

Q Notes

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Red Wing at town hall meeting

HRC reps work across the state

by David Stout
Q-Notes Staff

CHARLOTTE—Human Rights Campaign (HRC) staffers Donna Red Wing, national field director, and Tony Esoldo, Southern field organizer, were in NC in mid-October for a whirlwind trip around the state during which they networked, led activist trainings and offered updates on the critical issues facing the gay, lesbian, bisexual and transgender movement.

NC Pride PAC Executive Director MK Cullen shuttled them to scheduled events in Charlotte, Greensboro, Durham and Raleigh during their stay. "It was great to have HRC's field department here in NC, working at the grassroots level," she said. "They helped everyone make the connection between federal, state and local issues."

Red Wing and Esoldo flew into Charlotte on Wednesday, October 15 for their first meeting, a town hall held at MCC Charlotte. The political power of the right-wing was a recurring theme during presentations by local activists Michael Armentrout, who serves on HRC's board of governors, Phil Wells, a Pride PAC board member, and Cullen, Esoldo and Red Wing. Topics covered during the meeting included the Employment Non-Discrimination Act (ENDA), Hawaii marriage case and the flurry of gay-related bills introduced in the last NC General Assembly session.

After an overnight stay in Charlotte, the staffers traveled to Greensboro. They spent the day meeting members of the gay student alliances at UNC-Greensboro and Guilford College and later attended a meeting of the Triad Business and Professional Guild. The meeting took the form of a panel discussion around the issue of arts funding and Winston-Salem Mayor Martha Wood was one of the panelists.

Greensboro city councilmembers cut community arts funds in early summer, sparked by a performance of the gay-themed musical *La Cage Aux Folles*. Although they recently voted to delete the anti-gay language from the defunding bill, they did not restore any of the money. Red Wing explained that the situation in Greensboro was only one part of a larger anti-arts movement, connecting it to the Right's effort to dismantle the National Endowment of the Arts.

After the Guild meeting, the group drove to the Triangle where the remainder of their itinerary was scheduled. On Friday, they met with Gothic Queers, the gay students' group at Duke University, and later spoke with folks at Triangle CommunityWorks!, a coalition of community-based organizations who share meeting and organizing space in Raleigh.

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SC solicitor outed, accused of misconduct by GOP

by David Stout
Q-Notes Staff

CHARLESTON, SC—Republican party officials outed one of their own last month in an attempt to force him out of office simply because he is gay — at least that's what Ninth Circuit Solicitor David Schwacke, the target of the campaign, asserts.

Schwacke, the chief prosecutor in Charleston and Berkeley counties, said that local Republicans' charges that he used computers in the solicitor's office to download sexually-explicit pictures off the Internet are meant to drive him out of office because party leaders don't approve of his sexual orientation.

Charleston County Republican Chairman Mark Hartley, Vice Chairwoman Cyndi Mosteller and three others sent letters to Gov. David Beasley, State Attorney General Charlie Condon and the SC Law Enforcement Division requesting an investigation of the charges.

Religious conservatives have a strong grip on the GOP in SC and some of Schwacke's

accusers are among them. Hartley and Mosteller denied that sexual orientation influenced their decision to call for an investigation of Schwacke; but, one of the other complainants, state Republican party executive committee member Lyons Williams, stated that it did play a role in his involvement.

Under state employment policy, workers can be disciplined or fired if they use a state-owned computer for "immoral purposes." Since Schwacke holds an elected position — with three years left of his second, four-year term — it is not clear if their would be a violation of SC regulations even if the charges were true. Attorney General Condon turned the case over to an assistant since he supervised Schwacke in the Charleston Solicitor's office before becoming the state's prosecutor.

Schwacke was married 14 years until this past June when his wife divorced him after their 10-year-old son discovered explicit photos in the couple's home. He wouldn't say if the pictures came from the Internet. Schwacke had

remained closeted about his sexual orientation until these allegations came to light, but came out in an interview with the *Charleston Post & Courier* on October 8 — three days before National Coming Out Day — in which he labeled the allegations a "gay-bashing." He said he wanted to "make it impossible for all these rumors to hurt me any further."

Many gays and lesbians in the region were angry that Schwacke had been forced to make such an intimate decision under duress. Mike Schwarzott, co-chairman of the Lowcountry Gay and Lesbian Alliance, told the *Post & Courier*, "Coming out is a very personal and private matter and should not be forced onto any individual against their wishes or for any political agenda. We must consider what our actions will cause for anyone being outed against their wishes, to their family and in their personal lives."

Some of the state's conservative legislators have asked Schwacke to step down, labeling his
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Appeals Court upholds nation's last ballot measure

by Peg Byron
Special to Q-Notes

CINCINNATI, OH—On October 23, a federal appeals court upheld Cincinnati's Issue 3, the country's sole remaining anti-gay initiative that seeks to ban discrimination protections for lesbians and gay men, said representatives from Lambda Legal Defense and Education Fund, the nation's oldest and largest gay legal organization and co-counsel in the case.

