

Vermont News

Hate Crimes Update

by Michael Warner

According to statistics furnished by the National Gay and Lesbian Task Force, violent crimes reported against gay men and lesbians were up over 40 percent in 1990. The NGLTF statistics were collected from gay service organizations in large urban areas.

Yet, as witnessed this past year, rural Vermont is not immune to such violence. When the Vermont Legislature passed the Hate Crimes law, it sent out a message that anti-gay violence will not be tolerated in Vermont. Still, the violence has persisted.

One case, which occurred at the end of last summer, is slowly making its way through the court system. Two men have been charged with assault, attempted robbery and violation of the Hate Crimes statute because, according to court documents, their behavior was "maliciously motivated by the victim's actual or perceived sexual orientation."

Dominic Ladue, 28, and Richard Ladue, 16, were arrested the day after the attack, which occurred on August 15, 1990. Statements made by the victim indicate that a short time after he left Pearls Bar in Burlington, he was approached by the defendants. The men asked the victim to identify himself, and among other abusive questions asked if he was a "faggot". One of the men told the victim that, "you better not be the one who raped my friends' brother" and then demanded that the victim hand over his wallet. The victim was not carrying a wallet. The men grabbed the victim and began beating and choking him and reportedly told him that they would kill him if he screamed.

Since their arrests the defendants have made various motions ranging from at-

tempting to get their bail reduced to having the charges thrown out of court because the victim had moved from the area and his whereabouts were supposedly unknown. Although the victim had moved to the Boston area, he has returned to Vermont and given depositions in the case.

Due to the age of their client, 16 at the time of the crime, lawyers for Richard Ladue have petitioned to have his case moved to juvenile court. According to court sources his case should be heard soon and it is anticipated that he might change his plea and agree to testify against his brother in exchange for a lenient sentence.

The state might also agree to amend the Hate Crimes part of the case against him. According to a motion filed in January 1991, which sought to have this case transferred to juvenile court, Richard Ladue had no prior criminal record and was not the "ring-leader" of the offense. However he is quoted in documents filed in other motions on behalf of his brother as saying to friends, outside of the holding cell, just after his arrest, "I beat up a fag... I really kicked the shit out of him. They're trying to blame my brother, but I did it."

Attorneys for Dominic Ladue have also filed motions on his behalf asserting that the Hate Crimes Statute, which makes it a crime to attack a homosexual, is unconstitutional in Vermont. They base their arguments on the fact that the Vermont Constitution requires that laws encourage virtue and discourage immorality.

Quoting from a motion filed in October 1990, "The hate crime statute attempts to protect homosexuality; it puts homosexuals in a protected class by enhancing existing penalties for assaults. This protection of immorality should not happen in

Vermont. It is in conflict with both the Old Testament (see Leviticus 18:22) and the New Testament (see Romans 1:21-27), which instruct Vermonters to abhor homosexuality. That the *Bible* is the arbiter of what is virtue and what is immorality can be seen from the the language of Vermont Const. Ch. I, Art. 3 with its references to 'Almighty God', 'revealed will of God' and commendation to sabbath observance.... The hate crime law is suspect as it applies to this case."

It remains to be seen if such an argument will hold up in court. In the meantime, Dominic Ladue remains in custody unable to post \$5000 bail. (At the time of his arrest in this case, Dominic Ladue was out on bail for a another assault charge.)

Defense/Awareness Classes Being Offered

One in three women will be sexually assaulted in her lifetime. You can learn to defend yourself. As part of the Sexual Awareness Program, FREE self-defense/rape awareness classes are being offered for women, girls, and people with disabilities from the Burlington area. Two-hour classes meet once a week for three weeks, starting in April. Pre-registration is requested. For more information, call (802) 658-4530 (voice) or 1-800-545-3323 for touch-tone recorded information.

The classes are being sponsored by the Burlington Women's Council in cooperation with the Burlington Police department.

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