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Working Out!

This feature of Community Connections highlights lesbians and gay men in the So. Appalachians who are open in the workplace about their sexual orientation. Being open at work about who you are breaks down barriers and provides an excellent role model. If you know someone who is gay and proud at work, whether an employee or a business owner, tell us about him/her!

Randy Moses is Manager of the Arby's in Biltmore, where he has worked for three years.

"I am who I am," says Moses. Because it is no secret, the owners, Moses' bosses, know he is gay. "We've talked about it," Moses said. "The owners said 'We don't care what you do once you leave here. That's your business, as long as you do your job when you're here.'"

Moses hires both gays and non-gay people at Arby's. "Everybody gets along well," said Moses. "I've never had any trouble with anybody."

Asked what he would say to someone who is thinking about coming out at work, Moses responded: "Be yourself. Don't be anything that you're not. You'll do a much better job."

Moses illustrates his point, using himself as an example. He did not always "work out." "I used to try to hide it," he reported. "I never went anywhere with my career. But I decided to be myself and it's worked out much better not having that burden on me of always trying to hide. Now I can concentrate fully on my work."

If the face looks vaguely familiar in this picture, but the name is all wrong, this may be a help: Moses is also Tiffany Stone, Miss Asheville World.

The owners know about Tiffany, too. ▼



Randy Moses, Manager of Arby's in Biltmore

Photo by Cynthia James

TRIAL - from page 1

solicitation went on, that it was a regular cruising area, that they had a lot of complaints from out there before, that there is reason to believe that my client was gay, etc... They wanted to put that up to show that all of those things put together with what he did say and do, constituted the solicitation."

But to be convicted of solicitation to commit crime against nature "you have to actually ask (advise, counsel, entice, or seek to compel) that the felony be committed," said Daniell. "And [the state] did not have enough evidence to actually show that he actually asked, nor did they have enough evidence which they could infer...that what he was actually doing...was soliciting of a crime against nature.... In

"The question was whether or not what he actually did and said constituted the offense."--Attorney Dewitt Daniell

this case," Daniell continued, "we were fortunate that, for the most part, facts were, generally speaking, agreed upon. The question was whether or not what he actually did and said constituted the offense."

Judge Shirley Brown ruled that they did not, and dismissed the case.

Ted told *Community Connections*, "I decided I've got to fight it, because if they could beat me on this...it would mean that a person wouldn't be safe anywhere if he was gay."

Daniell said "I was tickled that he was willing to try. Out of the 27 or so cases [involved in this "sting" operation], I'll bet that half of them weren't any better on the facts than [this] case was.... I feel sure that if more people were willing to try, they

wouldn't be quite so abused."

But Daniell said that the best defense is to "stay clear of particular public places, public parks and recreation areas, rest stops, and the like. And [gay men] should not be approaching or talking with strangers, because you do not know who you are talking to."

Daniell said that undercover people do not have to identify themselves as law enforcement officers.

"They can lie to you and they will lie to you."--Attorney Dewitt Daniell

"They can lie to you and they will lie to you. There is absolutely nothing illegal about that. The offense [solicitation to commit crime against nature] can be committed even though the person they are soliciting has no intention whatsoever of engaging in any illegal conduct whatsoever. The solicitation is complete with the asking. It makes no difference whatsoever that the person they are asking will not or cannot actually comply with their request."

Community Connections asked Daniell what advice he would have for anyone arrested for soliciting to commit a crime against nature. "I would say that they should not make any statement to the police, that they should...ask to speak to an attorney first, that they should not allow any questioning by law enforcement officers until they've talked with their attorney." Each case has to be evaluated on its own. ▼

Ed. Note: Daniell has presented programs on entrapment and CAN laws at CLOSER, the Asheville area support group for lesbians and gay men. He also has been active in the coalition which has worked for passage of a non-discrimination resolution in Asheville and Buncombe County which would include lesbians and gay men.

FIGHT HOMOPHOBIA