

## Arkansas Supreme Court Hears Arguments on Anti-gay Marriage

By James Jefferson  
Associated Press Writer

LITTLE ROCK (AP) — The American Civil Liberties Union on Sept. 23 told the Arkansas Supreme Court that a proposed constitutional amendment against “gay marriages” doesn’t give voters enough information about what the measure would do.

A lawyer for Secretary of State Charlie Daniels said the amendment was “in plain English,” and an attorney for backers of the anti-gay marriage ban said if voters don’t like it, they can vote against it.

The Arkansas Marriage Amendment Committee wants voters, on Nov. 2, to determine whether marriage in Arkansas should be defined as a union of one man and one woman. About 200,000 Arkansans signed petitions, and Daniels’ office certified enough voter signatures to place the item on the ballot.

The ACLU says the proposal is vague and that it could affect other civil unions, single people and heterosexual married couples.

“This amendment uses marriage to cloak the actual effects the amendment would have on people outside the scope of marriage. The voter needs to have an idea of that,” ACLU lawyer Blake Rutherford said. “The voters are not going to be able to understand the consequences of his or her vote.”

Tim Gauger, from the attorney general’s office, argued for Daniels’ office that the ballot title — which is what voters will see in

the booth — clearly outlines the proposal “in plain English.”

And Martha Adcock, representing the Arkansas Marriage Amendment Committee, said the measure simply attempts to protect marriage. “All we’re going after is that legal status is identical or substantially similar to marriage,” she said.

In her argument before the court, she said no one can ever disclose everything about an amendment in its ballot title — but that arguments about wide-ranging effects were only speculation.

“If voters think it is misleading, if voters think it is confusing, they can reject it,” she said.

Arkansas already has a state law that defines marriage, but the Marriage Amendment Committee wants a constitutional protection of traditional marriages in light of what’s happened in Massachusetts, for instance, where a state court overturned that state’s law banning gay marriages.

The Arkansas proposal is one of up to 12 such measures on ballots around the country this year.

In September, Louisiana voters approved a state constitutional amendment banning same-sex marriages and civil unions. This week, an Ohio appeals court refused to throw out petitions to put a proposed constitutional ban on same-sex marriage on the Ohio ballot.

Similar amendments to ban same-sex marriage are on ballots in Georgia, Kentucky, Michigan, Mississippi, Montana, North Dakota, Oklahoma, Oregon and Utah.



Gay activists say they could make a key difference in presidential contests in states such as Pennsylvania, Florida and Ohio. Pro same sex marriage advocates protest outside the John C. Kluczynski federal building in Chicago in this July 12 file photo.  
Photo by John Gress

## Log Cabin Republicans Vote to Withhold Endorsement from Bush

WASHINGTON, DC — Log Cabin Republicans are withholding their endorsement from President Bush for 2004.

“Log Cabin’s National Board has voted to withhold a Presidential endorsement and shift our financial and political resources to defeating the radical right and supporting inclusive Republican candidates for the U.S. Senate and House of Representatives,” said Log Cabin Board Chairman William Brownson of Ohio. The Log Cabin Board of Directors voted 22 to 2 not to endorse the president’s re-election.

“Certain moments in history require that a belief in fairness and equality not be sacrificed in the name of partisan politics; this is one of those moments. The national board’s vote empowers Log Cabin to maintain its integrity while furthering our goal of building a more inclusive Republican Party.

“Log Cabin is more committed than ever to its core mission to build a stronger and more inclusive Republican Party. There is a battle for the heart and soul of the Repub-

lican Party, and that fight is bigger than one platform, one convention, or even one President,” said Log Cabin Republicans Executive Director Patrick Guerriero.

The vote by Log Cabin’s 25 member national board marks the first time since the organization opened a national office in Washington, DC in 1993 that the organization has not endorsed the Republican nominee for President.

Log Cabin endorsed Bob Dole in 1996 and George W. Bush in 2000. Exit polls confirmed that 1,000,000 gays and lesbians voted for Bush/Cheney in the 2000 election, including nearly 50,000 in Florida alone.

Log Cabin will devote its financial and political resources to elect fair-minded Republican allies to local, state and federal offices. Log

See *Log Cabin* on page 20

## Black Gay GOP Group Endorses Bush

On Sept. 22, a fledgling group of black, gay Republicans endorsed George W. Bush for a second term as president, countering the stand taken by the nation’s largest gay and lesbian GOP organization.

The Abe Lincoln Black Republican Caucus (ALBRC), which was founded in 2002 to address the needs of young, black, gay Republicans in Dallas, said the endorsement was fueled by the Log Cabin

Republicans’ refusal to endorse Bush.

“We think that the ‘Republican Tent’ is inclusive and there is room for differences, but one does not pick up their marbles and go home if there are a few points of disagreement,” ALBRC spokesman Anthony Falls said in a prepared statement.

“The ALBRC does not support  
See *Black GOP* on page 20

## MGLCC Sponsoring Second Annual GAYMES

The Memphis Gay and Lesbian Community Center is sponsoring the second annual GAYMES, a week-long series of fun events (some athletic, some not) during the week preceding National Coming Out Day, Oct. 11.

Special guest for the closing ceremony will be former major league baseball player Billy Bean.

The schedule of events as of press-time is as follows:

Sat., Oct. 2

Opening Ceremonies

Gathering and Procession of Athletes. Gather at 3 p.m. at First Congregational Church parking lot. Lighting of the flame and reception at MGLCC.

Bowling Competition at Win-

chester Bowl, 7 p.m. Call Marty at 289-4626 for information.

Sun., Oct. 3

Volleyball Competition at Tobey Park, 3 p.m. Call Chris at 301-7091 for information.

Mon., Oct. 4

Miniature Golf Competition at Putt-Putt Family Park, 7 p.m. Call Len at 857-8523 for information.

Tues., Oct. 5

Tennis Competition, 7 p.m. Call Brad at 458-1675 for information.

Wed., Oct. 6

Scrabble Competition, MGLCC, 7 p.m. Call Heidi at 289-3694 for information.

Chess Competition, MGLCC, 6:30 p.m. Call Len at 857-8523 for information.

Arm Wrestling Competition, MGLCC, 6:30 p.m. Call Marty at 289-4626 for information.

Thurs., Oct. 7

Basketball Competition, YMCA (UofM), 7 p.m. Call Herschel for information at 336-8454.

See *GAYMES* on page 2

# Wake-Up Call Don't Rag on Drag

Commentary by Jon Devin



Halloween refuses to pass without dragging up memories of my first and only experience in drag. It was several years ago, back when good friends of mine owned a mid-town mini-mansion and were in the habit of throwing huge, festive galas, most of which ended groggily in the Jacuzzi around 4 a.m. I'd been a faithful attendee for the Halloween party for years, usually dressed in my best harness and chaps, but then came the year that I decided to join the majority of the party-goers in wearing a dress and heels. It'll be fun or at least funny, I thought.

Not wanting to deal with makeup, hose, or a bra, I went for an image that I assumed would be relatively maintenance-free: Dorothy. I already had a little basket to drape over one arm, and the chestnut, braided wig wasn't hard to come by. The blue, gingham pinafore dress had to be made as I couldn't get my shoulders into any

of the ones found in costume shops. And then came the shoes. Judy Garland would have rolled over in her grave at the sight of my size 12 ruby slippers.

No kidding, I knew I'd look like a frat hazing victim and I did. I refused to shave my legs and goatee for one thing, so Dorothy had a freak hormone problem. Dorothy couldn't walk in heels, either, so rather than skipping down the yellow brick road, she remained fairly immobile massaging her ankles on a bench near the punchbowl.

