

the rest of our world

Texas Sodomy Law To Be Tested

DALLAS – The U.S. Supreme Court is being asked to review one of only four remaining state laws banning consensual same-gender sex.

On July 17, Lambda Legal Defense filed an appeal with the high court of the Texas conviction of two men who were arrested for having sex in a private home. On September 17, 1998, sheriff's deputies, responding to a false report of an armed intruder, entered John Lawrence's apartment and found Lawrence and Tyron Garner having sex. Both were arrested and jailed overnight and later convicted and ordered to pay a fine.

Higher courts within the Texas system upheld the conviction, but Lambda hopes the Supreme Court will strike down the law entirely. Other than Texas, only Missouri, Kansas and Oklahoma ban consensual sex between two men or two women.

Dems May 'Take Back' Interest in Miami

MIAMI – If Miami voters vote to repeal the city's gay rights ordinance, the Democratic Party will cross Florida off the list of possible sites for the 2004 national convention.

The gay-rights ordinance, passed by the County Commission in 1998, prohibits discrimination in housing and employment on the basis of sexual orientation. It is being threatened by Take Back Miami-Dade's successful effort to put a voter referendum on the fall ballot. Eladio José Armesto, the group's spokesperson, said the Democratic Party is using "political blackmail" to coerce Dade voters. Armesto is a member of the Miami-Dade County Democratic Executive Committee and was censured by the party for his role in the anti-gay initiative.

Joe Andrew, the person responsible for selecting the site of the 2004 convention said that many delegates would feel uncomfortable meeting in Miami if it rejected civil rights for gays. "Would it matter if a piece of legislation passed that was antagonistic to a core part of our Democratic Party, gays and lesbians? Sure, it would matter," said Andrew. Four cities are in the running to host the Democrats and bring an estimated \$200,000 into their economies: Miami, Boston, Detroit and New York. The decision will be announced in November.

Ontario Says No to Second Class Citizens

TORONTO – Ontario's provincial government will not quibble with a landmark July Superior Court ruling that said denying gays and lesbians the right to marry was "creating second class citizens."

"If two people decide that they want to be in a union, why would I interfere with that?" said Ontario premier Ernie Eves.

The federal government has not yet decided if it will appeal to the Supreme Court. Eves, however, called on the government to abandon any consideration of appealing the decision and enact legislation to

make gay marriages legal. "We'll just be urging the federal government to get on with what the court has decided and to do something about the issue so that all provinces, not just ourselves, can follow suit," Eves said.

The premier also criticized the Alberta government for threatening to use the notwithstanding clause in the Constitution to prevent any laws accepting gay marriage from being enforced on the province.

Germany Confirms Partnerships

BONN – A law granting gay and lesbian couples legal partnerships was upheld by that country's highest court in July.

An attempt by three of Germany's most conservative states to overturn the law that went into effect in August of last year in the Constitutional Court stemmed from their contention that it put gay "life partnerships" on a par with marriage and would give them access to special constitutional protections.

The court dismissed the challenge to the law, ruling that the institution of marriage was not compromised by the law.

The decision is seen as an embarrassment for Germany's conservative party, the Christian Democrats. The country is embroiled in a heated election campaign. Earlier this summer, party leader Edmund Stoiber said that he would seek to overturn the law if the CD were elected to office. He has since attempted to soften his position, but many in the party are pledged to repeal the legislation.

The partnership union law gives certain rights to members of officially registered gay and lesbian couples, such as adoption of the spouse's family name, patient visiting and information rights, the right to make bequests and to have joint health insurance coverage.

US Servicemen Charged in Gay Bashing

VANCOUVER – Two US sailors are charged with assault and weapons offenses after an apparent gay-bashing.

The attack began when a man was approached by the pair asking for directions. Before the victim could say anything one of the sailors allegedly sprayed him in the face with what police said was a noxious gas.

When the man, whose name was not released by police, fell to the ground the pair began kicking him and yelling homophobic epithets. The two men took off, and the victim gave chase with help from a passerby.

"When he was cornered, one of the suspects produced a knife in a somewhat threatening gesture," said Det. Scott Driemel, a spokesperson for the Vancouver Police Department.

"At this point Vancouver Police were able to arrive and two individuals were arrested."

Driemel said additional charges are pending.

Muppet Upsets GOP Congressmen

WASHINGTON, DC – A group of conservative Republicans have condemned the introduction of an HIV positive Muppet on public television, and have issued a veiled threat to public television that it could face spending scrutiny if it goes ahead with the project.

The Muppet is scheduled to begin appearing on the South African version of children's show *Sesame Street* later this year. The announcement, at the World AIDS conference in Barcelona last month, was immediately hailed by AIDS workers.

But the congressmen's letter to PBS, obtained by entertainment industry paper *Variety*, questions the appropriateness of such a character and subject matter on public television. "We look forward to working with you to ensure that only age and culturally appropriate programs air on PBS, which is a mainstay that millions of parents have come to rely upon over the past 35 years," it says.

The letter was signed by five Republican members of the House Commerce Committee, led by chairman W.J. Tauzin of Louisiana. It reminds PBS president Pat Mitchell that Congress has the last word on funding for the Corporation for Public Broadcasting.

In announcing it would introduce the new character, the network said it was hoped the new Muppet would help combat the spread of HIV and AIDS by educating youngsters on the epidemic. More than 10 percent of the South African population is infected with HIV.

The congressmen are supported by The American Family Association. The AFA says the character is a means for "homosexual activists to influence young viewers."

