

Q Notes

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Leaders battle over gays again

by Dan Van Mourik
Q-Notes Staff

CHARLOTTE—The tone of the December 3 Mecklenburg County Commission meeting was anything but hostile or antagonistic. Everything seemed business as usual. However, the first order of business sent a shockwave through the gay community.

Commissioners ousted Parks Helms from his chairman's post after fellow democrat Hoyle Martin sided against him because Martin said Helms showed support for a gay political candidate. Despite a Democratic majority, Republican Tom Bush was voted in as chairman for the coming year. His Vice-Chair will be none other than Hoyle Martin himself.

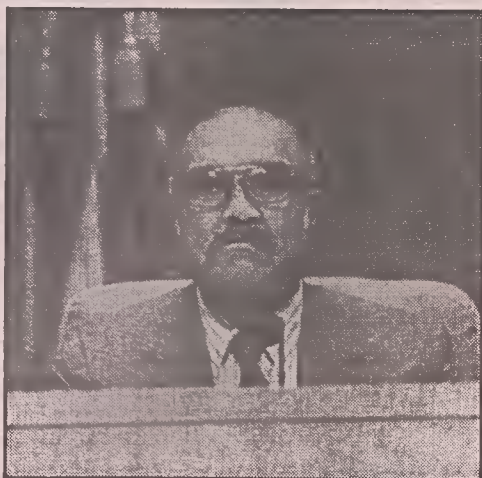
Bush and Martin, along with Bill James, Joel Carter and George Higgins, comprise the "Gang of Five" which led the April 1 defunding of the Arts and Science Council over objections to plays that portray gay characters. Since then, Martin has turned his opposition to homosexuality into an on-going debate about community morality.

While the tone of the meeting may have been somber, the reaction was not. The change elicited anger from leaders in both the black and gay communities while it garnered enthusiastic support among Christian conservatives who agree with Martin's views.

While Helms will continue to serve as a commissioner, many in the gay community see this change as another step in a methodical process to redirect the viewpoint of the commission to one of conservatism.

Everyone knew that trouble was brewing when Martin wrote a scathing letter to Helms and sent copies to the media. Martin accused Helms of trying to manipulate next year's election so that Martin would lose his district seat. Martin, who is black, accused Helms of racist tactics to split the county's black vote.

"This is so clearly an attempt to exploit —



County Commissioner Hoyle Martin

split the black vote — and thus possibly eliminate African American candidates," Martin wrote. "There are some potentially good candidates — black, white and Hispanic — that you, with the probable help of the corporate bullies, have discouraged with your hand-picked gay, rich golden boy."

The "gay, rich golden boy" Martin refers to is Charlotte businessman Andrew Reyes. Openly gay Reyes is running for a commission seat in next year's election.

Helms said he offered Reyes the same support he'd offer any aspiring candidate, but did not issue an endorsement. "I make no apologies for that. He is an articulate, thoughtful, committed person who represents the Hispanic community," Helms said. "I did not ask him about his sexuality; it was not relevant to me."

Reyes held a press conference on Thursday, December 4 to rebut some of the comments about him in Martin's letter. "I would have preferred that Mr. Martin face me man-to-man on these charges, but since Mr. Martin put his remarks in writing and made them public, I am looking at my legal recourse," Reyes said.

"Mr. Martin states that I am running only for the gay community, but he is wrong! My community is not that narrow. Unlike Mr. Martin and the Gang of Five, my community encompasses the entire County of

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SC Pride hits wave of opposition

New mayor faces his first "fairness" test

by Dan Van Mourik
Q-Notes Staff

MYRTLE BEACH—In a November mayoral run-off election, former city councilman Mark McBride defeated long-time Mayor Bob Grissom, who campaigned in local gay bars, by 42 votes. McBride, who has drawn criticism for opposing gay bars in the downtown and Pavilion business district, said he plans to work with all groups toward sculpting the future image of Myrtle Beach. One-time opponent, gay activist Sharon Brown (a black transsexual who lost a close race for a City Council seat), said she hopes McBride will work to ensure equal rights for gays in employment and housing.

"I will work for everybody, not for special interests," McBride said moments after hearing the election results. "I will treat [Brown] fairly like I will treat everybody fairly."

The first test of the new mayor's "fairness" policy is at hand.

The SC Gay and Lesbian Pride Movement (GLPM) has selected Myrtle Beach for the 1998 pride march and festival April 30 to May 3 because the Grand Strand is a "hot spot."

"We're not just coming down here to protest and talk politics," said Tony Snell, co-chairman of the GLPM. "We're going to do some of that, but this is also a festival."

But two restaurants that agreed to hold events as part of the march and rally backpedaled after getting complaints from Myrtle Beach developer Burroughs & Chapin, the company which holds the leases for both establishments.

"We have nothing against these people as individuals," Burroughs & Chapin spokeswoman Nancy Reynolds said. "But this is a family-oriented environment, and we do not be-

lieve that bringing in that type of activity is in keeping with our wholesome family goals."

All Star Cafe had said it would be the official registration location for those taking part in the event. The restaurant has stalled its participation, the *Charleston Post and Courier* reported.

Hard Rock Cafe had agreed to hold a silent auction for the group. But manager Brad Dean said the Gay Pride group may have publicized Hard Rock's commitment prematurely. He denied reports that he was pressured to back out by Burroughs & Chapin.

"It was a request, not a mandate, that they rethink their involvement," Reynolds said regarding the company's phone calls to the headquarters of the two restaurants.