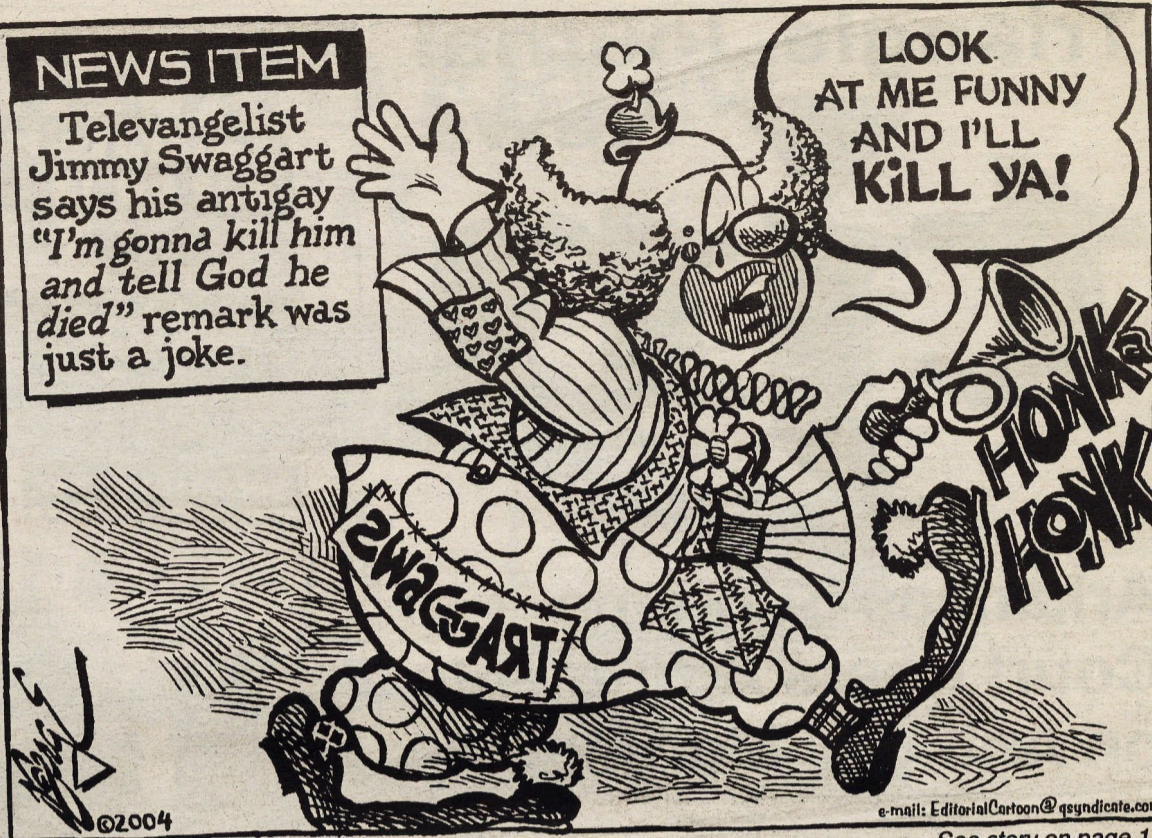
Tragedy nearly struck when someone thought it would be cute for Dorothy to deliver a lit birthday cake via the grand staircase in the foyer. The assembled guests went through three choruses of "Happy Birthday" in the time it took Dorothy to get safely down to the first landing. Someone had to come get the cake at that point.

From then on, no matter how

**Opinions expressed in editorials, commentaries and letters are those of the authors.**

## NEWS ITEM

Televangelist Jimmy Swaggart says his antigay "I'm gonna kill him and tell God he died" remark was just a joke.



e-mail: EditorialCartoon@qsyndicate.com  
See story on page 12

cold it is by the end of October, I stick with wearing leather on Halloween.

I admit being a little confused about why many gay men are so fascinated with women's clothes and fashions. I've watched several friends getting dolled up—a process that takes hours—and all I can say is that it seems to be a lot of fun for them. They help each other with fake eyelashes and hip pads while crowding in front of a mirror. They shave each others' shoulders and chests in a ritual best described as bizarre yet social, but one which holds definite traces of male-bonding nonetheless.

But ultimately, many of us are not satisfied to let people have their fun. I hear this comment a lot: "I'm gay! If I wanted someone who

looks like a woman, I'd marry one." Or worse, some men claim that it outright turns their stomachs.

Does being gay mean signing over one hundred percent to an extreme end on the masculine/feminine continuum? I thought that once you came out and thereby broke every social taboo on the books that you were supposed to be free to live your life on your own terms. If for some that means motorcycles and football games are the preferred forms of recreation, great. If that means satin gloves and mascara, is it any other gay person's place to judge and criticize?

There is the theory that since drag queens tend to get all the media attention, that they are giving the world a false image of who gay

people really are, but let's face it. Anyone who wants find fault with our community, will do so no matter how we are dressed.

More likely, the objection rises from folks who are uncertain of their own personal identity. I think, and this goes for everyone regardless of their sexual orientation, that when you are completely comfortable with every aspect of your life, you are less susceptible to the fear of living up to stereotypes. In a word, relax. Full-length sequins are still prettier than internalized homophobia.

Happy Halloween!

Jon Devin can be contacted at jonathandevin@yahoo.com.

## Triangle Journal News

# tjn

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## Deadline for November 2004

# tjn

## October 15

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## GAYMES

Continued from page 1

**Fri., Oct. 8**

Flag Football at Tobey Park, 6:30 p.m. Call Tonya for information at 262-5557.

**Sat., Oct. 9**

Memphis Front Runners Race at East High track, 9 a.m. Call Sean at 568-7326 for information.

Memphis Blues Bash Softball Tournament, Rodney Baber Fields, 3 p.m. Call Chris at 301-7091 for information.

Pet Best-in-Show Competition, Rodney Baber Fields, 3 p.m.. Call Tammy at 276-4041 for information.

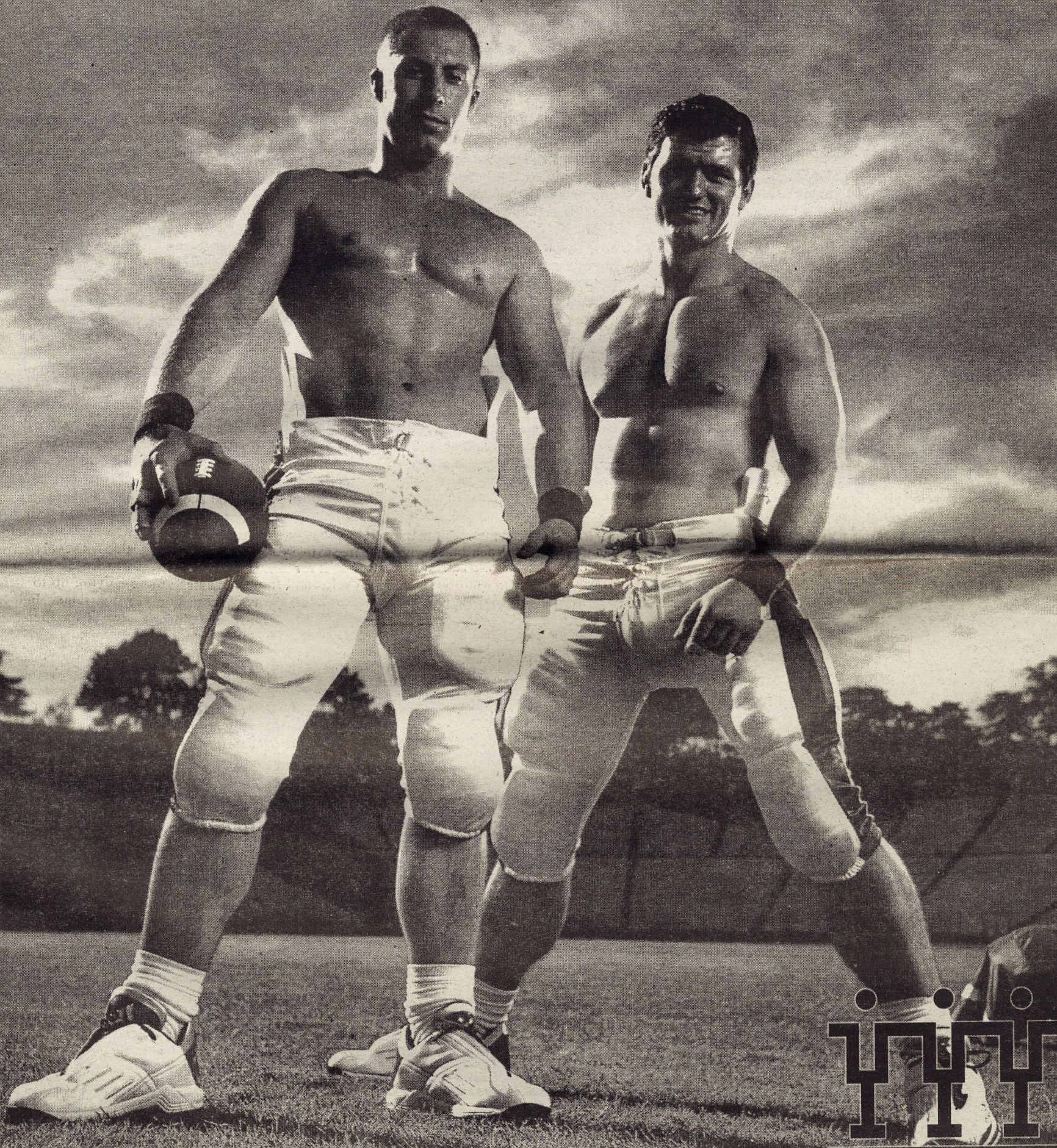
Party with Billy Bean, 8 p.m. Call Len at 857-8523 for information.

