

# Q Notes

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## Gay couples sue for right to marry

by David Stout  
Q-Notes Staff

BURLINGTON, VT—Three gay Vermont couples are suing the state after they were denied marriage licenses in three separate towns. The suits, filed July 22 in Chittenden Superior Court in Burlington, VT, charge that the state constitution's "common-benefit" clause means that same-sex couples must be allowed to marry just like opposite-sex couples.

The couples, Stan Baker and Peter Harrigan, Nina Beck and Stacy Jolles, and Lois Farnham and Holly Puterbaugh, sued the State of Vermont as well as Shelburne, South Burlington and Milton, respectively, because the clerks in those towns refused to issue them marriage licenses.

The common benefits clause has historically been interpreted to mean that any state-sanctioned benefit offered to an individual or group must be provided for all citizens. From this vantage point, the plaintiffs and their lawyers claim that denying marriage rights to them is illegal.

Susan Murray and Beth Robinson, the attorneys who are representing the couples, maintain that "the refusal to allow our clients to marry violates both state marriage laws and the state constitution, which require that all citizens and families have the same access to the legal protections and obligations of civil marriage." They added that "marriage is a fundamental, individual personal choice, which should be available to all Vermonters."

Vermont Attorney General William Sorrell disputes that interpretation. He says state laws sanction only heterosexual marriage because constitutional references to "bride and groom" imply different genders.

Farnham, 52, said that the town clerk in Milton was sympathetic to her situation, but still denied the request for a marriage license. "When we went in, he said he would like to do it, but he couldn't under their interpretation of the law."

Vermont's constitution — the first in the nation to outlaw slavery and among the first to

extend voting rights to all people — has often been interpreted liberally by elected and appointed officials.

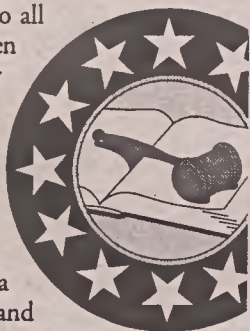
### The plaintiffs

Stan Baker and Peter Harrigan have been together as a couple for four years and live in Shelburne. They explain that they want to marry for the same mix of reasons that other couples choose to marry: they love each other, they want to make a public commitment to one another and they seek the legal protections and obligations of civil marriage. Harrigan explains, "Marriage is a fundamental right, central to me as a human being. I am deeply devoted to my relationship with Stan and would like our commitment to be supported by legal rights afforded other committed couples."

Lois Farnham and Holly Puterbaugh have lived together as a couple in Vermont for 25 years. Farnham is not entitled to receive Puterbaugh's social security benefits, nor are they granted the right to make necessary medical decisions or act as each other's guardian in their old age. Puterbaugh notes that "Lois has done as much as any other spouse to earn my retirement benefits, but she's not entitled to them under present law."

Nina Beck and Stacy Jolles are a couple of seven years, parents of a two-year-old child and residents of South Burlington. Two years ago, when Beck was rushed to the hospital, Jolles experienced firsthand the effects of discriminatory marriage laws. "The doctors did not treat me as a family member," she recalls, "and if I had not had a signed medical power of attorney from Nina, they would not have let me be with Nina or participate in any medical decisions that needed to be made."

Speaking about their child, Beck declared that "our son will be better off if his parents can marry and enjoy the legal support and protection that the civil marriage laws provide. He needs and deserves to know that his parents have a legal connection to one another, as well as to him." ▼



## Sears named Acquisitions Director of Institute's gay Southern archive

by Wayne Smalley  
Special to Q-Notes

COLUMBIA, SC—John O'Brien, executive director of the Los Angeles-based ONE Institute, has announced the appointment of Dr. James T. Sears as acquisitions director for the Southern Studies collection at the Institute's Archives.

Sears, a professor at the University of South Carolina and the author of eight books, including *Growing Up Gay in the South* and the soon-to-be-released *Lonely Hunters*, will be responsible for acquisitions of new materials from the South and oversee their placement in the archives.

ONE Institute is the oldest gay organization in the Western hemisphere and the largest archive of gay and lesbian materials in the world.

"For too long the South has been neglected in gay history. This, in part, has been due to the lack of a sustained effort to systematically collect lesbian and gay materials from the South. Jim Sears is playing a major part in documenting this history, and his affiliation with the Institute and Archives will benefit us in our collection efforts," said O'Brien.

Dr. Sears will begin his efforts on behalf of the Institute as he travels throughout the South



Dr. James T. Sears

this fall on a promotional tour for his new book.

"The South is a major battleground in the struggle for gay rights. Today, it is critical that activists and those who support gay rights initiatives understand the contributions and struggles that earlier generations of lesbian and

gay Southerners have made. We must begin to chronicle and to preserve our Southern gay history," said Sears.