Along with Tauzin, the letter was signed by Representatives Joe Barton (R-Texas), Cliff Stearns (R-Florida), Fred Upton (R-Michigan), Charles Pickering (R-Mississippi) and Richard Burr (R-North Carolina).

Dog Owner Sentenced in Dog Mauling Death

SAN FRANCISCO – The woman in charge of two dogs who mauled a San Francisco lesbian to death last year was sentenced last month to the maximum of four years behind bars. With time served, Marjorie Knoller, 46, will be out in about 14 months.

Diane Whipple was attacked by two giant Presa Canario dogs, outside her apartment door in January 2001. During her trial Knoller testified that she tried to fling herself between the animals, each of which weighed more than 100 pounds.

Knoller had been convicted in March of second-degree murder, involuntary manslaughter and having a mischievous dog that killed someone. Noel, 60, was found guilty of the manslaughter and mischievous dog charges.

But the judge threw out the murder charge, saying Knoller had no way of knowing the dogs would kill someone when she left her apartment that day.

In sentencing Knoller, Judge James Warren said she deserved the maximum because she had shown no remorse and had lied under oath in denying that her dogs menaced others.

"You knew those dogs were dangerous, you knew you could not control them, you took them outside anyway and it was clear at some point, someone was going to get hurt by those dogs," the judge told Knoller, ordering her to pay \$6,800 in restitution to Sharon Smith, Whipple's partner.

"This isn't about money. It wouldn't matter if it was \$6,800 or \$68 million," Smith said outside court. "I'm very happy today to be where we are and that Marjorie's going to prison."

Stalin and Khrushchev?

MOSCOW – Russian author Vladimir Sorokin was arrested in July for writing a satirical novel in which he describes former communist leaders Josef Stalin and Nikita Khrushchev having gay sex. Sorokin is a cult writer whose books are popular with young intellectuals. Police said the book, *Goluboye Salo (Blue Lard)* contained pornographic passages. If convicted, Sorokin faces up to two years in prison.

Goluboye is Russian slang for gay. Although the book was published three years ago, prosecutors said they were acting on a complaint from a man who had recently purchased the futuristic novel at one of the street markets in Moscow, read it, and got angry.

Sorokin, 46, denies the book is indecent. "Pornographic literature is aimed at sexually arousing the reader and contains pornographic scenes only. My novel *Blue Lard* has only two erotic scenes and is about the collapse of Russian literature," Sorokin told Interfax news agency. "This could be the beginning of a 'mopping-up' operation, not just in literature but in culture as a whole," he said of the charges laid against him.

In June Sorokin was the target of street protests by the youth wing of a party that supports President Vladimir Putin.

Judge: Your Kids or Your Partner

BOISE – An Idaho man is appealing a county magistrate's ruling that he either stop living with his partner or lose visitation rights with his children.

It is believed that the ruling, by Bonneville County magistrate Mark Riddoch, is the first time the rights of gay parents have been heard in an Idaho court.

Riddoch told Theron McGriff as long as he lived in the same house with his partner, he would not allow visitation by McGriff's two school-age children.

The magistrate awarded custody of the children to McGriff's ex-wife, Shawn McGriff. The ruling stated that McGriff could receive visitation rights "providing Father is not residing in the same house with his male partner."

Shawn McGriff's attorney, Marie Tyler, said the mother's biggest concern was how Theron's homosexuality would affect the children.

"(They) are engaging in fiction if they believe that sleeping with a homosexual partner in Idaho Falls, Idaho, is no different than sleeping with a heterosexual partner," Tyler said.

"I will take it as high as I need to take it," McGriff said. "I can't live like this without my kids." The state Supreme Court has the option of hearing the appeal, or letting the lower court ruling stand.

He and his partner recently bought a house together. Because of the ruling, McGriff's partner moved into a mobile home in front of the house.

Tyler said she is confident that if the Idaho Supreme Court hears the case, it will follow the leads of North Dakota, Ohio and Michigan, where custody has been denied to gay parents because they were living with same-sex partners.

Majority Supports Same-Sex Partnerships

WASHINGTON, DC – A US national survey shows a clear majority of Americans support basic partnership rights for same-sex couples.

The poll, by Witeck-Combs Communications/Harris Interactive, was taken in June. It shows that Americans support granting gay and lesbian couples joint property rights, providing for estate inheritance laws, and the granting of emergency health care authority and hospital visitation rights.

In addition, a plurality of individuals surveyed (48 percent) also supports Social Security survivor benefits for same-sex couples, with 34 percent opposed and 18 percent undecided.

U.S. adults were asked whether same-sex couples should have the following rights and benefits that are provided to legally married couples: 71 percent support hospital visitation rights; 66 percent support emergency health care authority; 60 percent support joint property rights; 59 percent support estate inheritance laws; 48 percent support Social Security survivor benefits.

When asked specifically about the distribution of \$2.3 billion in funds raised for families directly impacted by September 11, 48 percent supported giving the same compensation to same-sex couples as to legally married couples. Just under a third (31%) indicated they were opposed, and one in five (21%) said they neither supported nor opposed equal benefits.

2,050 adults took part in the survey. Six per cent self-identified as gay, lesbian, bisexual or transgender. The survey was conducted online between June 20 and 26, 2002 by Harris Interactive, a worldwide market research and consulting firm, in conjunction with Witeck-Combs Communications, Inc., a strategic public relations and marketing communications firm with special expertise in the GLBT market. ▼