

OUT IN THE MOUNTAINS

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FREE

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Marriage Suit Moves to Vermont Supreme Court

BY DIANE SHAMAS

Three same-gender couples took the next step in their eagerly anticipated journey to the Vermont Supreme court by filing a Notice of Appeal on January 15, 1998. Their lawsuit, *Baker v. State*, which seeks the right to same-gender civil marriage, was dismissed by Superior Court Judge Linda Levitt less than a month earlier. While the Superior Court decision came as a disappointment, all of the parties knew the case would ultimately be decided at the state's highest court. "No trial judge has ever ruled in favor of a same-gender couple seeking to be free from discrimination in marriage at [the trial court] stage of the proceedings" said Mary Bonauto, one of three attorney's representing the

Passing on the crown...



The court from "Winter is a Drag 1 & 2" will step down to make room for the Drag King and Queen of VT 1998 this Valentine's Day in The Memorial Auditorium, Burlington [details on p23]. Above: Mark Harris ('96), Lucky Labouche ('97), Jess Bell ('97), Tam Crisman ('96).

plaintiffs. "Now we're one step closer and we look forward to engaging the Justices in a full airing of the issues," said the plaintiffs' other lawyers, Beth Robinson and Susan Murray.

Furthermore, there was much to celebrate in Judge Levitt's opinion. The judge embraced the case as one which must be decided in the courts and not simply referred to the Legislature as the Attorney General had argued. Even more heartening was Judge Levitt's statement that the plaintiffs had presented "compelling arguments" for the freedom to marry and her conclusion that six of the seven reasons the Attorney General

offered to justify discrimination against the couples were invalid. Ultimately, however, the links between marriage, procreation and childrearing persuaded Judge Levitt that the State's discrimination in marriage was justified. Briefing of the appeal will begin later this winter and should be completed this spring. At that time the court will decide how to proceed.

The case, which was filed on July 22, 1997, was brought by three same-gender couples in the Chittenden Superior Court against the State of Vermont as well as the towns of

MARRIAGE, p22

Allen Sues Hazen Union for Failure to Protect Student

BY STEVE STOWELL

Shari Allen of Hardwick recently filed a suit against the Hazen Union School Board on behalf of her daughter Holly who has been harassed because Shari is a lesbian.

Holly has been threatened, stalked, and harassed since the beginning of the school year seven times. Shari has registered her complaints and each time, the teachers and administrators from the school dismissed the claims as no big deal stating that everyone gets harassed at school. The last straw for Shari was when Holly accidentally brushed up against a girl in chorus and the student called her a lesbian, like her mother. Shari remembers the torment she went through in school and will do anything to make life better for her daughter. Despite all her actions, Shari had not received a formal harassment report from the school until after the lawsuit was filed, for the seventh incident in four months. Shari and her lawyer will be holding a press conference in a couple of weeks.

[Author's Note: Shari will be more forthcoming about details at the press conference and afterwards. Her lawyer has advised her not to reveal everything at this time.]

Vermont Campuses Experience Backlash

BY BARBARA DOZETOS

This must be 1961 in the Deep South: slurs carved into doors, posters announcing activist meetings burned, threatening words breathed through phone lines, symbolic art vandalized. No. In fact, all this has happened in the past six months and the locations were not the rural South, but the campuses of several of Vermont's institutions of higher learning. The issue is not skin color, but sexual orientation.

The incidents are not unfamiliar, but after a somewhat tranquil period, there appears to be a resurgence of homophobic behavior at local colleges. Why now and what is being done about it?

The members of GLBTQ student groups see most of the homophobic incidents as reactionary. The word 'backlash' surfaces in almost every conversation about the subject. "It is less overt. It is not as physical. It is more of a social and emotional harassment," says Morgan Sheets, of Trinity College's GLBA, pointing to the media's focus on gay rights issues as the catalyst for a new kind of torment for gays.

Ann-Elise Johnson, Publicity and Visibility Coordinator for the GLBTA at the University of Vermont, also spoke of a rebound effect. "The GLBTA is getting loud. It's a spiral. There is a homophobic reaction to the new visibility, then we react to it, etc." In October, the UVM organization held an open house tea. Many of the posters advertising the event were either burned or collected and placed in the mail box for the women's rugby team with a note reading "Thought you could use some extras." Another apparent reaction to that tea was graffiti carved into a door inside the Living and Learning Center: "Drink beers, Kill queers." One of the Residential Advisors in the same building received a threatening phone message around the same time.

The Director of Residential Life at UVM, Annie Stevens, has instituted a new system for reacting to hate crimes. Under this protocol, University officials hang a poster at the site of the 'biased-related' incident announcing that it occurred. Residents

HOMOPHOBIA, p7

Rainbow Girls Come Out for The Freedom to Marry

BY DIANE SHAMAS

On January 18th 1998, a benefit show was held at the Rainbow Cattle Co. in Dummerston Vt. In spite of nasty weather the joint efforts of the Vermont Freedom to Marry Task Force (VFMTF) and the Cattle Co.'s Rainbow Girls was a success. Bari Shamas of VFMTF answered many questions ranging from: "what protections do gay and lesbians who are "married" now have?" (answer- none) to, "will same-gender couples have federal protections if it is legal to marry in Vermont?" (answer- that will take another round of court challenges to

the Defense of Marriage Act, DOMA, enacted in 1996). She also updated everyone on the status of Baker V State.

The Rainbow Girls (Miss Kitty Rawhide teamed with Mama, Alishia Michaels, Angel Love, Candy, Eva Ray) and the reigning Miss Gay New England, Tisha Towers were happy to donate their time for this cause. The crowd varied from grandparents of the performers, local regulars and interested visitors from out of town. There were over eighty people in attendance. It was a good time had by all from the time the doors opened right through the dancing after the wig flipping finale.

This was the first fund

raiser of the year for the Windham area arm of VFMTF. They are hoping to hold more events to gather, enrich and enlighten the queer community and its supporters. The next event in the works is Gay Bingo. Members of the task force are also looking to meet with Brattleboro Area Aids Project men's groups to share information and open discussions. Anyone interested in knowing more about VFMTF, becoming a member or supporter contact: PO Box 1312, Middlebury, VT, 05753; email: info@vtfreetomarry.org or call Bari Shamas 802 387-5788