

Red Cross Blood Drives Generate Campus Controversy

A controversy has erupted over Red Cross blood drives conducted within the dormitories of the University of Vermont's Burlington campus.

At issue is the Federal Drug Administration's screening policy excluding men who have sex with men from ever giving blood. The American Red Cross follows the screening exclusion – and, according to one article, supported its continuance.

The policy, says gay UVM student Evan Litwin, discriminates unfairly against gay men because heterosexuals engaging in risky behaviors are excluded from giving blood only for a year after the last sexual or drug-related risk. Further, Litwin explains, the University is not following its own policy by allowing an organization that discriminates against gay men to solicit volunteers on campus.

"One morning I went downstairs in my dorm for breakfast ... there was a Red Cross blood drive going on in the lobby. I was completely shocked," recalled Litwin, "as I do not approve of RC policies, which allow a woman who has had sex with a gay/bi man to give blood 12 months after and gay men can never give blood."

Elise Blinder, a UVM sophomore and Red Cross volunteer, said the controversy has become intense, with heated discussion on the University's glbtq discussion listserve culminating in a confrontation at a Living/Learning blood drive last month. Blinder, an EMT, directs the Emergency Medicine program at the L/L Center, which sponsors two blood drives per year.

"The screening standard is based on the statistical analysis of medical data from all over the United States, and in that respect it does make sense to me. I understand that certain populations must be excluded from donating blood because of the window that exists between transmission of a disease like HIV and the ability of the test available today to detect it," Blinder said.

"I also feel that there are flaws in the guideline in question [men who have sex with men, or MSM]. I think it is ridiculous to exclude all gay men from donating when a good portion of the gay population practices safe sex. The guideline could be changed to inquire about safe sex practices and also to defer those who do not practice them for a year instead of a lifetime," she continued.

According to her research on the

issue, the Centers for Disease Control and Prevention has estimated that removing the restriction entirely "would result in 1200 units of infected blood being brought into the U.S. blood pool each year."

In any case, Blinder argues, targeting the Red Cross blood drives instead of the FDA is aiming at the wrong target. Attempting to remove the blood drives from campus would mean a serious drop in the amount of blood available for Vermont patients who need it, since UVM students contribute about 280 units per school year.

Following extensive email discussions, Blinder invited Litwin to solicit signatures at a Living/Learning blood drive for a petition to the FDA to change the screening criteria, because she and the program members "wanted to show their support for the gay community and disdain for the MSM guideline. I set up a table for him and everything," Blinder said.

Litwin instead brought a petition to remove the blood drives from the dorms. Heated negotiation followed, according to Blinder, resulting in Litwin's petition table being moved out of the blood drive room and into the hallway.

Litwin said his motivation in petitioning to move the blood drives out of the dorms is based on his rights as a resident, delineated by Residential Life guidelines. "One of my primary rights is to feel safe and comfortable in my living space. A subordinate right is the right for a group (i.e., the Emergency Medical Students or the Red Cross group on campus) to assemble in the common space. The university also defines discrimination as actions or thought behavior that perpetuate the continued marginalization of a group – I would say this fits."

Litwin said his petition at the Living/Learning blood drive collected "around 150-170 signatures." Dissenters, he said, were worried that people would die because blood was not available.

"Well, in my opinion, people will not die by me asserting my rights, people will die because you did not want to walk 500 extra feet to the gymnasium to donate blood. My rights do not take a back seat because the Red Cross feels that students are lazy and more apt to donate if they are in their faces in the dorms [which is] precisely my concern," Litwin declared.

Topsham), three of the four Rutland City representatives (Thomas Depoy, Virginia Duffy, and Carl Haas, all Republicans), Henry Gray (R-Barre Town), Stephen Webster (R-Randolph), Philip Winters (R-Williamstown), and Sylvia Kennedy (R-Chelsea).