Pride '98 is expected to draw 15,000 people. The ninth annual gathering will include a picnic, social and sporting events, a one-mile march through the Pavilion area and a rally.

The election of McBride came after the site selection. But festival organizers had considered his remarks last spring that a gay bar was not welcome near Ocean Boulevard.

"I'm willing to sit down and talk with anyone," McBride said. "But I don't think it's any secret how I feel about their lifestyle."

Snell said GLPM might make an impact on his thinking. "We consider ourselves a group that enlightens and educates," Snell said. "We're here. We're significant, and we're going to stand tall and demand the respect we deserve."

Burroughs & Chapin could face a boycott if it does not soften its opposition to the festival, organizers said. Burroughs & Chapin Co. Inc., the biggest developer east of the Intracoastal Waterway, sponsors events for bikers, welcomes rowdy golfers and built its own shopping and nightclub district at Broadway at the Beach. But the company has drawn the line at

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Issue 3 goes to full appeals court

by Peg Byron
Special to Q-Notes

CINCINNATI, OH—The legal war over the nation's last anti-gay ballot initiative will continue according to representatives of Lambda Legal Defense and Education Fund. The organization has filed a petition with its co-counsel for a hearing by the full federal appeals court whose three-judge panel last month upheld Cincinnati's Issue 3.

"Cincinnati has to play by the same constitutional rules as Colorado. Issue 3 is cut from the same despicable cloth as Colorado's Amendment 2," said Patricia M. Logue, managing attorney for Lambda's Midwest Regional Office in Chicago. "The panel decision cannot be reconciled with the Supreme Court's decision striking down Amendment 2 and we believe the full court will see that."

Just as Amendment 2 sought to do throughout Colorado, Issue 3 would bar Cincinnati legislators from ever passing legislation to prohibit discrimination against gays and lesbians. Last year, the US Supreme Court struck down Amendment 2, ruling in *Romer v. Evans* that it violated the Constitution's equal protection requirements by singling out gays, lesbians and bisexuals for discriminatory treatment.

Issue 3, an amendment to Cincinnati's charter, was struck down by a federal district court shortly after being passed by city voters in November 1993. The US Court of Appeals for the Sixth Circuit, in a 1995 ruling, reversed

the lower court opinion, but the Supreme Court ordered the appeals court to reconsider the case in light of the ruling in the Colorado case.

However, a three-judge panel for the Court of Appeals ruled October 23 that, since Issue 3 was a city-wide measure, the Supreme Court's ruling on a state measure did not apply, even though the text of each amendment was virtually identical.

"Cities, just like states, must follow the Constitution," said Suzanne B. Goldberg, a New York-based Lambda staff attorney who worked with Logue on the appeal. "The panel decision upholding Issue 3 conflicts squarely with the Supreme Court's decision in *Romer*," she said. "Just like Amendment 2, Issue 3 deprives only gay citizens of the right to seek protection from harm."

Lambda Legal Director Beatrice Dohrn added, "Issue 3 is a carbon copy of Amendment 2 and thus every bit as unconstitutional. The Sixth Circuit panel splits insignificant hairs in an effort to avoid the Supreme Court in *Romer*. Issue 3, like Amendment 2, is unconstitutional." Lambda and the ACLU were co-counsel in the challenge to the Colorado amendment.

Calling the panel's decision "out of step with legal and social realities throughout the country," Dohrn said, "Every single anti-gay voter initiative of recent years has been rejected by courts or voters across the country — from Maine to Florida to Oregon and Idaho." ▼

NC AIDS drug program is broke

by David Stout
Q-Notes Staff

RALEIGH—Although emergency funds are currently keeping the program afloat, North Carolina's AIDS Drug Assistance Program (ADAP) has officially been depleted since September. As a result, no new enrollments are being accepted and those who are still receiving subsidies are only assured of assistance through early next year.

ADAP, known in North Carolina as the HIV Medications Program, was established in 1987 to provide vital medicines to poor people with HIV who meet set eligibility requirements but do not qualify for Medicaid. The program is funded with federal and state money and managed by the NC Department of Health and Human Services. The federal government will not issue its next block grant until April 1 and the state will not give its allocation until July 1. If additional funds are not secured for ADAP soon, a public health crisis is looming.

On October 28, Daniel Reimer, chair of the AIDS Advisory Council, a citizens review panel established to make recommendations on state HIV/AIDS policies and procedures, wrote Gov. Jim Hunt a detailed letter about the ADAP dilemma.

"A health emergency is rapidly evolving in North Carolina," he began. "We run the risk

of HIV virus being spread that is resistant to current treatment. We also risk needlessly increasing health care costs, and denying some poor people medicines that can let them live more healthy and productive lives. We can prevent this from happening if we act now."

ADAP patients on anti-retroviral drugs are a major concern for health experts. The new three-drug combination therapy is the most effective weapon in the fight against HIV, yet the virus becomes resistant to the anti-retrovirals if doses are missed for even a short time. Besides leaving patients stranded, it would open the door for the spread of an HIV strain that is impervious to the most current potent therapy.

The financial downturn caught everyone off guard. "We got a really bad surprise in September," said David Jones, another member of the Advisory Council. "In August, we were told that everything was fine, the next month they announced that ADAP was out of money."

The program tumbled into the red in a short period of time for three basic reasons — all attributable to triple combination drug therapy: 1) individuals who qualify for ADAP are clamoring to get in on the promising new treatment, causing a surge in enrollment; 2) anti-retrovirals are so expensive that the skyrocketing number of prescriptions has sent costs through the roof;

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