**Sun., Oct. 10**

Memphis Blues Bash Softball Tournament continues, Rodney Baber Fields, 3 p.m. Call Chris at 301-7091 for information.

Closing Ceremonies, Backstreet Coliseum, 3 p.m. Billy Bean will present gold, silver and bronze medals.

# PLAY FOR KEEPS



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# QUICK TIPS

By Allen Cook

Welcome to the 15th year of publication for *TJN*, the *Triangle Journal News*. As you may have already noticed, we are sporting a new logo (the dot over the letter "J" is actually a pink triangle, but you won't know that unless you visit our website ([www.memphistrianglejournal.com](http://www.memphistrianglejournal.com))).

One other thing you might notice is the size of some of the ads. As a gift to our loyal advertisers, we upsized the ads of all the advertisers who bought advertising last month and continued it this month. We increased the number of pages this month to compensate and haven't lost any news space. Our thanks go out to those who continue to make this publication possible every month.

Tsarus Leather Club is having a spaghetti dinner on Tues., Oct. 19, at 6:30 p.m. at XY&Z located

at 394 N. Watkins. The cost is only \$5 and includes spaghetti, salad and bread. Drinks are available for purchase.

The Mystic Krewe of Pegasus Memphis is staging a couple of events in October. First is the Fri., Oct. 15 "Turnabout Show" at the Madison Flame. Local entertainers are set to perform in the not-so-usual character.

On Sun., Oct. 24, Pegasus will hold its Halloween Party from 6-9 p.m. at Backstreet

Both the show and party will benefit the Matthew Shepard Foundation.

On Sat., Oct. 30, MGLCC will hold its Halloween Party at the center. Events will include costume contests, apple bobbing, tarot readings, games and prizes for all the kids (yes, kids are invited from 4-6 p.m. while adults are invited from

7-10 p.m.)

The kids will present the items that are being collected all month long at the center for the Friends For Life Pantry.

The board of directors and members of the Memphis Gay and Lesbian Community Center will be honoring the life of Erin Franklin and place her portrait in Benefactor Hall on Sun., Oct. 17, at 4 p.m.

Erin was a very active at the center prior to her tragic death earlier this year.

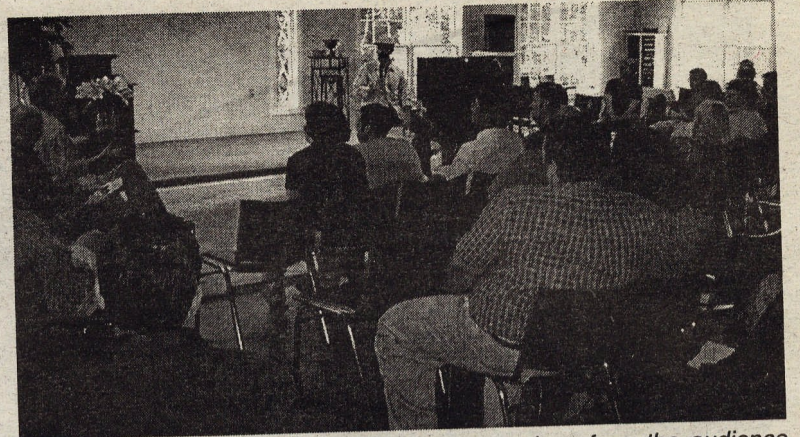
We were sad to hear of the closing of The Other Side in Jackson. Shari Hill said they wanted to keep it open at least until their anniversary on Oct. 6, but apparently that wasn't meant to be.

Shari tells us that there is supposed to be a new GLBT bar opening by the people who bought her equipment, but no date has been announced.

The Other Side was the only gay bar in Jackson and deserves credit for taking a chance that the people of Jackson, Tenn., and the surrounding areas would support it.

We have to admit our curiosity got the better of us and we had to go see Peterson Toscano's *Doing Time in the Homo No Mo Halfway House - How I Survived the Ex-Gay Movement*.

It was both funny and moving



Author/factor Peterson Toscano answers questions from the audience about his experiences in the "ex-gay" movement. His autobiographical one-man show was presented Sept. 26 at Neshoba Unitarian Universalist Church in Cordova.

and gave us an insight into why, as bizarre as it seems to some of us, someone would enter a program to "cure" themselves of being Gay.

Toscano plays all the characters in the performance and seems to have a lock on creating dialects — from Chad, the very effeminate tour guide, through Tex, the butch married number, to the Queens, N.Y., parent and the sort-of-British pastor.

Calling it a *tour de force* might be a little over the top (and certainly a cliché), but it was. Catch this one if he brings it back to a performance space near you.

Of course, the really big thing this October is the return of the Memphis Gaymes, sponsored by the Memphis Gay and Lesbian Community Center.

Taking off from the modest, but satisfying beginning last year, this year's event is bigger and better boasting a week-long set of events.

The Gaymes will begin Sat. Oct. 2, with an opening ceremony and parade of athletes and lighting of the flame at 3 p.m. at MGLCC. The "Parade of Athletes" will begin at First Congo and end at the MGLCC.

After a week of events at venues all over town, the Gaymes will culminate with an awards ceremony at Backstreet Coliseum at 3 p.m. on Sun., Oct. 10.

Former MLB baseball star Billy Bean will be on hand on Oct. 10 to present the

awards.

See the story on page 1 and the *TJN* calendar on page 21 for complete listings at press time.

If you're wondering what happened to OutFlix, the Memphis GLBT film festival, you're not the only one.

Suffice it to say that it's not happening in October this year and it's no longer under the MGLCC umbrella.

John Heizer, the festival organizer, said he'd produce it under his own steam rather than make it a "Blockbuster Night" filled with films you could rent from any video store.

One of the problems he's run into is that Malco wants four times the money they've charged for theatre rental in the past. We'll keep you posted.

Emerald Theatre Company's next production is a gay version of a Dickens classic. *A Queer Carol* will play a Theatreworks Nov. 12-14 and 19-21.

Sources tell us it's definitely a funnier version of *A Christmas Carol*. Will the goose for Christmas dinner still be hanging in the window or will it play out as a bit of stage business? And what of Tiny Tim?

You'll just have to wait until next month to find out who is set to play Ebenezer Scrooge — we've been sworn to secrecy!

A John Stilwell Update: Not much change of late — he's still paralyzed on one side and can't speak coherently as the result of a stroke he had six months ago. The good news is that he's mastered that wheel chair thing and has become very adept at maneuvering around the house during the times I've brought him home.

We had a good laugh together recently while I was visiting him at the rehab center. One of the nursing assistants who, shall we say, filled her scrubs to the bursting point, came out to the courtyard while we were there. She sat down (back to us) on a stool revealing a huge (and not so appetizing) butt crack. We looked at her and back at each other in unison and just started laughing. No words were necessary. She probably thought we were crazy.

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The Presidential Candidates' Positions on LGBT Issues – June 2004

| CANDIDATE      | SEXUAL ORIENTATION NON-DISCRIMINATION | GENDER IDENTITY NON-DISCRIMINATION | HIV/AIDS PREVENTION & TREATMENT | LIFTING MILITARY BAN | INCLUSIVE HATE CRIMES LAWS | SOCIAL SECURITY SURVIVOR AND SPOUSAL BENEFITS | DOMESTIC PARTNERSHIP | CIVIL UNIONS | MARRIAGE | ADOPTION | LGBT-SUPPORTIVE EDUCATION POLICY | FEDERAL MARRIAGE AMENDMENT <sup>1</sup> |
|----------------|---------------------------------------|------------------------------------|---------------------------------|----------------------|----------------------------|---|----------------------|--------------|----------|----------|----------------------------------|---|
| George W. Bush | Opposes                               | Unclear                            | Opposes <sup>2</sup>            | Opposes              | Opposes                    | Unclear                                       | Unclear <sup>3</sup> | Opposes      | Opposes  | Opposes  | Unclear                          | Supports                                |
| John Kerry     | Supports                              | Opposes                            | Supports <sup>4</sup>           | Supports             | Supports                   | Supports                                      | Supports             | Supports     | Opposes  | Supports | (-)                              | Opposes                                 |

(-) = Has Opposed (in a single 1993 or 1994 vote)

Unless otherwise noted, all responses are based on National Gay and Lesbian Task Force Policy Institute survey (2003, April). Available at: <http://www.nglft.org/downloads/CandidatesReport.pdf>

<sup>1</sup> Chibbaro, L. (2003, September 19). Dem candidates oppose marriage amendment: NGLTF hails Clark as 'another pro-gay moderate.' *Washington Blade*. Retrieved December 17, 2003, from <http://www.washblade.com/2003/9-19/news/national/demcan.cfm>

<sup>2</sup> The Bush Administration has a mixed record on HIV/AIDS issues. While the President last year proposed a dramatic increase in funding for international prevention funding for domestic HIV/AIDS prevention has remained level. Bush has aggressively promoted abstinence-only-until-marriage both domestically and in Africa. Congress and the Administration have investigated AIDS service organizations for alleged obscenity violations, and investigated sex research through the National Institutes of Health.

