

# Q Notes

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## First defendant pleads guilty in Shepard trial

by Dan Van Mourik  
Q-Notes Staff

LARAMIE, WY—Jury selection and opening statements in the first trial in the Matthew Shepard beating death were delayed after Judge Jeffrey Donnell ordered a last-minute hearing. Speculation was that Russell Henderson, 21, would enter a plea bargain.

During the hearing on Monday, April 5, Henderson, one of the two men charged in the killing of gay college student Matthew Shepard, pleaded guilty to murder, admitting he tied the bleeding young man to a wooden fence and left him for dead.

Henderson avoided a trial and a possible death sentence with his plea. He was sentenced to two consecutive life terms and will not be eligible for parole. His only hope for release is a pardon.

Judy Shepard cried at the stand while talking about her son, then turned to Henderson: "I hope you never experience another day or night without experiencing the terror, humiliation, the hopeless and helplessness that my son felt that night."

Authorities said Henderson and Aaron

McKinney, 21, posed as homosexuals and lured Shepard out of a bar last October, kidnapped and pistol-whipped him and left him tied to a fence in the cold. Shepard died five days later.

Although he pleaded guilty to felony murder and kidnapping, Henderson said his friend and co-defendant delivered the fatal blows. "Felony murder" is a category of crime in certain states that basically means a felony was committed and during that felony someone was killed, though the felon was not directly responsible for the death (in this case, Henderson claims McKinney was the one who repeatedly struck Shepard and thus is the one directly responsible for killing him).

Henderson matter-of-factly recounted the grisly beating and his attempts to cover up his role, then asked forgiveness from his and Shepard's families. "There is not a moment that goes by that I don't see what happened that night," he said. "I hope one day you will be able to find it in your heart to forgive me."

Henderson stood before the sobbing parents of Matthew Shepard and apologized for kidnapping their son, lashing him to a fence and leaving him to die from a pistol-whipping. "I

know what I did was wrong. I'm very sorry for what I did," he said. "You have my greatest sympathy for what happened."

Shepard's parents bitterly rejected the apology and so did Judge Jeffrey Donnell.

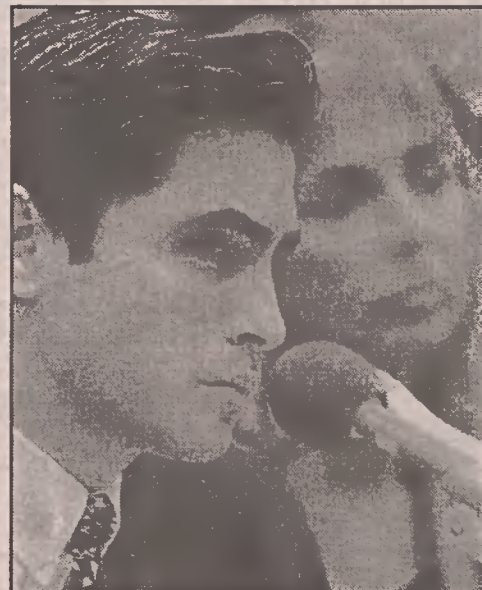
"At times I don't know how you'd be worthy of any acknowledgment of your existence," Judy Shepard said, glaring at Henderson. "You murdered my son.... None of us would be here today going through this agony if it wasn't for you. It takes someone quite unique to sit and watch someone else be beaten to death and do nothing about it."

Earlier, Henderson showed little emotion as he described the fatal beating, saying he reluctantly went along with McKinney's plan to entice Shepard out of a bar and into a pickup truck to rob him.

Henderson said he drove the truck and followed McKinney's order to tie their victim to a fence so McKinney could pistol-whip Shepard.

"Matt looked really bad so I told him to stop hitting him, I think he's had enough," he said. Henderson said his friend turned on him and struck him in the face with the gun.

See **GUILTY** on page 30



Prior to his death from AIDS complications, Pedro Zamora was one of the leading advocates of HIV education programs for youth

## Youth HIV rates counter malaise

by Steven Fisher  
Special to Q-Notes

WASHINGTON, DC—A recently-released national poll reveals that rising HIV infections among young people are reinvigorating the American people's concern about AIDS and stopping complacency dead in its tracks.

The poll, conducted for AIDS Action, the nation's largest AIDS advocacy organization, shows 80 percent of Americans are equally or more concerned about AIDS than they were five years ago, with 90 percent citing rising infection rates, particularly among young people, as a reason for their concern.

People's deep concern about the 20,000 annual new youth infections is demonstrated by 84 percent who say reinvigorating HIV prevention is as high or a greater priority as the fight against teen smoking. These findings send a strong message to the Clinton Administration to reverse four years of flat HIV prevention funding, public health advocates noted.

"A new generation of youth at risk for HIV is reinvigorating Americans' concerns about AIDS," said AIDS Action Executive Director Daniel Zingale. "Where President Clinton fights to protect young people from smoking, he stands paralyzed in the fight to protect them from HIV."

Of the 16 percent of Americans who say they are less concerned about AIDS than five years ago, an overwhelming majority became more concerned when informed about rising HIV infections among young people (81 percent became more concerned), 300,000 Americans who are unaware of their HIV-positive status (82 percent) and the high cost of AIDS drugs (79 percent).

