

# Q-Notes

The Carolinas' Most Comprehensive Gay & Lesbian Newspaper

Winston-Salem's wet and wonderful Pride ..... Page 3

NC Mobilization '96 prepares for next phase ..... Page 7

Published Every Two Weeks On Recycled Paper • Volume 11, Number 3 • June 29, 1996 • FREE

## NC bans same-sex marriages

Legislature railroads bill through in only nine days

by Eagle White  
Q-Notes Staff

RALEIGH—State Senator James Forrester and the rest of the General Assembly can finally relax a bit — North Carolina now has a law on the books which says that marriages performed in other states between persons of the same gender will not be recognized as legally valid in this state. Since no state currently allows unions between same-sex partners, Forrester may take great pride in knowing that he has skillfully sponsored and nurtured a bill which essentially accomplishes... nothing.

The good news is that North Carolina's version of the same-sex marriage ban, currently sweeping the country, did not pass unanimously, as did a similar measure in South Carolina. Five members of the Senate and 10 members of the House voted against SB1487, the latest numerical incarnation of the statewide bill which was originally introduced by Forrester on May 23 as a local bill banning the validity of same-sex marriages for Iredell County.

The present form of the bill took the General Assembly exactly nine days to pass from introduction into law. This is remarkable expediency from a governing body which has been

considering a bill regarding domestic violence for thirteen months.

By June 18, Senator Forrester was so troubled by the idea of same-sex marriage that he made repeated motions on the Senate floor regarding it. The first motion was to vote on the measure immediately after hearing the Judiciary Committee's report on it. Forrester said the bill was of "compelling interest" to the state. When that motion was ruled out of order by chair Dennis Wicker, Forrester was allowed to enroll the bill at the end of the day's calendar — although there were six pages of bills in front of the measure. When 6:00pm rolled around and the bill was still in line behind other legislative matters, Forrester asked for immediate consideration of SB1487. Wicker relented, and the bill was discussed on the Senate floor for 20 minutes. SB1487 was passed 42-5. The five votes against the measure came from Ballance, Jordan, W. Martin, Sherron and Hobbs. Senator Lucas said the bill was wrong, but decided to take the path of least resistance and "took a walk" during the vote. (Senators who are present are required to either vote "aye" or "no.")

All bills of the day were sent by special messenger to the House for immediate consideration. The House heard only one special measure — Senate Bill 1487. The bill was referred to the Welfare and Human Resources Committee, which called for a special meeting at

See MARRIAGE on page 18

## Free To Cruise

### Internet protected by court decision

by David Stout  
Q-Notes Staff

PHILADELPHIA—The information superhighway is safe for gays, lesbians, bisexuals and transgenders once again thanks to a June 12 ruling. Three federal judges unanimously decided that the Communications Decency Act (CDA), regarded as the most controversial portion of the Telecommunications Reform Law, is an unconstitutional restriction of speech on the computer network.



The Telecommunications Reform Law was enacted in February to keep sexually explicit and objectionable materials on the Internet away from minors. But, due to the vague wording of the CDA, individuals might have been subject to criminal penalties for simply posting information relevant to the homosexual community. Life-saving information about AIDS, safer-sex and abortion could have been cause for prosecution under the measure. Since proponents of the CDA failed to clearly define the terms "indecent" or "patently offensive" when drafting the measure, the judicial panel struck it down.

Because of the Internet's unprecedented ability to provide a worldwide forum for the exchange of ideas, the panel felt that it warranted the strongest free speech protection possible. In his written opinion, District Judge Stewart Dalzell colorfully noted, "Any content-based regulation of the Internet, no matter how benign the purpose, could burn the global village to roast the pig."

Gay community activists hailed the decision — the first major ruling on Internet speech in this country. "The Federal Court's decision to

strike the Communications Decency Act was a firm acknowledgment that the Act would have reduced the Information Superhighway to just one lane," said Loren Javier, Director of Information Systems for the Gay and Lesbian Alliance Against Defamation (GLAAD), a gay, media advocacy organization. "Today's ruling will ensure that gay and lesbian adults and young people, some of whom count on the Internet as their only source of openly gay information, will continue to have access to all the net has to offer."

Patricia Nell Warren, author of the pioneering gay novel *The Front Runner* and one of the plaintiffs in the challenge suit, expressed her feelings in a media release after the ruling. "Today, as one author with books at risk from CDA enforcement, and as one of the plaintiffs in the case, I am happy about this victory for free speech."

"But today is a single battle won in an ongoing war. Both the federal government and religious special-interest groups are determined to push censorship ever more broadly. Their excuse is that 'youth must be protected'. What they really have in mind is control, not protection."

To highlight the importance of online communications to young gays and lesbians, many of whom would be completely isolated without the Internet, four youths submitted written testimonials to the court describing their own experiences. Warren acknowledged the importance of these documents in her comments. "I especially want to commend the four young people who quietly filed affidavits with the court. Of all the hundreds of thousands of kids who would be negatively affected by the CDA, Hunter Allen, Kir O'Connell, Rheana Parrenas and Christine Soto were the ones who personally spoke out on free speech for youth."

