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Honeycutt (back row; 3rd from left) with Journey Pathmakers and members

Journey explores spiritual pathway

by Juli Treadway
Q-Notes Staff

CHARLOTTE—This past summer, Kim Honeycutt spearheaded Breaking Down the Wall of Homophobia, an ambitious art project that brought the struggle for gay youth visibility to life in a trendy NoDa (North Davidson) gallery. Recently, she has undertaken another impressive project with the creation of Journey, a non-profit organization that aims to nurture spiritual growth and increase educational opportunities among GLBT young people between the ages of 13 and 24.

Honeycutt, 27, holds a Masters Degree in Social Work which allows youth support agencies such as Mecklenburg County Social Services, The Willows, Charter Pines and others to make referrals. While pursuing her degree, Honeycutt served an internship with Time Out Youth and remains an avid supporter. She says that the two organizations focus on different needs ("our youth need more than one option"), but plan to work in conjunction.

Honeycutt believes that the creation of Journey was divinely inspired. "God called me to do this. I've lived my life for myself; it's time I gave something back to society." The effort to pull it together, however, took place in the material world with financial backing from her family.

A dedicated group of 20 or so volunteers, called Pathmakers, help the organization live up to its tag line "Youth Making a Path." Current and planned Journey programs include offering spirituality workshops, providing academic scholarships, offering free tutoring, paying for SAT application fees, paying school parking fees and hosting summer camps for gay youth. During Christmas, Journey worked with the Carolina Bears on their annual Share-A-Bear Program. They are gearing up to host the first summer camp in 1999. It will focus on spiritual and educational enhancement. In its short existence, Journey already has several successes, including leading one discouraged youth back to college.

One of the first projects for Journey members was to create the programming for a special "YES (Youth Empowerment Sunday)" service at the Metropolitan Community Church of Charlotte, of which Journey is an affiliate

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Shepard case and the legal system

by Dan Van Mourik
Q-Notes Staff

LARAMIE, WY—As reported in the last issue of *Q-Notes*, three of the four suspects — Aaron James McKinney, Chasity Vera Pasley and Kristen LeAnn Price — in the Matthew Shepard murder case had confessed to participating in the crime. But these confessions were not in writing and were given outside of the official court hearings where pleas are entered. When they appeared in court for their arraignments, the three, along with fourth suspect Russell Arthur Henderson, entered pleas of "not guilty."

However, on the day before Christmas, Pasley changed her plea to "guilty."

On October 7, Shepard, a gay University of Wyoming student, was severely beaten and pistol-whipped, left tied to a fence, and died in a hospital on October 12 without having regained consciousness.

The two men, Henderson and McKinney, are each charged with first-degree murder, aggravated robbery and kidnapping with intent to inflict bodily injury or to terrorize the victim. Both are being held without bond.

The two women, Pasley and Price, are accused of helping to dispose of bloody clothing that police say was worn by Henderson, Pasley's boyfriend. The two women are each charged with being an accessory after the fact to first-degree murder. Price faces a May trial.

There has been a great deal of legal posturing by both the prosecution and defense teams in this case.

Prosecutors wanted a single trial for Henderson and McKinney, claiming two people accused of the same crime should be tried together. Defense attorneys opposed a combined trial, but would not say why publicly. District Judge Jeffrey A. Donnell ruled that the two men will be tried separately, giving no reason for the decision. Henderson's trial was set for March 22, McKinney's for August 9.

In late December, prosecutor Cal Rerucha filed notices of intent to seek the death penalty against both men. Neither outlined his reasons.

"To request the death penalty on an individual like Russell [Henderson] who does not have a significant criminal record and who does not have a juvenile history, and if convicted would be involved in basically his first criminal act is really heavy handed," said Wyatt Skaggs, an attorney for Henderson. "I think it's heavy handed to say the least and somewhat politically motivated."

Tangeman, one of McKinney's attorneys,

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Court decisions yield opposite outcomes for gay parents

by Peg Byron
Special to Q-Notes

BALTIMORE, MD—Maryland's highest court issued an important ruling that the best interest of children in divorced families with a lesbian or gay parent requires that the children have unrestricted contact with their gay parent unless evidence establishes that such contact causes demonstrable harm.

In a disappointing setback handed down just two days prior, an Ohio appeals court rejected a lesbian couple's request to allow a second-parent adoption, denying an eight-year-old girl the added protections of a second legally-recognized parent.