<sup>3</sup> In 2000 Bush said, "In the private sector [domestic partner benefits] are perfectly fine." On the governmental level, he said, the decision should be left up to cities and states. As governor however, Bush did nothing to advance domestic partner benefits, and in October 2003 he endorsed Marriage Protection Week, which opposed any form of partner recognition for gay couples. Bush has not indicated whether or not he supports domestic partner benefits for same-sex partners of federal employees. Mitchell, A. (2000, April 14). Bush talks to gays and calls it beneficial. *The New York Times*. p. A26. Such a bill was introduced into Congress in 2003.

<sup>4</sup> Kerry's otherwise supportive record on this issue includes a 1993 vote to prevent people with AIDS from immigrating to the U.S. AIDS activists described Kerry as one of Congress's top leaders on AIDS policy issues.

## Justices Say They'll Stay on Gay Marriage Case

LITTLE ROCK (AP) — Two Arkansas Supreme Court justices say they will remain on the bench to hear a challenge to a proposed constitutional amendment that would ban same-sex marriages.

On Sept. 7, the Arkansas Marriage Amendment Committee, which backs the proposal, alleged *Justices Robert L. Brown and Anabelle Clinton Imber* have potential conflicts of interests and asked them to recuse from hearing the case.

The motions said Brown should step aside because he wrote an article praising a 2002 court opinion that decriminalized sodomy. They said Brown was supporting a purely policy-driven decision in

support of gay rights.

The motions also asked Imber to recuse herself because she once worked at the same law firm as a heterosexual man who has joined the plaintiffs in the lawsuit against the ballot initiative.

The justices, without explanation, said they would not step down from hearing arguments in a lawsuit that seeks to knock the proposal off the Nov. 2 ballot.

Martha Adcock, an attorney for the committee, said she is confident the justices would be impartial. Had they stepped down, Gov. Mike Huckabee would have named replacements to hear the case. Huckabee backs the amendment.

See these pages in COLOR on....

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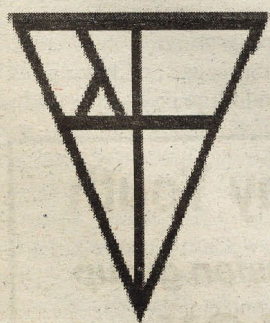


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## ATTENTION TRIANGLE JOURNAL READERS!

**WARNING! Don't Even Think About Speaking To A Dentist ... Until You Know The 10 Questions You MUST Ask A Dentist BEFORE Choosing One!**

**Memphis, Tn** - If you are currently looking for a new dentist, then you must read this article, as it may be the most important thing you've ever read! When it comes to selecting the right dentist, most people find themselves confused, frustrated and feeling like they're taking a stab in the dark! After all, who taught you:

### How To Choose The Right Dentist?

It's a tough choice for most of you, because none of us are taught the TRUTH about the advancements in dentistry, let alone how to pick the right one to help you out and to make sure you are getting one that is up to speed with all the training in pain free methods, cosmetics, and latest advancements dental implants and denture: If you're like most people, you're scared and nervous, wondering things like:

- How do I know this person is really any good?
- How can I tell before I walk in, if it's going to be a practically pain free experience?
- Is he/she an expert at cosmetic dentistry?
- What questions should I ask them?
- Should I believe their suggestions?
- Are they just trying to sell me or get me to spend more money with them?
- Will this person rip me off?
- How much say do I have when it comes to making the best decisions for my own dental health?
- Will I have ALL the options to weigh before making decisions?

And the list goes on! Admittedly, how to choose the right dentist for you and your family is harder than knowing you need to choose one in the first place! In fact, one of the biggest questions people face is:

### How To Know If They're Working In YOUR Best Interest Or For Their Own Best Interest!

This may not surprise you, but there are some people out there who are working for their own greedy personal gain, at YOUR expense! This is disgusting and it's wrong, but it happens. It's a reality we all have to accept. The truth is there are as many good dentists as there are bad ones, Just like in any profession. The task for you is to know how to...

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# Reality TV Representations Surge; Network LGBT Characters Drop to Lowest Levels Since 1996

LOS ANGELES — In its annual analysis of the fall television season, the Gay & Lesbian Alliance Against Defamation (GLAAD) commended cable dramas and the reality genre for their inclusion of gays and lesbians, while sharply criticizing the broadcast networks for the lowest number of gay characters in scripted programming since GLAAD started tracking them in 1996.

"When you turn to cable and reality TV, you see us — our lives, our relationships, our diversity," said GLAAD Executive Director Joan M. Garry. "But when you turn to network comedies and dramas, you're seeing portraits of an America where gay people and families are nearly invisible. That's not the America we live in."

GLAAD's 2004-05 "Where We Are on TV" section, detailing lesbian, gay and bisexual characters and representations on primetime television (there are no transgender characters on TV this season), is available at <http://www.glaad.org/eye/ontv/index.php>.

In addition to Bravo's Emmy-winning *Queer Eye for the Straight Guy*, this fall has a strong line-up of inclusive reality shows, with two lesbian contestants on CBS' *Survivor: Vanuatu*, a gay couple on Fox's home renovation competi-

tion *The Complex: Malibu*, and two gay housemates on MTV's *The Real World: Philadelphia*. Other reality shows that feature openly gay participants include, among others, ABC's *The Benefactor*, UPN's *Amish in the City* and Showtime's *American Candidate*.

However, the surge in inclusive reality TV representations (and the corresponding rise in reality programming) is offset by the continuing under-representation of lesbian, gay, bisexual and transgender (LGBT) characters on broadcast network scripted series — with only five gay male characters and one lesbian character in 2004. This year there is only one new gay character in primetime: George (played by Patrick Breen in a supporting role), a nanny who works for the title character in UPN's high-profile Taye Diggs-starrer *Kevin Hill*.

In sharp contrast, cable dramas (such as HBO's *The Wire*, FX's *Nip/Tuck* and The N's *Degrassi: The Next Generation*, with a total of 15 gay male, nine lesbian and two bisexual female characters, continue to break new ground in textured, three-dimensional storytelling — though on programs with smaller audiences than the broadcast networks.

GLAAD's analysis also found:

- A decline in gay people of color representations on scripted network TV. Only one gay character of color (Adam, an Asian Pacific Islander on UPN's *Half & Half*) appears on scripted network TV this year. By comparison, there are six gay and lesbian characters of color on scripted cable shows, and reality programs *The Benefactor*, *American Candidate*, *The Real World*, and *Queer Eye* also feature a total of five gays and lesbians of color.

- The invisibility of gay and lesbian couples and families on scripted network TV. The cancel-

lation of ABC's groundbreaking *It's All Relative* leaves scripted network primetime without representations of same-sex couples and families.

- The potential for more defamatory exploitation in the reality genre. Despite Fox's decision in May to shelve the homophobic *Seriously, Dude, I'm Gay* — which featured two men forced to fool others into thinking they were gay though a series of humiliating tasks — GLAAD remains concerned about reality programs that mimic the concepts, but not the spirit, of hit

shows like *Queer Eye*. "We're all aware that the words 'reality TV' and 'boundaries' don't typically go together," said Stephen Macias, GLAAD's entertainment media director. "But as we saw with *Seriously, Dude, I'm Gay*, some producers are willing to turn us into objects of ridicule and, in doing so, place gay people in harm's way. *Seriously, Dude* made it clear: there must be boundaries, and GLAAD will continue to keep a watchful eye on the reality genre."

## Christian Broadcasting Network Responds to Allegations

LOS ANGELES (AP) — The world's largest Christian broadcasting network responded Sept. 22 to recent news articles about its operations and once again denied a claim by a former employee that he had a homosexual affair with its founder.

The Trinity Broadcasting Network issued a press release claiming that articles published by the *Los Angeles Times* failed to accurately depict the Costa Mesa-based organization in a fair light.

"The newspaper's publisher has its own agenda," said TBN spokesman Colby May. "Its reporting has been selective and subjective."

The *Times* did not immediately provide a response to the network's statements.

