

Out in the Mountains

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Hate Crime in Burlington

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Following a late-night attack on a Burlington man on Wednesday, August 15, Vermont's new Hate Crimes law may have its first test in court since it was enacted by the state legislature on April 26.

Two brothers, Dominic (28) and Richard (16) LaDue, have been charged with assault and attempted robbery on a 25-year-old Burlington man. Should the court find the Hate Crimes law relevant to the case, the two could face the maximum sentences possible for those crimes.

According to the victim, the LaDue brothers accosted him a short time after he had come out of Pearls, Burlington's gay bar. As they walked together down Cherry Street, the two men introduced themselves to the victim, then began asking him about his sexuality. "So are you a faggot or what?" the younger brother is reported to have asked. His older brother followed this and other harrasing remarks with "You better not be the one who raped my friend's brother."

Just after they entered Battery Park, the brothers assaulted the victim, punching, kicking, and choking him in the bushes. At one point Dominic LaDue demanded the victim's wallet, threatening to kill him if he didn't hand it over.

Even as the victim explained that he had no wallet, the LaDue brothers continued to beat him, then fled the scene.

Bloodied from the incident, the victim was later sighted by Burlington Patrolman Jim Hanover, who offered assistance and escorted him to the Vermont Medical Center. The victim was given five stitches for cuts near the eye and on the jaw and was later released. It was also possible that he had sustained a fractured nose and jaw.

Police were able to identify one of the assailants, Dominic, based on a description offered by the victim that included the detail of a cobra tattoo on the chest. Dominic LaDue, who has previously been charged thirty times on a number of offenses, was known to have such a tattoo. He

was arrested and charged on Thursday, August 16.

Richard LaDue was arrested the next day and was also charged with the same offenses. Due to the nature of the attack, he will be tried as an adult in court.

State's Attorney William Sorrel said, "The fact that (this) was a hate crime would be potentially an aggravating factor which the court may take into account in sentencing." Sorrell also explained that the motivation of the defendant could be deemed a factor in the sentencing of the two brothers if they are convicted.

As their defense, the suspects have resorted to one of the most common tactics used against gay victims in crimes, claiming that the victim attempted to make a sexual pass at one of the assailants. Richard LaDue claimed that he was defending himself from such a sexual pass, and that this led to the injuries sustained by the victim. Dominic LaDue further told police that he had to pull his brother free from the victim in Battery Park. Neither Richard nor Dominic were injured in the incident.

In a recent interview, the victim responded to those claims and shed further light on the nature of hate crimes, explaining that "not only did I have to go through the physical assault, but now I'm being forced to go through the character assault resulting from these allegations."

Robert Zeuner, of the law firm Bauer, Gravel, and Watson, has said that the Hate Crimes law will increase the challenge faced in court for the defense, and added that "it requires a much more vigorous defense because the punishments are much more severe than they used to be."

The Hate Crimes law was passed following an increase in support attributed to the April beating of Roger Macomber, which also occurred in Burlington. Kevin Murray, who is now awaiting trial in the Chittenden Community Correctional Center, admitted to going to Pearls on Easter

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OITM Receives Grant

Out in the Mountains recently received a grant for \$8,000 from the Green Mountain Fund for Popular Struggle, a new group which has targetted support to a number of human rights areas including gay and lesbian concerns. The grant will be used to provide desktop publishing equipment desperately needed by the paper, as well as to assist the publication in expanding its distribution around the state.

The newspaper has been working diligently over the past months to restructure its staffing needs and strategies, to develop a set of effective by-laws for the group, and to strengthen its commitment to the state-wide concerns of lesbians, gay men, and bisexuals.

As our readers have most likely already noticed, there have been some significant changes in the magazine since it was re-instituted at the beginning of the year. For example, we are now listing per-

sonal-type advertisements under the heading "Networking" in our Classifieds column in order to assist the members of Vermont's gay, lesbian, and bisexual community in the task of meeting others within that community - not always an easy thing to do in a rural state. We also hope to focus more attention on Vermont state news rather than national news in order to make our newspaper more than the *Reader's Digest* version of *OutWeek* or *Gay Community News*. In order to accomplish this goal, we encourage all of our readers to submit articles, commentaries, letters, reviews, and other stories which you feel would be of interest to our readership.

We had hoped to initiate theme-based issues, but now realize that such a goal sometimes runs counter to the events of the month. This should not be the case with our

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