"Southern history is never simple and seldom straight," Sears continued. "While some of us may not be able to march in the streets, we can all contribute to gay history by collecting artifacts that chronicle the lives and stories of our gay ancestors."

Recently, the Institute's Archives received collections from veteran Mississippi activist Eddie Sandifer and the non-South Florida materials from the Stonewall Archives in Ft. Lauderdale.

Persons who have gay-related materials such as photographs, letters, books, diaries, artwork, newspapers, flyers, or organizational files and would like to contribute them should contact Dr. Sears at (803) 777-3099, or visit his website at <http://www.jtssears.com>. The ONE Institute can be found in cyberspace at <http://www.usc.edu/Library/oneigla>. ▼

## Activists gather for historic launch of state-groups coalition

by Mark F. Johnson  
Special to Q-Notes

WASHINGTON, DC—An important chapter in the movement for gay, lesbian, bisexual and transgender equality was marked the weekend of July 18-20 by activists from statewide political groups from 32 states. At the meeting, activists officially launched the Federation of Statewide Lesbian, Gay, Bisexual and Transgender Political Organizations. The Federation's purpose is to bolster the efforts of these statewide groups through a network that will foster strategizing across state lines, building stronger state organizations and developing good working relationships between state and national groups.

The meeting was the result of an eight-month collaboration between the National Gay and Lesbian Task Force (NGLTF) and the Federation. It was the largest gathering ever of statewide groups. States represented were Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Virginia, Washington and West Virginia.

North Carolina's organizational representation was provided by NC Pride PAC for Lesbian and Gay Equality, a statewide political action committee headquartered in Raleigh.

The three-day Federation meeting was held at the renowned Highlander Center outside

Knoxville, TN. For over 50 years, the Highlander Center has been a training center for labor, civil rights and other social justice movements. There, activists focused on adopting the organizational structure for the Federation and debating strategies on legislative issues. These issues included sodomy law repeal, passage of civil rights bills and family recognition strategies, as well as building strategies for effective multicultural and coalition organizing. The need for the Federation grew out of meetings of statewide activists during the past two years at NGLTF's annual Creating Change conference. The Task Force coordinated the logistics of the Tennessee meeting, providing scholarships and staffing and assisting in the planning.

"We have known for many years that the real battles facing our communities would be fought in the State Houses across the country," said Paula Eitelbrick of the Empire State Pride Agenda, a founder and a co-chair of the Federation. "It is essential that we create an organizing structure that helps us to strategize as a national network of lesbians and gay men in order to support each other, share resources and fight our common enemy of homophobia."

The Federation will consist of 13 Executive Committee members, selected from each region of the country, who will set forth the mission of the Federation. The Task Force will serve as coordinator for the next three years. NGLTF will coordinate and support the Federation's work through the dedication of staff and resources including the creation and dissemination of *COALITION* on page 23

## Cunanan coverage touched on many sore spots for gays

by David Stout  
Q-Notes Staff

MIAMI—Andrew Cunanan's suicide brought an end to his macabre, four-month, five-victim reign of terror just eight days after he captured the world's attention by executing superstar fashion designer Gianni Versace.

When news was broadcast July 24 that Miami police had recovered Cunanan's body, there were declarations of celebration, relief and even regret. (An unidentified waiter at California Cuisine, a San Diego restaurant that Cunanan frequented, said, "To us, he was not just someone we followed on the news. He was a friend. There was no good ending for this.")

Many simply wondered if the questions surrounding this horrible crime spree would ever be answered now that the only one who could offer insight was dead. David Guerra, a 17-year-old South Beach resident, noted that he would like to know the truth. "I feel that if he would have gotten arrested it would have been a lot

better, because he would have paid back a little for what he did. Now he's dead and it's over. I would like to know what he got out of killing all those people."

Although preliminary autopsy evidence indicated he was HIV-negative, many media reports flatly declared that Cunanan, 27, was exacting revenge for being infected with HIV. A *New York Post* headline screamed, "AIDS fuels his frenzy." The front-page headline was next to a picture of a bare-chested Cunanan.

The "AIDS rampage" angle to the coverage angered gay activists who said that it stemmed from anti-gay stereotypes and not facts.

"What it says about attitudes toward AIDS and HIV is that [AIDS is] still viewed in many people's minds as a gay plague, even though it's spreading so rapidly now through other communities," said Kim Mills, deputy communications director of the Human Rights Campaign. "The driving impulse is trying to get your mind See CUNANAN on page 21

### More Coverage:

Q-Notes Editor David Stout examines the faulty logic that's connecting Cunanan to the rest of us. Page 6.