In the first case, the state Court of Appeals decision closely mirrored Lambda Legal Defense and Education Fund's arguments on behalf of a gay Anne Arundel, MD father, Robert Glenn Boswell, whose visits with his 10- and 7-year-old son and daughter would have been severely limited by a 1996 trial court order. The new opinion affirmed an appellate ruling against the restrictions and rejected the mother's argument that the best-interest standard permitted the trial court to impose restrictions on the father even in the absence of proof that they were needed.

Lambda's legal director Beatrice Dohrne said, "The decision that judges may not rule based on personal bias or stereotypical belief is tremendously important to lesbian and gay parents in Maryland. In the national context, this ruling strengthens a trend among many other states that children's best interests require that courts not use anti-gay bias or stereotypes in making visitation or custody judgments."

Added Nancy Polikoff of American University, Lambda's cooperating attorney in the case, "This decision recognizes that a child might feel uncomfortable around a gay parent and his or her partner, and also that children of lesbian and gay parents might face a difficult adjustment period. But the Court accepts those as facts of life, not reasons to restrict the parent-child relationship."

In a 40-page decision, the high court said, "We make no distinctions as to the sexual preference of the non-custodial parent whose visitation is being challenged. The only relevance that a parent's sexual conduct or lifestyle has in the context of a visitation proceeding of this type is where that conduct or lifestyle is clearly shown to be detrimental to the children's emotional and/or physical well-being."

The court also noted, "Thus, while this Court sympathizes with the difficult adjustment these children may be having with not only their parent's divorce, but also with their father's homosexual lifestyle, it has not been shown to be in [the children's] best interest to curtail visitation so as to restrict [the father's live-in partner] from their lives. ...[T]he reality is that their father is a homosexual who shares his home and life with [his partner]..."

The case was on appeal from the state Court of Special Appeals which vacated a 1996 trial court ruling prohibiting Boswell from having overnight visits with his children, and from visiting his children while with his partner, anyone with whom he was living in a non-marital relationship or "anyone having homosexual tendencies." The children are in the physical cus-

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Navy cannot rubber stamp discharge

by Danny Reed
Special to Q-Notes

WASHINGTON, DC—Former Navy Petty Officer Jim Turner received a Christmas present two days early this year: a decision from the United States District Court for the District of Columbia that the Navy's decision to uphold his discharge under "Don't Ask, Don't Tell, Don't Pursue" was "arbitrary and capricious" in violation of the Administrative Procedure Act. The decision marks the first time that a court has held that a military service branch violated administrative law in its review of a "Don't Ask, Don't Tell, Don't Pursue" case. Along with the case of Master Chief Petty Officer Timothy McVeigh, the decision marked the second time in 1998 that a federal court ruled against the Navy for its handling of such cases.

This decision marks the first time that a court has found a military service branch in violation of "Don't Ask, Don't Tell, Don't Pursue.

District Judge Paul L. Friedman ruled December 23 that the Navy erred when a Deputy Assistant Secretary gave "absolutely no indication of the grounds" on which she refused to accept a majority finding by the civilian Board for Correction of Naval Records. The Board earlier had held that the Navy's discharge of Turner suffered from numerous procedural and substantive failings (including the apparent undue influence of the lead Navy witness by Turner's command) and could not stand. Judge Friedman remanded the case to the Secretary of the Navy for further proceedings, ruling that "the Secretary...may conclude on his re-evaluation of the evidence and arguments presented that Deputy Assistant Secretary Heath's rubber stamp ruling cannot, in fact, be sustained." The court noted "recent indications that [the Navy's lead witness] might wish to recant his testimony" as well as other concerns with the record.

"We welcome the court's decision," said C. Dixon Osburn, co-executive director of Servicemembers Legal Defense Network, an independent legal aid and watchdog organization for those harmed by "Don't Ask, Don't Tell, Don't Pursue." "We have asked the Navy time and again to give sailors a fair hearing under 'Don't Ask, Don't Tell, Don't Pursue' rather than rush to judgment. The Navy has failed that standard repeatedly, forcing sailors to seek redress in court. The case of Master Chief Petty Officer Tim McVeigh was one example. This is another. We simply ask the Navy to act in good faith."

"I feel vindicated," said Turner, now living in Connecticut. "I was railroaded out of the Navy after an exemplary seven-year career. Because of the rampant fear of homosexuality in my command, no one in the Navy wanted to look seriously at the allegations against me or the known unreliability of the people making the charges. I am grateful that the court has held the Navy accountable."

"This is a big victory," said Allan Moore, Turner's lawyer and leading expert on the military's policy at Covington & Burling, a Washington, DC law firm. "It is extremely dif-

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