

Cemetery Plot: GRAND JURY INDICTS THE DENVER 3

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The following is a reprint of a flyer put out by ACT-UP Chicago with a little extra information added into it:

Traditionally the Roman Catholic Church has opposed equal rights for lesbian, gay, bisexual and transgendered individuals. In Colorado, the Roman Catholic Church was instrumental to the passage of Amendment 2, a statewide amendment which allows for the legal discrimination of lesbians and gay men. Traditionally, the Roman Catholic Church has also opposed the use of condoms as a means of stopping the spread of AIDS thereby leaving thousands to die as a result of the Church's AIDSphobic policies. THIS IS WRONG!

On January 14, a group of AIDS activists outraged by the Catholic Church's homophobic and AIDSphobic policies draped plastic bags bearing the word "AIDS" over tombstones in a Catholic cemetery. Their message painted a picture of what a cemetery will look like in the not-too-distant future if the Catholic Church continues to oppose the use of condoms to prevent the spread of HIV: a cemetery in which tombstones relay AIDS as the cause of death. Great care was taken to ensure that no harm was done to any tombstone. Eight months later, on the eve of the Pope's arrival in Denver, a grand jury handed down indictments against ACT UP members Madrid St. Angelo, Lorna Wheeler, and Taylor St. John, charging

each of them with two felonies and two misdemeanors related to the cemetery action. If convicted of these charges the Denver 3 could be sentenced to up to 18 years in prison. Warrants with bonds of \$50,000 each were issued. The following day all three were arrested and taken into custody. Lorna, a resident of Los Angeles, was held in jail for 15 days after which she was extradited to Denver and allowed to post bond. Madrid and Taylor, both residents of Chicago, were held for nearly a week after which they bonded out for the sum of \$10,000. All three have had their employment jeopardized, the security of their homes threatened, and their lives turned upside down. Two of the defendants are HIV+ and could stand to lose their lives in the face of a prison sentence.

What awaits these AIDS activists is undoubtedly a lengthy and costly legal battle which unfortunately must be fought in Colorado; the home of Amendment 2. Although Amendment 2 has recently been repealed, that decision (to repeal Amendment 2) is being appealed and activists have mixed thoughts on what affect Amendment 2 will have on their case. But what is known is that the hearing for the Denver 3 is being held in one of the most conservative courts in Colorado and the State of Colorado is the home to the largest KKK scene west of the Mississippi!

THE USE OF A GRAND JURY

A grand jury was used to divide the lesbian, gay, and AIDS activist movement in Colorado. Successfully, the state (prosecution) was able to infiltrate, weed out, and gather testimony from members of the gay and lesbian community to produce indictments against the three ACT UP members. This is the first time a Grand Jury has ever been used against any aspect of the Queer Liberation Movement including direct action activists struggling against AIDS. The Grand Jury is a federal tool that is used to gather information about and around cases where crimes have allegedly been committed. The Grand Jury has a series of powers which includes the power to subpoena witnesses to a Grand Jury without ever pressing charges on any crime. The witness then is obliged to answer all questions without the presence of a lawyer; and if the witness feels they may incriminate themselves they are reserved the "right" to cite the 5th Amendment. After this occurs a judge can be called to the case and grant witness immunity, in other words, any thing you say that may incriminate yourself for cannot be followed up on by the state, but the problem is that if someone else comes in and testifies and is granted immunity then the state can use their testimony to press charges against you, which has been done to several activists over the years.

Where to Find OITM

Barre

Pen Dragon

Bennington

Bennington Free Library
Bennington College
Bennington Library
Record Rack
Southern Vermont College

Brattleboro

Brattleboro Food Coop
Cahoots
Common Ground
Everyone's Books

Burlington

Burlington College
Chassman & Bem
Fletcher Free Library
Onion River Co-op
Partners in Recovery & Growth
Peace & Justice Center
Pearls
Planned Parenthood

Castleton

STEP Learning Center

Chester

Misty Valley Books Chester

Craftsbury

Craftsbury Public Library

Center Rutland

Rutland Area Gay/Lesbian Connection

East Barnet

Innwood Manor

East Hardwick

Greenhope Farm

Fair Haven

Fair Haven Free Library

Hardwick

Buffalo Mountain Coop
Galaxy Books

Lyndonville

Jon's Automotive
Project EXCEL, Lyndon State College

Manchester Center

Northshire Bookstore

Middlebury

Middlebury Natural Food Coop

Montpelier

Bear Pond Books
Horn of the Moon Cafe
Rivendell Books
Woman Centered

Morrisville

Morristown Centennial Library

Newfane

Moore Free Library

Northfield

Brown Public Library

Norwich

Social Alternatives for Gay Men

Plainfield

Woman's Study Program

Putney

Putney Library

Randolph

Kimball Public Library

Rutland

PFLAG
Rutland Free Library
United Methodist Church
Grace Cong. United Church of Christ

St. Johnsbury

LUNA/NEVGALR c/o Umbrella
Natural Provisions
Regional Library
St. Johnsbury Athenaeum

Stowe

Food for Thought

Waterbury

Video Exchange

White River Junction

WRJ Books
Upper Valley Coop

Williamstown, MA

Wild Oats Co-op

Or by Subscription mailed right to your door!