"The small minority of AIDS complacent Americans renew their concern when handed one tool: the facts," added Zingale. "A new generation at risk of HIV has become the epicenter of America's concern about AIDS."

The high cost and unknown longterm effectiveness of AIDS drugs also remains an issue of deep concern for the American people. A staggering 93 percent say the fact that the current generation of drugs are not a cure makes them more concerned about AIDS and 87 percent say the same thing about the drugs' \$15,000 a year cost.

"Drug companies get an 'A' for advancements and an 'F' for fairness in pricing," said Zingale. "The American people clearly want better corporate responsibility...when it comes to matters of life and death." ▼

## Arkansas foster care ban challenged by gays, ACLU

by Amy Weil  
Special to Q-Notes

LITTLE ROCK, AR—In a state where the foster care system is in crisis, the American Civil Liberties Union (ACLU) is challenging a new policy prohibiting qualified gays and lesbians, and any heterosexuals who live with them, from serving as foster parents.

Working with the ACLU's National Lesbian and Gay Rights Project, the ACLU of Arkansas filed a lawsuit (*Sands et al v. Child Welfare Agency Review Board*) April 6 in state chancery court on behalf of six prospective foster parents, including a gay couple with two adopted children and a heterosexual married man who is barred from foster parenting because his 18-year-old son, who lives at home, is gay.

The policy was adopted by the state's Child Welfare Agency Review Board which the ACLU is suing along with the Arkansas Department of Human Services.

In its legal complaint, the ACLU is charging that the policy conflicts with existing agency and state law directives to find foster homes that are "in the best interest of the child." The

ACLU is also charging violations of its clients' rights to equal protection, privacy and intimate association under the state and federal constitutions.

"Sadly, the real victims of this policy are the children who desperately need foster parents," said Rita Sklar, executive director of the ACLU of Arkansas, appearing with ACLU clients at a press conference in Little Rock.

"Right now, we are facing a shortage of foster parents under a system in such disarray that it is under court supervision to improve services for children," she added. "But the board's irrational response is to limit even further that rare group of people willing to take traumatized and abused children into their homes."

Joined by child care experts and members of the clergy, Sklar testified at board hearings and provided officials with a wealth of respected social science research, all of which concludes that being raised by gay parents has no harmful effects on a child's development.

But in passing the policy, the board rejected these findings, relying instead on the widely discredited "junk science" of Paul Cameron, a

psychologist whose bogus research has been rejected in federal court and uniformly spurned by the professional community.

"The fact that the review board relied on Cameron's research to pass this policy reveals a lot about the forces at work here," said Michael Adams, associate director of the ACLU's Lesbian and Gay Rights Project and an attorney in the case. "The reasons behind this policy are the same as those behind policies that once prohibited racial minorities and disabled people from adopting and serving as foster parents—fear, misunderstanding and personal bias."

Adams noted that Cameron was dropped from membership in the American Psychological Association in 1984 for ethical violations concerning his biased research. That same year, the Psychological Association in his home state of Nebraska adopted a formal resolution disassociating itself from Cameron's work. And in 1985, a federal judge concluded that Cameron had engaged in "fraud" and "misrepresentation" when he testified in a gay-related case in Texas.

In contrast, an analysis of more than 50  
See **CHALLENGED** on page 30

## Activists launch TV ad campaign against United

by John Aravosis  
Special to Q-Notes

SAN FRANCISCO—Since the beginning of the month, Equal Benefits Advocates (EBA) has been airing television advertisements supporting the boycott of United Airlines based on the carrier's stand against a GLBT rights law in San Francisco.

Sparked by lawsuits seeking to invalidate San Francisco's landmark anti-discrimination ordinance filed by United Airlines and Reverend Pat Robertson's legal foundation, American Center for Law and Justice (ACLJ), the ad campaign began in the San Francisco and Los Angeles media markets and is expected to expand to all major markets by the end of April.

"We want every lesbian and gay person to

know that United Airlines and Reverend Pat Robertson share the same goal," said Jeff Getty, the commercial's producer. "This campaign will stamp United Airlines and Pat Robertson as leaders in anti-gay discrimination in the minds of gay people across the country. Because



United's chosen to be on the same side as religious political extremists like Pat Robertson, by the time this ad campaign is completed, the lesbian and gay market will be lost to the airline forever."

United Airlines is currently the subject of a nationwide boycott by the lesbian and gay community organized by EBA. "We want every lesbian and gay man in the country to know that United Airlines and Pat Robertson want to deny lesbian and gay employees basic

equity in the provision of benefits," said Jeff Sheehy, founder of EBA.

"We chose to start in the Los Angeles and San Francisco media markets because we want to support American Airlines/Reno Air's decision to challenge United between the two California cities. American Airlines is the domestic carrier which has gone furthest in offering equal benefits to...gay employees," Sheehy added.

The Equal Benefits Ordinance, passed in 1996, mandates all businesses contracting with San Francisco to offer the same benefits to domestic partners of employees that they offer to married spouses of employees. Since it came into force June 1, 1997, the number of companies nationwide offering domestic partner benefits has grown from 500 to over 2500.

United Airlines is the only passenger airline that has chosen not to comply and instead sue San Francisco to block implementation of the Ordinance. In September 1998, Federal Judge Claudia Wilken put together United Airlines' lawsuit with one filed on behalf of S.D. Myers Company by the ACLJ. ▼