The proposed constitutional amendment would leave civil unions intact but would outlaw same-sex marriages in Vermont. The amendment, sponsored by Sens. Julius Canns (R-Caledonia), Hull Maynard (R-Rutland), and Kevin Mullin (R-Rutland), says, "that marriage between two people of the same sex is invalid in Vermont and shall not be recognized for any purpose."

Sen. Canns told *Out in the Mountains* that he introduced the constitutional amendment because he wants to provide Vermonters with an opportunity to vote on the issue. "This constitutional amendment was asked for by a lot of people because it is the only way

that the people of Vermont can get it on the state ballot and decide the issue," he said. "I've had many people tell me we need to vote on this issue up or down. It's presently locked in the Judiciary Committee and unless and until the chairman of that committee chooses to bring it up it will probably die."

Senator Richard Sears (D-Bennington) chairs the Senate Judiciary Committee.

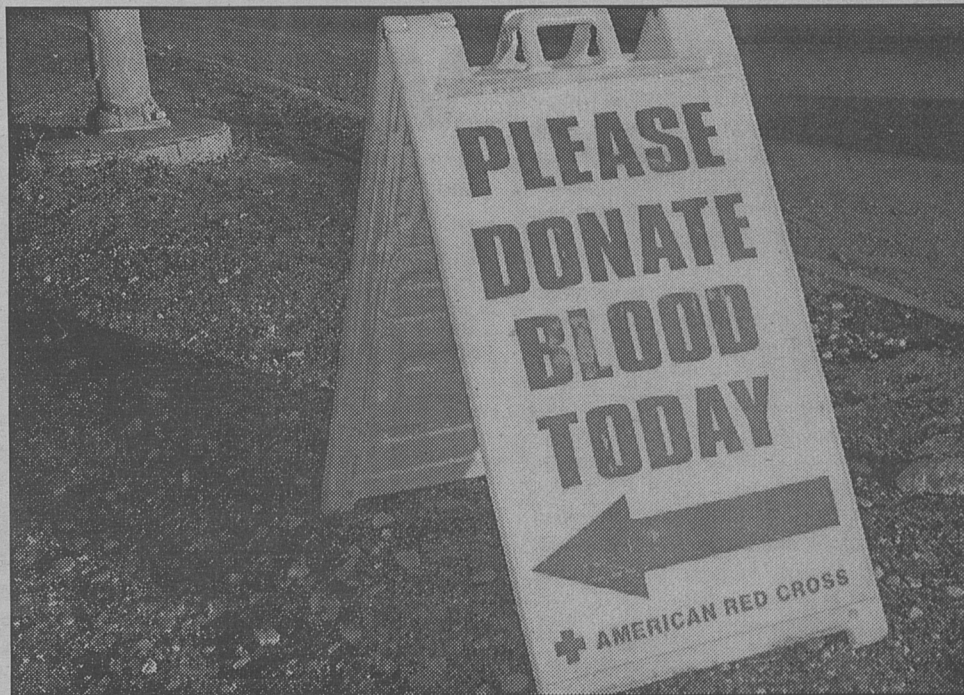
Co-sponsors of H.274 also concede that their initiative will likely fail. "It won't go anywhere ... it is largely symbolic," state Rep. John Winters (R-Swanton) lamented. "We've got civil unions in Vermont and I'm sure that we will always have it. I just never could agree with the civil unions law. I ran in my two towns against that law."

Canns' and Winters' pessimism reflects the makeup of the legislature. Civil union supporters narrowly control the House of Representatives

while the Senate remains overwhelmingly controlled by pro-civil union Senators.

In a February interview with *Out in the Mountains*, Republican Gov. James Douglas also admitted that civil union is unlikely to be revisited this legislative session. "I don't see much interest in reviving it," he concluded. "I sense a clear focus on job creation and economic growth and not as much interest in civil unions or other social issues. I think most Vermonters don't want to revisit that issue in any form at this point."