The strong response from the Christian TV network comes after recent stories by the *Times* that showed its founder, Paul Crouch and his wife, Jan Crouch, earn more than \$750,000 together in salaries and have an array of luxuries at their ready, including a TBN-owned jet and 30 homes across the United States.

The Orange County-based network collects more than \$120 million a year from viewers in dozens of countries and it maintains much of the money helps the needy.

The network in its statement defended its financial practices and said long-term contracts and capital projects require extensive cash reserves.

The newspaper also reported Crouch, 70, has sought repeatedly to prevent a former male employee from going public with allegations of a sexual encounter between them in 1996.

Crouch reached a \$425,000 settlement in 1998 with the former worker, who threatened to sue over claims he had been unjustly fired from the network.

Crouch later won a closed-door ruling against the employee, Enoch Lonnie Ford, 41, after Ford tried to violate a provision of the settlement that barred him from

discussing the alleged encounter, the newspaper said.

Ford, however, told the *Los Angeles Times* that he believes TBN officials breached the agreement by issuing a statement responding to the *Times* story about the ministry's attempt to silence him.

Ministry attorneys asked a judge to prevent the story from running, claiming that a *Times* reporter "aided and abetted" Ford in violating the court order.

Orange County Superior Court Judge John M. Watson rejected TBN's request.

The *Times* reported that Ford, an openly gay man, claims that in October 1996 Crouch took him to a TBN-owned cabin near Lake Arrowhead where the pastor allegedly had sex with him.

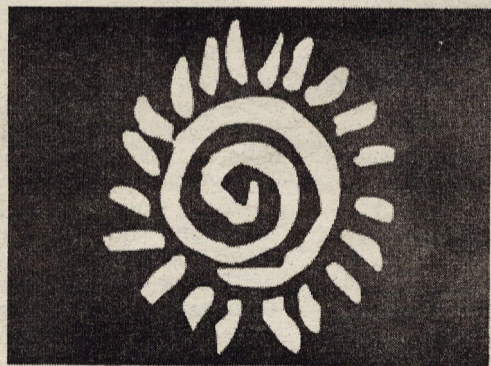
"I did it because I didn't know if this man is going to throw me straight out of that cabin," Ford told the *Times*. "And I didn't want to lose my job. I was going to be in trouble if I said no."

Ford also claimed Crouch told him the ministry would pay off about \$17,000 of his debts. Ford believes Crouch was trying to pay him off. Ministry officials confirmed that the ministry paid at least some of his debts.

The network in its news release said that Ford's claims were "false accusations" made by "a convicted child molester and drug user as part of a wrongful termination claim." Ford has prior convictions, including for cocaine use and having sex with an underage boy.

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## Dick Dialogues Aims to Awaken the Male Spirit

NASHVILLE. — Dick Dialogues, a gay, bisexual and gay/bisexual men's retreat, will take place on Oct. 22-24, 2004 at Natchez Trace State Park.

The third annual event is geared toward providing a wide range of events for participants that enable them to meet other men and develop healthy intimacy.

A variety of activities are scheduled throughout the weekend, including group dialogues, movies, games, meditation, arts and crafts, sports, hiking and more.

Discussion topics range from spiritual paths and father/son relationships to same-sex marriage and living with HIV.

The purpose of the weekend is to provide men with a relaxed atmosphere to build friendships and expand their minds in a non-threatening environment.

"I worked to create Dick Dialogues because I wanted a place to go and meet other guys without loud music, lots of attitude, or it being another fundraiser or com-

mittee meeting," said Jim Hawk, founder of the event.

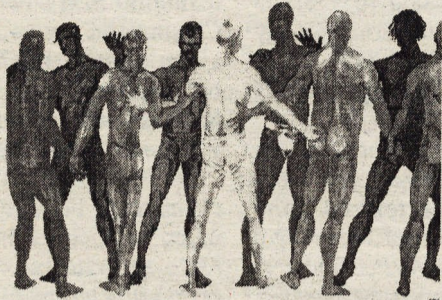
Dick Dialogues is open to men 18 and older from all walks of life, regardless of ethnicity, religion, political preference, body shape, economic condition or HIV status.

The event is designed to attract a variety of participants to create a shared experience.

"I think our major accomplishment is creating a safe space for ourselves where we explore who we are, who our communities are, and share our experiences as gay men," said Mark Hubbard, member of the Dick Dialogues planning team.

Registration for the event is \$150, which includes meals and accommodations and most camp activities (some may require additional fees).

For more information or to register, log on to [www.dickdialogues.org](http://www.dickdialogues.org) or contact Phil Michael Thomas at 615-361-8444 or via e-mail at [registrar@dickdialogues.org](mailto:registrar@dickdialogues.org). ###



**dick dialogues**

## Man Who Protested Gay Pride Parade Found Guilty of Harassment

CONWAY, Ark. (AP) — A Greenbrier farmer who pleaded innocent after admitting that he dumped three tons of manure on the route of a gay pride parade to protest the event has been found guilty of misdemeanor harassment.

Wesley Bono, 35, was ordered Sept. 16 to pay \$639.09 in restitution and \$90 to the person from whom he had borrowed the manure spreader for the impound fee. The judge also imposed a \$500 fine and court costs.

Bono also was sentenced to 30 days in jail, but the judge suspended the sentence as long as Bono makes his payments on time.

Afterward, Bono remained unrepentant.

Conway District Judge Jack Roberts said Bono's action may have been a protest, but it was "self-gratifying." He said free speech rights have to be expressed properly and were not absolute.

He said Bono's deeds qualified as "acts that alarm or seriously annoy another person and that serve no legitimate purpose."

Bono testified that he spread the manure in front of the home of the gay couple that organized the June 27 parade to protest the city's permitting the event on a Sunday morning. He said he wasn't trying to harass the organizers.

"I didn't want a bunch of gay guys lined up in front of all the people at church," Bono testified. "I didn't do this as a hate crime. If I was going to do it as a hate crime, I'd get it done."

His rambling testimony also included allusions to child rape and cross-dressing.

Parade organizers John Schenck and Robert Loyd testified.

Schenck said he received threats after the parade and "I got really scared." Loyd characterized his feeling on waking up to the mess as "somewhere between anger and hate."

"It was pretty disgusting," he said.

After the trial, Loyd expressed dissatisfaction with the sentence, saying that he and Schenck had expected at least some community service to discourage other "wrong-minded, like-minded" people.

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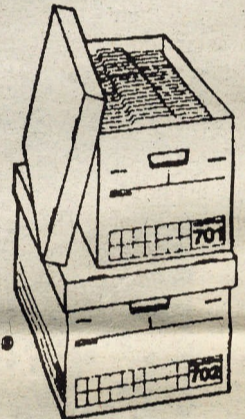
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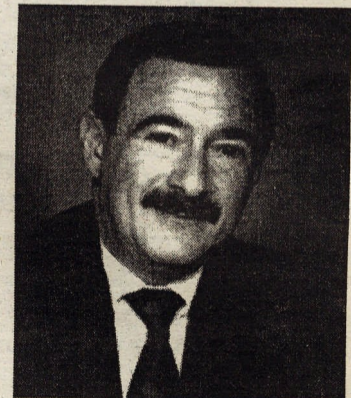


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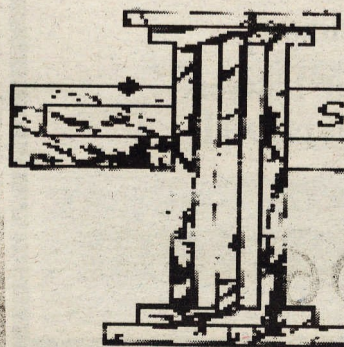
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# Judge Refuses to Grant Special Election to Replace Resigning New Jersey Governor

By Tom Bell  
Associated Press Writer

TRENTON, N.J. (AP) — A federal judge on Sept. 15 refused to order a special election to replace Gov. James E. McGreevey, who announced that he is gay and would step down Nov. 15.

U.S. District Judge Garrett E. Brown Jr. dismissed a lawsuit that claimed McGreevey had effectively created a vacancy by announcing his resignation. Brown said there is no vacancy to fill because McGreevey has not left office.

"He clearly intends to hold office until Nov. 15, 2004. The requirement of holding a special election does not arise. The rights of registered voters are not being violated," Brown said.

The lawsuit, filed by two

Princeton lawyers, argued that by staying in office until there is not time enough to schedule a special election, McGreevey is depriving voters of their constitutional rights.

McGreevey called a news conference in August to say he had an extramarital affair with a man and would resign.

Under state law, if McGreevey had left office before Sept. 3, a special election would have been called for Nov. 2. But now, Senate President Richard J. Codey, a fellow Democrat, will succeed McGreevey as acting governor until the term expires in January 2006. The state has no lieutenant governor.