See INTERNET on page 18



## Asylum granted to gay Russian

by Mike Ausiello  
Special to Q-Notes

LOS ANGELES—A 23-year-old Russian man, beaten and jailed in his home country because of his sexual orientation, is now a free man living in West Hollywood, thanks to a landmark asylum case won by the Immigration Law Project of the Los Angeles Gay & Lesbian Community Services Center.

A native of a small town 400 miles northeast of Moscow, Sergey Fedetov was beaten, interrogated and jailed by police officials, and threatened by school officials on as many as 15 different occasions.

"They arrested me because they could tell I was gay and they do not think we should be alive or in Russia," said Fedetov, through an interpreter. "Although the Russian government recently repealed the law outlawing homosexuality, this has not changed the mistreatment by the police and other Russian people. If anything, the increasing anarchy in my country has made it worse."

On one occasion, Fedetov and a friend were arrested by three officers because they were "obvious homosexuals." At the police station, he was thrown around, slapped in the face, and hit on the back with a "demokratiser" (rubber baton) by an interrogator who ordered him to reveal the names of other gay people. When he refused, he was jailed in a small cell with three other people for more than nine hours without food or water.

Upon his release, Fedetov was interrogated by officials at his high school, who learned he was gay from the police. The school officials threatened to have him registered as a juvenile

delinquent if he did not change his behavior. Of the six times he was taken into custody by police, only once did he avoid a severe beating. On the occasions he was not arrested, he and his friends were taunted by the authorities who would yell insults and demand the names of other gay people. They would also make a scene, so as to let neighbors and passersby know he was gay. The harassment of gay people was too much for one of his friends who ended his life by jumping from the ninth floor of a building.

The police also "warned" his mother of his behavior and surprised him at home once a month to intimidate him and demand information about other gay people.

This abuse of gay people was not unique to his hometown. After moving to Moscow in

## New home HIV test sparks debate

by David Jones  
Q-Notes Staff

RALEIGH—A new home test for HIV, the AIDS virus, is being marketed but may not be available in North Carolina. *Q-Notes* talked to state health officials and the company producing the test and got very different reactions to the issues around home testing.

The test, marketed by Direct Diagnostics, a subsidiary of Johnson & Johnson, was approved by the US Food and Drug Administration (FDA) on May 14, and is being test-marketed in Texas and Florida. The company plans to make it available nationally in January 1997, to be sold in pharmacies without a prescription for about \$40.00.

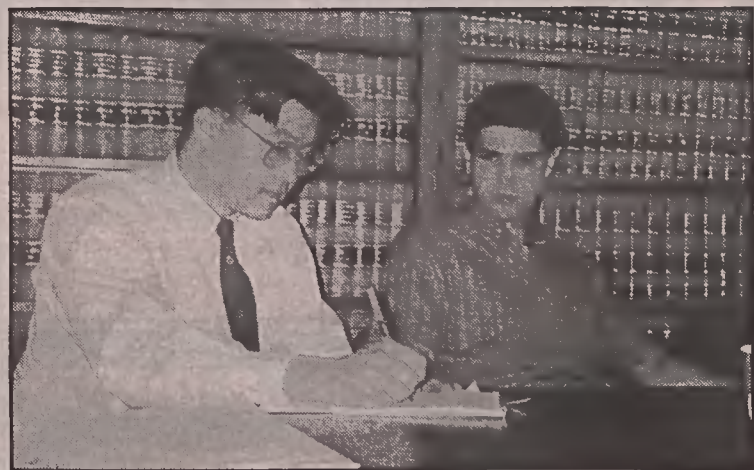
Users collect a drop of blood from a finger prick, place it on a special card, mail it in to the company, and call for results in a week using an identification number. Callers with positive tests will be referred automatically to a live counselor. Those with negative tests will receive a recorded message with options to get more information or speak to a counselor.

State health officials have confirmed to *Q-Notes* that they are considering a request to the FDA to block sales of the kit in the state, which can be done under federal law. "My mind is

not made up," state health director Dr. Ron Levine told *Q-Notes*, "and I want to hear from all those who are knowledgeable about this. A lot of rhetoric and emotional winds blow around this issue, and it's hard sometimes to keep the discussion on the science, but that's what I intend to try to do." Levine said that plans are already being made to consult the state's AIDS Advisory Council.

Advocates for people at risk for HIV have been divided and are still cautious about home testing. Many activists opposed earlier attempts to get approval for home tests, although most now say that its time has come. Project Inform of San Francisco, the largest activist-based AIDS information provider, issued a guarded statement concluding that the benefits outweigh the disadvantages of home testing. The issue was discussed informally at a meeting of the North Carolina HIV/AIDS Alliance, a statewide AIDS service lobbying group, on July 18. Most seemed to agree with Cullen Gerganus, executive director of The AIDS Service Agency in Raleigh, who said, "I always come down on the side of making it easier for people to get information about their health but I still have serious concerns about counseling."

See TESTING on page 13



Jeff Kim (L), Coordinator of the Immigration Law Project, and Sergey Fedetov, the first gay Russian to get asylum.

June 1994, to earn enough money to flee to the United States, he was stopped and detained by police officials on at least five occasions. On these occasions, however, the officers made it clear he could avoid a beating if he agreed to pay a bribe.

"It seemed impossible for me to hide the fact that I am gay," said Fedetov, a dark-haired, See ASYLUM on page 8

Photo by James Key