Civil union supporters agree with Douglas and conclude that Vermonters want to move on. "We need to, of course, remain vigilant, but most senators and representatives are working hard for all Vermonters and have no desire to reopen old wounds, pitting neighbor against neighbor," said Beth Robinson, an attorney in the historic *Baker v. State* gay marriage lawsuit.



Litwin said he had recently met with Kim Martin-Anderson, the Interim Director of Residential Life, to present his petition. "I was told they would make a decision but probably not for a long time. In the meantime, all blood drives in the dorms are cancelled."

According to Martin-Anderson, "Actually, there are no other blood drives scheduled until next fall" – at least not in the dorms. A blood drive was scheduled for the end of March in the Billings Student Center, according to the Red Cross. Typically, Martin-Anderson said, there are six blood drives per year in the residence halls, with additional drives in more central locations such as the Billings Student Center and Patrick Gymnasium.

Asked how she would make a decision on whether to allow the dorm blood drives, Martin-Anderson replied, "I don't really know. This is bigger than residential life – it's really an issue for the University. If we determine that there is discrimination, then moving the drives out of the dorms doesn't really solve the issue."

Martin-Anderson did not rule out a petition from the University as a whole to the FDA to change the screening criteria, adding that several dorm blood drives have welcomed the presence of FDA petitions.

"People have been petitioning the

FDA for 25 years now and nothing has changed," declares Litwin. "By changing my aim to the Red Cross I may be able to start a pattern around other campuses nationwide, or send a message that this is unacceptable."

He concluded, "It is simple, any organization that enters our 'gates' must be held to the same standards as the students who attend the University. Our core values and beliefs encompass equity and diversity. Just because the Red Cross collects blood, it doesn't mean we should sacrifice those values."

It's not simple, because if changed locations mean less blood, "people in Vermont will die," Blinder said. "Vermont is on the verge of a blood shortage right now. This is an issue that should be taken up with the FDA. I have been an EMT for 5 years and have seen many people die from the loss of blood. I find myself wondering, 'What if that was my patient that didn't receive the blood that they needed because of this?'"

"As an out lesbian I know exactly what discrimination feels like and empathize with the students that feel hurt by the blood drives on campus. [But] no one is immune to illness or injury and the blood collected at the blood drives is for all of us, should we ever need it." ▼

"Usual Suspects" Launch Civil Union Repeal Effort

BY PAUL OLSEN

A bill repealing Vermont's landmark civil union law and a constitutional amendment prohibiting same-sex marriage in the state have been introduced in the Vermont legislature.

H.274, dubbed by its authors "The Marriage Restoration Act," would repeal the civil unions law and void the 5000 civil unions performed in Vermont since it went into effect in July 2000. The repeal bill has been introduced in the House of Representatives with 16 cosponsors, including Nancy Sheltra (R-Derby), Duncan Kilmartin (R-Newport), David Bolduc (R-Barton), John Hall (R-Newport) and Loren Shaw (R-Newport).

The 11 other representatives who signed on as co-sponsors are John Winters (R-St. Swanton), Alan Parent (R-St. Albans), Norman McAllister (R-Highgate), Harvey Otterman (R-

In a related civil union story, a judge in Texas recently issued a divorce to two gay men who entered into a civil union in Vermont. Russell Smith, 26, and John Anthony, 34, of Beaumont, Texas were joined in civil union early last year. The Associated Press reported that Smith filed for divorce for "financial reasons." Citing the U.S. Constitution's full faith and credit clause, Judge Tom Mulvaney dissolved the civil union.

The decision disappointed repeal co-sponsor Rep. John Winters. "I was very surprised that a Texas judge abolished a civil union that was only here in Vermont," he said. "It probably opens the door to something but I'm not sure quite what." ▼

To track the status of any legislative bill online, go to www.leg.state.vt.us and click on the Legislative Bill Tracking System. Paul Olsen lives in Colchester and also writes for *In Newsweekly*.