In his ruling Brown detailed definitions of the word "vacancy," using several types of dictionaries. Under every definition he could find, the state has no vacancy because McGreevey has not left of-

office, Brown said.

Bruce Afran, one of the lawyers who filed the lawsuit, said he would argue again in state Supreme Court that the state is violating the public's right to vote for a replacement.

"I am quite shocked that a U.S. district court judge decides a dictionary is more important than the United States Constitution," Afran said afterward.

Assistant Attorney General Stefanie Brand said Brown's decision appeared to be final.

"I thought it was clear and logical," Brand said.

McGreevey has not changed his plan to resign and was pleased by the ruling, spokesman Micah Rasmussen said.

"We appreciate the judge's thoughtful decision," Rasmussen said.

# Family-values Orgs Seek Boycott of Crest and Tide

CINCINNATI (AP) — Two family-values organizations are calling for a boycott of two Procter & Gamble Co. products because the organizations say P&G is tacitly supporting gay marriage.

The American Family Association, of Tupelo, Miss., and Focus on the Family, based in Colorado Springs, Colo., said they urged their supporters to refuse to buy Crest toothpaste and Tide detergent, two of P&G's biggest selling products.

P&G spokesman Doug Shelton said the organizations have wrongly characterized the company's support of repealing a Cincinnati charter amendment to mean that it is supporting same-sex marriage.

P&G has given \$10,000 in support of a Nov. 2 ballot issue for repeal of a 1993 city charter amendment that forbids Cincinnati to enact or enforce laws based on sexual orientation. P&G said it believes the amendment makes it harder to attract visitors and potential employees to Cincinnati and that it subjects gay people to potential discrimination in workplaces and housing.

Federated Department Stores Inc., a Cincinnati-based corporation that owns the Macy's, Bloomingdale's and Goldsmith's department stores, also has given \$20,000 in support of the campaign.

"P&G has not supported gay

marriage. The definition of marriage is a subject that will be debated and decided by voters," Shelton said. "We've not taken a position on that — and we won't."

Activists say the amendment, upheld on appeal to the U.S. Supreme Court in 1998, denies special legal protections to gays and lesbians. Sixty-two percent of Cincinnati's voters approved the amendment in 1993. The Nov. 2 ballot issue is the first time voters have had an opportunity to decide whether to keep or repeal it.

James C. Dobson, founder and chairman of Focus on the Family, urged listeners of his syndicated radio show to boycott the P&G products. Dobson said P&G's statements and policies support the gay-activist notion that restricting marriage to one man and one woman is discriminatory.

"For Procter & Gamble to align itself with radical groups committed to redefining marriage in our country is an affront to its customers," Dobson said.

The American Family Association has established a Web site in support of the protest.

"Procter & Gamble, to my knowledge, is the first corporation in this country that has given money for a political campaign pushing the homosexual political agenda," said the Rev. Donald E. Wildmon, founder of the American Family Association.

## ARRESTED?



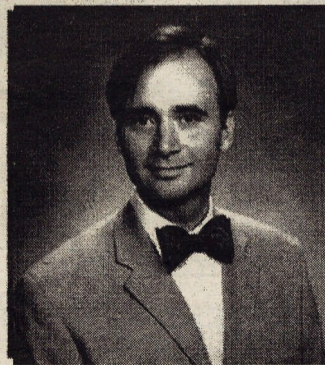
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# Dallas Newspaper Sued Over Identifying HIV-positive Man

By David Koenig  
AP Business Writer

DALLAS (AP) — A church volunteer is suing an alternative weekly newspaper for up to \$1.1 billion in damages, charging the publication violated a Texas law when it reported that he is HIV-positive without getting his permission.

The *Dallas Observer* identified the man in a December article about a preacher who led the Cathedral of Hope, a once-booming gay and lesbian church in Dallas that has struggled with financial problems, internal strife and a steep decline in membership.

The man doesn't dispute that he has the virus that causes AIDS, but he contends the newspaper broke a state law that forbids disclosure of medical test results without a patient's written consent, except to government health agencies.

Defense attorneys say the privacy law cited by the man applies to hospitals and insurance companies, not media organizations. They have asked the 192nd District Court to throw out the case, and a hearing on the request is scheduled for Oct. 19.

"The information in the article is true, it was obtained lawfully, and importantly, the information was not private," said James Hemphill, a lawyer for the newspaper.

The man, named John Doe in the lawsuit, sued the newspaper; its parent company, Phoenix-based New Times Inc.; J.D. Sparks, a freelancer who wrote the article; and Jean Morris, the former church official who told the newspaper Doe was HIV-positive.

The medical privacy law permits civil penalties of \$5,000 to \$10,000 for each violation. In the lawsuit, filed in April, the plain-

tiff asked for \$550,000 to \$1.1 billion in damages, based on the free newspaper's circulation of 110,000.

"Naming him didn't add anything to the story," said one of the man's attorneys, Jennifer Poe. "The newspaper wasn't thinking about what impact this could have on someone afflicted with this disease. They didn't appear to care."

The newspaper's lawyers argue that the *Observer's* right to publish information of public interest — in this case, charges that officials at a tax-exempt church added volunteers such as Doe to its health insurance policy against church policy — outweighed Doe's privacy right under the Texas law.

Punishing the newspaper for publishing public information would infringe on the First Amendment protection of a free press, Hemphill said.

Hemphill added that the man had already disclosed his HIV status on a CD by "Positive Voices," an openly HIV-positive chorale group, which included his photograph and name.

The man's lawyers said despite the CD, the Texas law still gives him power over disseminating results of his medical tests. They said the newspaper made no attempt to get his written permission to publish his HIV status — a charge that the *Observer* denies.

However, another Doe lawyer, James N. Henry Jr., said the law served a greater good by banning disclosure of positive HIV and AIDS tests.

"If people are worried about disclosure, they won't get tested," he said. "Then you're going to have much greater spread of this infection."

# Conservatives Opposed to Abortion, Gay Marriage Aim for Supreme Court Changes

By Will Lester  
Associated Press Writer

WASHINGTON (AP) — Christian conservatives are casting a wider net this year in their search for likely voters — especially conservative ones — by asking people on the phone how they feel about same-sex marriage as well as their views on abortion, a standard question in previous election cycles.

"The federal marriage amendment will be an important issue in the states it's on the ballot," Roberta Combs, president of the Christian Coalition of America, said during an election training conference for activist members. "It will have an impact on us getting out the vote."

Proposals on amendments on gay marriage are expected to be on the ballot in 11 states, including the swing states of Arkansas, Oregon, Michigan and probably Ohio. Those people who say they are likely to vote and who oppose abortion and favor traditional marriage will be heavily recruited by the coalition on Election Day.

The coalition hopes to help re-elect President Bush and add a handful of conserva-

tive U.S. senators who will support its agenda. The ultimate goal is loftier: changing the U.S. Supreme Court and the federal judiciary.

The coalition is finishing interviews of lawmakers for its voter guides, which national field coordinator Bill Thomson called the "B-2 bomber" in its arsenal. Combs wasn't ready to say exactly how many coalition voter guides will be printed. The group handed out 70 million in 2000.

Politicians are being asked a number of questions, including whether they support a constitutional amendment that effectively bans gay marriage. Their views on abortion, late-term abortions and measures to protect children from online pornography are being sought as well.

Voter guides don't advise people how to vote but provide opposing candidates' positions on issues important to conservative voters.

A more conservative Senate, backed by a second Bush term, could allow the appointment of two or three conservative justices to the Supreme Court to join Justices William

See Supreme Court on page 10

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# Study Looks at Gays in the Military

By Diane Scarponi  
Associated Press Writer

NEW HAVEN, Conn. (AP) — Brian Hughes served four years with an Army Ranger unit, including assignments in Afghanistan and Iraq, while keeping his homosexuality — a potentially career-ending sexual orientation — secret.

Hughes, 26, left the Army in August in part because of his frustration with the military's "don't

ask, don't tell" policy, which allows homosexuals to serve so long as they do not disclose their sexual orientation and do not engage in homosexual acts.

He is one of 30 homosexual servicemen and servicewomen profiled in an unscientific survey released earlier this month by the University of California, Santa Barbara about the impact of "don't ask, don't tell" on gay soldiers serving in Iraq and Afghanistan.

Now enrolled at Yale Univer-

sity, Hughes said the policy forced him to lie to other members of his unit, who frequently bragged about their sexual exploits. Hughes said he found himself substituting "she" for "he" in stories so he could join in conversations.

"It hurt. I was lying to those people," he said. "I eventually withdrew and became quite anti-social because I didn't want to deal with it anymore."

