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Should
Eddie Hartman's
life be
spared?

Yes . No

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OutCharlotte fest bites the dust

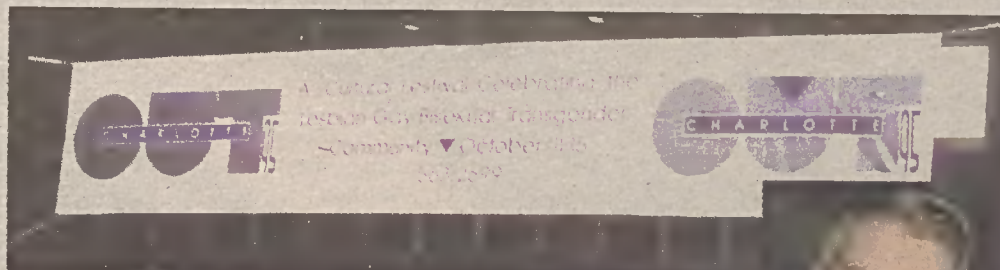
Annual LGBT cultural event comes to an end amidst speculation of mismanagement and embezzlement

by David Moore
Q-Notes staff

Amidst an arrest, embezzlement charges and a pending court hearing for former director Dwight Eric Bassett, the Queen City LGBT cultural organization OutCharlotte has apparently closed its doors.

On June 28, 2003 OutCharlotte held a "garage sale" of sorts — from their office in the Varnadore Building on Independence Boulevard. A press release from two weeks prior announced the sale — indicating it was a chance to buy a part of Charlotte's gay and lesbian history by purchasing tee-shirts, coffee mugs and other memorabilia bearing the organization's name and logo.

"This is to help us pay our last month's rent," offered Joanne Stevenson, one of only two



Banners adorned the inner city business district for the first OutCharlotte Festival in 1995. Allegations of embezzlement and organizer disinterest reportedly led to the failure of the annual event, which was founded by LGBT Community Center Director Dan Kirsch (right).

former OutCharlotte members who were on hand for the sale.

The following day, a truck showed up and packed up all the remaining pieces — lock, stock and barrel — of what had once been a shining beacon of LGBT culture in the Queen City.

Now, nearly three months later, OutCharlotte's office

is empty. The sign on the door is gone. The phone number is disconnected and their website has been dismantled.

Although there is little question that OutCharlotte is now defunct, there is still no

see **OUT** on 4

NC gay man on death row gets execution date

Prosecutor admits emphasizing Eddie Hartman's sexual orientation to insure the death penalty

by Francis Ferry and Mark Kleinschmidt

Eddie Hartman is a gay North Carolina death row inmate. He has been sentenced to die Oct. 3 for his role in the murder of Herman Smith in 1993.



Eddie Hartman is scheduled for execution Oct. 3.

During the penalty phase of Hartman's trial, when the only question before the jury was whether Hartman should live or die, Hartman's mother testified that her son had been sexually molested by older male relatives on two separate occasions as a child. In a successful attempt to blunt the impact of this evidence during cross-examination, the prosecutor, David Beard, asked Hartman's mother, "Is your son not a homosexual?"

Hartman's aunt also testified about the sexual abuse. On cross-examination, Beard said to her, "Well, you knew that Mr. Hartman is a homosexual. You've heard that." The judge told the jury that Beard's statement was

Hartman's guilt is not in question — he voluntarily confessed to the crime. There is, however, a deeper, more disturbing reason to be concerned about this case: Eddie's sexual orientation was used by the prosecution against him at trial.

improper, but Beard persisted by next asking, "Did you know what sexual persuasion the defendant was?"

In proceedings after Hartman was sentenced to death, Beard acknowledged emphasizing Hartman's sexual orientation in order to insure that he received the death penalty.

The gay bias introduced by Beard clearly discouraged the jury from considering the harsh upbringing that Hartman experienced. He grew up in a violent and neglectful environment wrought with drug and alcohol abuse. He watched his mother try to commit suicide by overdosing on pills and slashing her wrists. He was sexually abused at age eight by an uncle, and again at age eleven by an older step-brother. He was beaten by three of his mother's six husbands, one time in the head with a club, leaving him unconscious and hospitalized for a week.

Hartman's mother introduced him to alcohol at age eleven and he became an alcoholic in an attempt to numb the pain of his miserable childhood. Hartman's mother's life was so chaotic that at one point she abandoned him and lost custody. He had no contact with his father until he was 18 years old.

Hartman's case also highlights other problems that are widespread within the state's justice system. The North Carolina State Bar recently suspended the license of one of Hartman's court appointed trial attorneys. A report released in 2002 by the Common Sense Foundation found that more than one in six death row inmates were represented at trial by attorneys who have been disciplined by the Bar.

see **HARTMAN** on 4

Charlotte-Mecklenburg police arrest six men

Park Road park cruisers charged with soliciting for crime against nature

by Wendell Neame

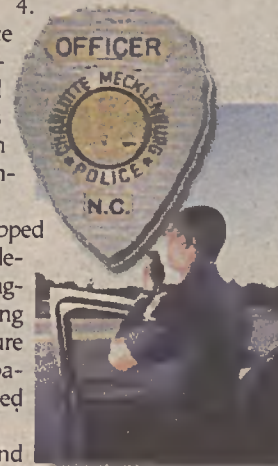
Six men were arrested in Charlotte's Park Road Park during an undercover sting operation Thursday, Sept. 4.

According to police officials, the operation was prompted after complaints from residents in the southside neighborhood.

The six were slapped with various misdemeanor charges, ranging from soliciting crime against nature and public masturbation. All were released on bail.

The arrests and the sting operation call in to question the state's compliance with the Supreme Court's recent decision on the *Texas v. Lawrence* case, which overturned sodomy laws throughout the country and was purported to abolish antiquated 'Crime Against Nature' laws in both Carolinas.

Police confirm under the new guidelines they



Charlotte police continue to use N.C.'s CAN law to arrest gay men, despite the sodomy overturn.

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