Patricia M. Logue, managing attorney for Lambda's Midwest Regional Office in Chicago, condemned this result. The United States Court of Appeals for the Sixth Circuit previously upheld Issue 3 in a 1995 ruling. The US Supreme Court last year threw out that decision and ordered the appeals court to reconsider the case in light of the high court's ruling against Colorado's anti-gay amendment.

"This is a renegade decision approving a clone of the Colorado ballot measure thrown out by the Supreme Court," Logue said, referring to last year's historic ruling against that state's Amendment 2. "Upholding Issue 3 is simply indefensible," she said.

Staff Attorney Suzanne B. Goldberg, who worked on the case from Lambda's New York headquarters, said, "The Supreme Court relegated such anti-gay ballot initiatives to history's trash heap. Unfortunately, the Sixth Circuit failed to understand that."

"Issue 3 mimicked Amendment 2 which the high court demolished with its landmark *Romer v. Evans* ruling last year," said Lambda Legal Director Beatrice Dohrn. "Lambda, our client, and co-counsel will look closely at whether we again will appeal to the Supreme Court or to the full Sixth Circuit."

Case history

The Cincinnati measure seeks to repeal all laws in Cincinnati forbidding discrimination against lesbians, gay men and bisexuals and it would amend the city charter to prevent lawmakers from ever passing such legislative protections. It has never taken effect because of court injunctions.

Cincinnati voters approved Issue 3 in 1993 amid a nationwide campaign by right-wing extremists to promote anti-gay bigotry and bar

legal protections for gay people against discrimination. Lambda and its colleagues immediately challenged the measure in federal district court.

After a lengthy trial, the lower court rejected Issue 3 as a violation of the constitutional guarantees of equal protection, free expression and due process for lesbians and gay men. The Sixth Circuit reversed that ruling on all grounds; that decision was appealed to the Supreme Court. After its May 1996 *Romer* decision, the high court ordered the Sixth Circuit to re-examine its earlier validation of Issue 3.

In addition to helping defeat the Colorado anti-gay initiative, Lambda helped dash a similar measure passed in Florida's Alachua County in 1994; a state judge there struck down the county's Amendment 1 last fall, based on *Romer*.

Logue and Goldberg are Lambda's attorneys on behalf of Equality Foundation of Greater Cincinnati in the Issue 3 challenge. Cincinnati civil rights attorney Alphonse A. Gerhardstein, who argued the case before the Sixth Circuit this past March, is also co-counsel, along with Scott Greenwood of the ACLU of Ohio and Ohio attorney Richard Cordray. ▼

OutCharlotte '97 was a triumph of GLBT visibility

by Brian D. Holcomb
Q-Notes Staff

On October 12, a group of tearful community members stood together on the stage of Theatre Charlotte, congratulating each other, receiving the thanks of the audience and proving that the Charlotte GLBT community not only has a voice, but has one that should be heard. The Steering Committee for the third OutCharlotte Festival worked for an entire year to produce the weekend of activities and events surrounding National Coming Out Day on October 11. Their hard work and commitment were obvious and their Festival proved that OutCharlotte was not just a good idea for a few years, but a major community event for now and the future.

In retrospect, the OutCharlotte Festivals can be seen to have separate themes. This is partly the work of the organizers and partly a result of the performers and speakers available during each event. For whatever reason, OutCharlotte I was the Festival of Pride. OutCharlotte II was the Festival of Unity. OutCharlotte III was all about Visibility.

The 1997 event was more extensive than ei-

ther of the previous two, making the Festival more about community than about individual performances. The additions were notable and appreciated by the community. The first major event was a potluck supper and talent show which was won by Candice Whiteside and her surprisingly true stories of Southern life. The previous Friday, the Blue Pony Gallery put OutCharlotte on the citywide arts map with an exhibit of matchbox art created by GLBT community members.

Thursday brought the Charlotte premiere

OutCharlotte was not just a good idea for a few years, but a major event for now and the future.

of two queer films at the Mint Museum and also began to reveal one of the more disturbing facts about the GLBT community: voluntary gender segregation. The 7:00pm showing of *The Watermelon Woman* was attended almost exclusively by women and the 9:00pm showing of *The Delta* was dominated by men. The consensus is that the women got a better film, but the men got a cute boy. That about explains it.

The Festival kicked into high gear on Friday with the first performance by the 1997 artists-in-residence, the Root Wymn Theatre Company. Not only was the performance well-received, but writer/director Sharon Bridgforth and performer Sonja Parks mingled with the crowd. This was *de rigueur* for the Festival, as many artists attended a variety of events and became, at least for a weekend, members of the Charlotte community. Friday continued with Kevin Fabian's tour-de-force performance of *The Night Larry Kramer Kissed Me* (which was

repeated on Saturday) and the Eggplant Faerie Players production of *Next Year in Sodom*.

Much of Saturday was occupied with the OutCharlotte Marketplace of gay owned and operated businesses and a variety of workshops that dealt with everything from health concerns to parenting to religion. That evening featured the second performance by the Root Wymn, a
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