Hughes and study author Nathaniel Frank traveled this week

to Washington, D.C., to meet with congressional staffers to encourage an end to the 11-year-old policy.

The survey, conducted through UC Santa Barbara's Center for the Study of Sexual Minorities in the Military, does not question heterosexual service members about serving alongside gay and lesbian soldiers. It does, however, provide a snapshot of what it's like to be gay and serving in a combat zone.

Some service members who were part of the survey said in interviews that they came out to their colleagues about their sexual orientation despite the policy. Some were discharged when their homosexuality became known; others continued to serve.

Derek Sparks, who now works in information technology in Seattle, was discharged in 2002 after the Navy learned he was gay. Some gay friends on his ship were investigated, and he acknowledged his homosexuality to his commanding officer during the probe.

"All the policy meant to me at the time was that I still had to hide," said Sparks, who enlisted in 1987. "I think they should get rid of it. I think it's ineffective. All it does is put more stress on people."

Sparks and many of the service members interviewed in the survey said most of their younger colleagues accepted their homosexuality, but older military leaders did not.

Wendy Biehl, 28, who served eight years in the Army in Kuwait,

Kosovo, Bosnia and Germany, came out to a few friends she trusted, but kept her homosexuality a secret from commanders.

Some colleagues suspected she was a lesbian, and they tried to find out for sure by skirting the "don't ask" policy. They would ask whether she ever went to a local lesbian bar or would drive around to see if her truck was parked near the bar.

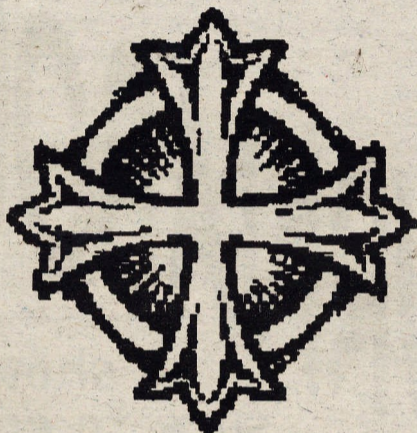
"Some guy friends would claim they were my boyfriend. That kind of helped out a little bit. It helped keep certain people off my back," Biehl said.

Biehl now sells metal detectors in Florida. She said the "don't ask, don't tell" policy was a big reason why she chose not to re-enlist. "I really wasn't happy hiding who I really was, and it gets frustrating after a while," she said.

The Department of Defense has heard of no such criticisms and believes the "don't ask, don't tell" policy works as intended, said Army Lt. Col. Joe Richard, an agency spokesman.

The survey, he said, is based on anecdotal information from individuals and does not look at the effect on the military as a whole, which has determined that homosexuality is not compatible with good order and discipline.

"It is a policy that is generally in the best interests of the military services. You have to go beyond the individual. That's our position," he said.



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## Supreme Court

Continued from page 9

Rehnquist, Clarence Thomas, Antonin Scalia.

"If you asked people in this group their top priority, the first thing they would say is changing the U.S. Supreme Court," said Jim Backlin, a legislative lobbyist for the coalition.

"These people want Roe v. Wade overturned and that authority returned to the states," Backlin said. The case of Roe v. Wade resulted in a landmark ruling in 1973 guaranteeing women the right to abortion.

While many in the Christian Coalition expressed confidence that Bush will win re-election, they're taking nothing for granted. Those supporting Democratic candidate John Kerry are highly motivated, said Spencer Banks, an Atlanta businessman, so it's dan-

gerous to assume Bush will win.

Jody Anderson, a nurse from Fort Worth, Texas, said she's concerned some Christian conservatives may stay home on Election Day because they have been disappointed that Bush hasn't taken a public stand on some conservative issues like the dispute over displaying the Ten Commandments at an Alabama courthouse.

Thomson, a former Marine, used military imagery to fire up the Christian Coalition activists to get out the vote.

"Never allow the enemy to block you," Thomson urged them. "Get around them, run over the top of them, destroy them — whatever you need to do so that God's word is the word that is being practiced in Congress, town halls and state legislatures."



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# Louisiana Voters Approve Same-sex Marriage Amendment; Opponents Promise Court Challenge

By Kevin McGill  
Associated Press Writer

NEW ORLEANS (AP) — Louisiana voters overwhelmingly approved a state constitutional amendment banning same-sex marriages and civil unions, one of up to 12 such measures on the ballot around the country this year.

With 99 percent of precincts reporting, the amendment was winning approval with 78 percent of the vote, and support for it was evident statewide. Only in New Orleans, home to a politically strong gay community, was the race relatively close, and even there the amendment was winning passage.

Turnout statewide appeared to be about 27 percent of Louisiana's 2.8 million voters, somewhat low for a state election.

Christian conservatives had conducted an intense grassroots lobbying campaign for the amendment, which had been expected to pass easily. The civil rights group Forum for Equality had already promised legal action against it.

"It's gratifying to see the people of Louisiana had an opportunity, as distinguished from judges, having the final say on the issue of whether traditional marriage will continue to be the fundamental institution in our state," said Darrell White, a retired state judge and consultant

for Louisiana Family Forum, which pushed for the amendment.

John Rawls, a lawyer for Forum for Equality, reiterated the group's contention that the amendment does far more than stop gay marriage and that it could affect many private contracts between unmarried couples, gay or straight — a claim its supporters dispute.

"I am disappointed that so many Louisianians either did not read the amendment or are so afraid of gays that they voted for this amendment anyway," Rawls said.

Louisiana already has a law stating that marriage can be only between a man and woman, but supporters of the amendment want to protect that law in the Constitution. The amendment also would prohibit state officials and courts from recognizing out-of-state marriages and civil unions between homosexuals.

Rawls said there were many possible grounds for challenging the results in state and federal court. One appeared when voting machines were delivered late to some New Orleans precincts, keeping some from casting ballots for hours.

State director of elections Frances Sims said at least 59 precincts did not have voting machines when polls opened because officials with New Orleans' clerk of court's office failed to meet drivers who tried to deliver the machines in the morning. The problem was solved by midday.

Similar amendments to ban

same-sex marriage are on ballots in Arkansas, Georgia, Kentucky, Michigan, Mississippi, Montana,

North Dakota, Oklahoma, Oregon and Utah. Petitions in Ohio are still being verified.

## Idaho's High Court Issues Mixed Decision On Gay Father's Custody

By Chuck Oxley  
Associated Press Writer

BOISE, Idaho (AP) — The Idaho Supreme Court on Sept. 21 ruled that sexual orientation should not be the basis for custody decisions, but still denied a gay father's bid for custody.

Gay-rights advocates hailed the decision as a guide for future custody cases, but expressed disappointment that it did not help Theron McGriff gain custody of his two daughters.

The court said in a prepared statement that sexual orientation should be considered for custodial purposes only if the orientation is shown to cause harm to the child.

"Sexual orientation, in and of itself, cannot be the basis for awarding or removing custody," the court said.

But in its 4-1 ruling, the Supreme Court said there was still sufficient evidence to support a county magistrate's 2002 conclusion that McGriff's ex-wife, Shawn Weingartner, was best suited for sole custody of the children.

The high court agreed with the magistrate that McGriff's children were having difficulty handling joint custody arrangements, and that the Idaho Falls man's refusal to communicate directly with his ex-wife provided a sufficient basis to consider changing the custody arrangement.

The magistrate ruled that McGriff can see his daughters only if he does not live with his male partner of eight years. That restriction stands.

Weingartner said she feared the children would suffer backlash from the conservative, heavily

Mormon town because of their father's sexuality, and that she wanted McGriff to undergo counseling over how to present his lifestyle to the girls.

McGriff claimed homosexuality should be given no more weight when determining child custody than other factors such as religion or health.

McGriff's legal advisers, the National Center for Lesbian Rights, said he was unable to speak with reporters.

"He's too upset to talk to the press today. He's devastated," said Shannon Minter, an attorney with the San Francisco-based organization.

"The Idaho Supreme Court has articulated a wonderful principle which, going forward, will protect gay and lesbian parents," Minter said. "But they turned a blind eye to the record in this case."

Minter said the Idaho court is the first state court to address sexual orientation in a custody proceeding since the Supreme Court's landmark 2003 ruling that found bans on gay sex to be unconstitutional.

Marie Tyler, an attorney for Weingartner, said her client was pleased with the decision.

"The court saw the issue as we saw it," Tyler said. "I have felt all along that this was a case of child custody rather than gay rights."

Tyler said McGriff still has substantial and unsupervised time with his daughters, including many weekends, holidays and summer vacations.

The lone dissenter in the decision, Justice Wayne Kidwell, wrote that the lower court abused its discretion by considering McGriff's sexual orientation at all.

