thing,” and said he had not known that Murray had asked for such a letter. He also said that he had offered to Murray that the company would give him a letter stating that the company’s strong pro-diversity policies “have served our business very, very well,” but that Murray had declined.
Asked about Hutcherson’s account of his statements regarding gay marriage and about the company’s support of the bill, Smith demurred. “I don’t remember any conversation like that,” he said. He did say that he and Hutcherson entered the room as very different individuals in their views, and may therefore have had a very different sense of the conversation and its implications. He said it was possible they “left thinking differently as well.”

Hutcherson said he did not hear back from Smith within a week. He offered a “shot across the bow” by talking about Microsoft’s support for the bill in his church and on the KTTH 770 radio show that he hosts. Some Microsoft employees who worship at his church contacted Smith to let him know that the pastor was being serious, Hutcherson said. He said that eventually Smith agreed to meet with him again sometime in mid-March.

At that meeting, “[Smith] said, ‘We are going to be neutral. This is the conclusion we’ve come to,’” Hutcherson said. “Our meeting ended great. It was going to be an internal thing,” he continued, adding that they discussed possible cooperation between the church and the company in the future, including setting up meetings where executives could hear from Christian and African-American employees about their experiences of working at Microsoft.

Smith said that while Hutcherson “was right to point out the confusion” about the employees’ testimony, “he was wrong to ask us to start issuing proclamations of neutrality or other things.”

Now Hutcherson is upset with Microsoft, saying company executives are not returning his calls and are trying to back away from their meetings with him. “I’ve called them so many times, more times than Van Camp’s has got pork and beans,” he said. “I want to get Brad [Smith], Steve [Ballmer], and [Bill] Gates to sit down in a room with me so we can get this cleared up real quick.”

Asked if he regrets meeting with Hutcherson, Smith was circumspect. “I think it’s unfortunate the way this whole issue has evolved,” he said. He offered a strong endorsement of the company’s heavy emphasis on diversity. “I regret the company is being depicted by some as a company not committed to those
principles.”

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