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## Jimmy Swaggart Apologizes After Remark About 'Killing' Gay Man

BATON ROUGE, La. (AP) — Christian evangelist Jimmy Swaggart apologized Sept. 22 for saying in a televised worship service that he would kill any gay man who looked at him romantically.

A complaint was filed with a Canadian broadcasting group and Swaggart said his Baton Rouge-based Jimmy Swaggart Ministries has also received complaints from gay groups over the remarks made Sept. 12.

In the broadcast, Swaggart was discussing his opposition to gay marriage when he said "I've never seen a man in my life I wanted to marry."

"And I'm going to be blunt and plain: If one ever looks at me like that, I'm going to kill him and tell God he died," Swaggart says, to laughter and applause from the congregation.

Swaggart said he's jokingly used the expression "killing some-

one and telling God he died" thousands of times, about all sorts of people. He said the expression is figurative, and not meant to harm.

"It's a humorous statement that doesn't mean anything. You can't lie to God — it's ridiculous," Swaggart told The Associated Press. "If it's an insult, I certainly didn't think it was, but if they are offended, then I certainly offer an apology."

One complaint was sent to the Canadian Broadcast Standards Council, a self-regulating industry group that enforces broadcast standards, after a Toronto television station broadcast the service, said Ann Mainville-Neeson, the group's executive director.

Audio recordings of the Sept. 12 statements have circulated on gay-themed Web sites.

Gay rights advocates have said comments such as Swaggart's encourage violent hate crimes. Cheryl

Jacques, head of the Washington, D.C.-based Human Rights Campaign, which represents homosexuals, bisexuals and transgendered people, said she wanted Swaggart to add to his apology by preaching that all Americans should be treated equally.

"Apologies don't discourage violence — action does. We hope that he takes action," Jacques said. "His language only encourages an environment where hate crimes occur."

Swaggart was a popular television evangelist during the 1980s until a 1987 sex scandal involving a prostitute that he met in a seedy New Orleans motel. Swaggart never confessed to anything more than an unspecified sin. A few years later, he was stopped by police while driving in California with a suspected prostitute in his car.

## Angels In America Wins Record 11 Emmys

By Lynn Elber  
AP Television Writer

LOS ANGELES (AP) — HBO showed its muscle at the Emmys with *The Sopranos* becoming the first cable series to win best drama and *Angels in America*, the miniseries about the AIDS crisis,

getting a record-setting 11 trophies. The premium cable channel received more than triple the awards of its next closest competitor.

*Angels in America*, the adaptation of Tony Kushner's Pulitzer Prize-winning play about Americans facing AIDS in the 1980s, was honored as outstanding miniseries and won acting trophies for Al Pacino, Meryl Streep, Mary-Louise Parker and Jeffrey Wright. Kushner received a best writing award and Mike Nichols won best director.

"As you know the fight against AIDS isn't over yet and we must do what we can for Africa. ... Let's see what we can do," Nichols said.

*Angels in America* proved to be a record breaker. With the four Emmys won Sept. 12 at the creative arts awards and the seven it won the previous Sunday, it exceeded the nine awards won by *Roots* in 1977 to become the most-honored miniseries. It matched the 11 awards won by *Eleanor and Franklin* in 1976, the most for any program in one season.

Mirroring the concern in Hollywood over the state of situation comedies, the four major comedy acting awards went for work in series that are now off the air. Kelsey Grammer won his fourth Emmy for best actor in a comedy for *Frasier* and Sarah Jessica Parker won best actress for *Sex and the City*.

David Hyde Pierce won a supporting actor award for *Frasier*, which ended an 11-year run this spring, and Cynthia Nixon won

best supporting actress for *Sex and the City*.

"They say that television and comedy in television is changing, and I just want to say when it changes back, call me," said Hyde Pierce.

Shut out for the night was *Friends*, which drew more than 50 million people to its final episode in May.

HBO received a dominant 32 awards in the 56th annual prime-time Emmys. Fox collected 10, followed by NBC with 8, ABC and PBS with seven each and CBS with two.

Elaine Stritch became an instant joke subject for her over-the-top acceptance of the Emmy for best individual performance in a variety or music program. The 79-year-old veteran stage actress even tested ABC's five-second delay — better known as the Janet Jackson precaution — and had part of her speech bleeped out.

"Look at the company I'm in here. And I'm so glad none of them won," Stritch said before the orchestra played her off the stage.

Donald Trump and *Survivor* creator Mark Burnett found themselves looking on from the audience as a less-popular show, CBS' *The Amazing Race*, won best reality series for the second year in a row.

*Angels in America* was the most-nominated program this year with 21 bids. In his acceptance speech, Kushner used his time on stage to lobby for gay marriage.

"Thanks to my wonderful husband, Mark. Someday soon we can have a legal marriage license and you can make an honest homosexual out of me," he said.

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# Georgia Leaders and Voters File Lawsuit Saying Georgia Amendment on Marriage is Deceptive and Unconstitutional

ATLANTA — A lawsuit filed in the Superior Court of Fulton County asks that an amendment dealing with same-sex couples be taken off of Georgia's November ballot.

Represented by Lambda Legal, the ACLU of Georgia, and the law firm of Alston & Bird LLP, the plaintiffs allege that the ballot language is affirmatively deceptive and unconstitutional.

Earlier this year, the state legislature approved an amendment to the Georgia Constitution that would prohibit same-sex couples from marrying, may prohibit civil unions, and seeks to limit the court's jurisdiction on matters involving same-sex couples.

The legislature's approval put the measure on the November ballot, but lawyers for the plaintiffs argue that the required process for amending the Georgia Constitution was not followed.

"The purpose and focus of this litigation is to insure that whenever we seek to alter the constitutional rights of the people of this state — regardless of the underlying subject matter — the process followed is, in fact, constitutional," said Johnny Stephenson, a partner at Alston & Bird.

"Unfortunately, the process employed for adoption of this proposed amendment is fatally defective."

"This amendment is constitutionally flawed, period. Not only does it combine four different subjects, in violation of the Georgia

Constitution, the clearly deceptive language voters will see on the ballot creates the misperception that its only purpose is to define marriage," said Jack Senterfitt, Senior Staff Attorney in Lambda Legal's Southern Regional office in Atlanta.

"Furthermore separate and apart from the lawsuit, Lambda Legal believes that a group's civil rights shouldn't be put to a popular vote."

The lawsuit argues:

- The amendment is unconstitutional based on the "single-subject rule." The Georgia Constitution requires that ballot initiatives pose a single subject at a time to voters, rather than covering multiple issues.

- The amendment currently includes multiple issues, including:

- definition of marriage,
- prohibition of the recognition of other types of unions between same-sex couples,
- an attempt to limit the jurisdiction of Georgia courts,
- an attempt to limit the full faith and credit given to judgments and other proceedings from other states.

"The only thing the ballot question asks voters is the definition of marriage — but voters' answers to that question will be used to decide a much wider range of protections for gay couples and to rework the system of government in our state," said Beth Littrell, attorney at the ACLU of Georgia.

"If the legislature only meant to deal with the definition of mar-

riage, they would not have included more than 100 additional words that go far beyond excluding same-sex couples from marriage. The way this amendment is presented and what it may actually do are very different things."

"We are encouraged to see that the deceptive language of the amendment is facing a legal challenge," said Karla Drenner, campaign director of Georgians Against Discrimination, a state-wide coalition working to defeat the anti-gay amendment.

"The ballot measure is puzzling: why don't proponents want people to know what they are voting on? Some voters believe gay couples should be allowed to marry while others prefer to limit recognition to

civil unions or domestic partnerships. Don't they have the right to know exactly what they are voting on?"

Drenner adds, "As this lawsuit progresses, Georgians Against Discrimination will continue to let voters know of the deception of the amendment wording so they are aware of the real impact on their friends, neighbors and coworkers."

In four other states, voter groups and community leaders have filed similar legal challenges to keep deceptive, unlawful antigay amendments off the November ballot, Lambda Legal said. Michigan, Arkansas and Oklahoma all have lawsuits pending.

The lawsuit in Louisiana ended recently when the state Supreme

Court refused to hear the case, leaving in place a lower court ruling that found the amendment proper for the ballot.

The plaintiffs in the case are a diverse range of Georgia voters and leaders. They include: The Missionary Baptist Church as represented by Rev. Zach Lyde in Brunswick, Ga.; Chuck O'Kelley, a law professor at the University of Georgia, and his wife Judi, who is working to educate voters about the proposed amendment; Reverend Timothy McDonald III, senior pastor of the First Iconium Baptist Church in Atlanta, Georgia; Rep. Tyrone Brooks and Senator David Adelman members of the Georgia State Legislature.

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