

The FRONT PAGE

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Ray Warren: "Proud To Be A Gay Man"

■ Judge Ray Warren of Mecklenburg County comes out to family, the world.

By Paul Falduto
Contributing Writer

The ranks of openly gay elected officials in North Carolina doubled last week when Ray Warren, a justice of the state's Superior Court declared that he is gay. Warren joins Carrboro mayor Mike Nelson as one of the state's two openly gay elected officials.

Warren, who was elected to the Superior Court from Mecklenburg County in 1994, held press conferences in Raleigh and Charlotte on December 9.

He made the announcement, he said, because, after discussing it with his wife, they agreed that "a public official, in today's climate, really does not have the ability to have a truly private, private life." They were concerned, he added, "that within the next four years before I have to run for re-election, that at some point this would become an issue for somebody. That was like a bomb or a gun over our heads, and together, we wanted to pull this trigger ourselves, when we were ready and when my children were ready."

Warren, 41, has been married to his present wife for ten years, but they separated in October. They have two children, a girl, 8 and a boy, 6.

His wife has been very supportive, he said, and his children too young to really understand. He and his wife have not discussed a divorce yet (under state law, a couple must be separated for a year before either can file for divorce.)

Although Superior Court judges are now elected by districts (they were elected state-wide until 1994), they serve state-wide at the discretion of the Chief Justice of the Supreme Court.

Beginning in January, Warren will be sitting as a judge for the next six months in Bryson City, Murphy and Franklin.

Since he would be gone from home so long, he was worried that, should he "outed" against his will, he would not be able to respond in a timely way. "I didn't want to

handle this when I was outside of my home district and more or less living out of a hotel," he said.

Although Warren's current office is non-partisan (another change made in 1994), he has been an active Republican for years, serving two terms in the state house (1985-89), where he was one of only a handful of Republicans in that body.

He generally towed the conservative line (he was strongly anti-abortion), but sometimes strayed, drawing fire from his fellow conservatives for voting for the Martin Luther King holiday, for example.

In 1988, he ran for the Republican nomination for Secretary of State, losing to John Carrington (who lost in the general election.)

Two years later, Republican Governor Jim Martin appointed him to the Superior Court, but he lost in the general election later that year (Superior Court judges were elected state-wide by party at that time and few Republicans ever won).

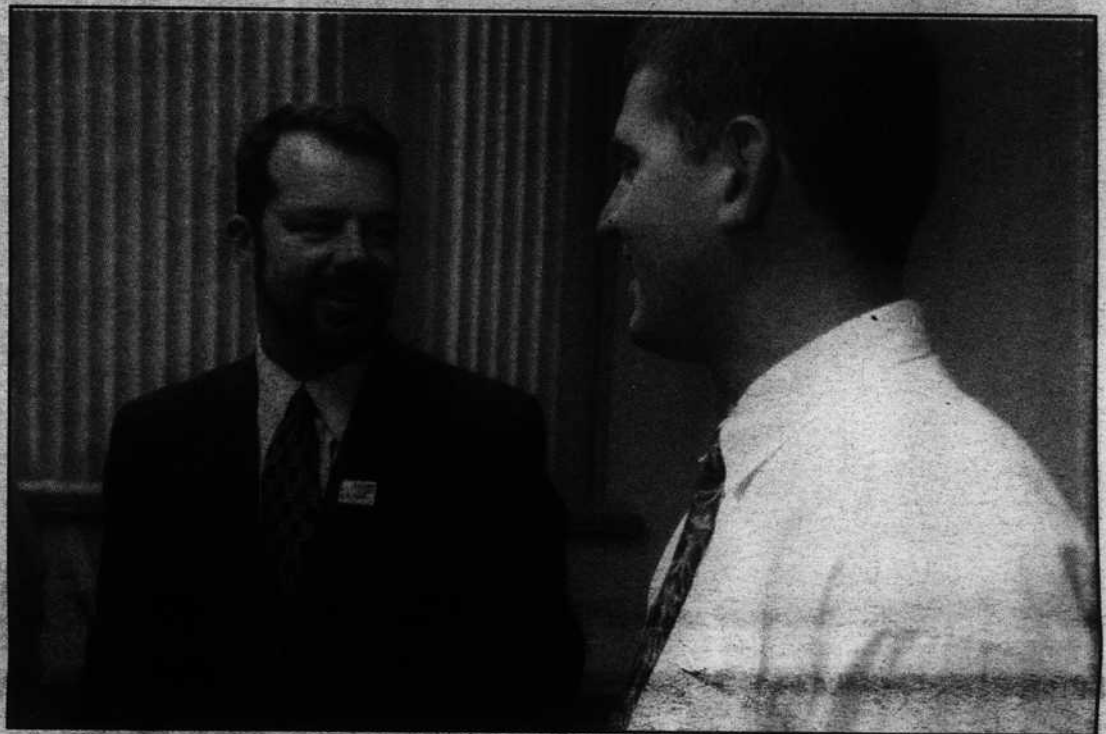
Back practicing law, Warren handled some high-profile abortion cases. He successfully challenged the 1993 abortion clinic access law in federal district court as an unconstitutional infringement on anti-abortion protesters' first amendment rights, but his victory was later overturned on appeal.

In 1994, Warren again ran for Superior Court, and in a heavily Republican district (in a Republican landslide year), he was elected to an eight-year term.

Two years later, Warren challenged NC Supreme Court Chief Justice Burley Mitchell, who, as chief justice, was Warren's "boss." He lost (in a Democrat year), but ran much better than the political pundits had expected, drawing 49% of the vote, and receiving more votes than any other Republican candidate in NC that year except Bob Dole and Jesse Helms.

Shortly after he lost to Mitchell, he was assigned to Hendersonville, which he saw as "pay-back" from Mitchell. Mitchell said Warren was a whiner.

This year, Warren tried again to move up in the judicial ranks, running for one of the five available seats on the state's Court of



Judge Ray Warren (left) with the openly gay mayor of Carrboro, at a press conference December 9, in Raleigh disclosed that he is gay.

(Photo Courtesy the Associated Press)

Appeals, choosing to run for the only seat where an incumbent was not running. But, even as Republicans were making gains on the Supreme Court (winning both available seats) and one of the Democrat seats on the Court of Appeals (ousting a Democrat incumbent), Warren lost to Democrat Bob Hunter by fewer than four thousand votes out of over 1.8 million cast, one of the closest races in state history.

Warren claims that he would have come out even if he had won, leading some journalists to questioning his timing. Why didn't he make this announcement before the election?

Warren responded that his family was "just not ready" and that it was "just a coincidence that my self-realization process and my ability to deal with these issues, and the election happened to occur at the same time. There are some things you can plan in a political context and there are some things that just happen." If he had been asked directly if he were gay, he maintained that he would have answered honestly, "but no one asked."

But there were rumblings, he acknowledged. Local Republicans were surprised to see a letter from

Warren in the Charlotte *Observer* criticizing a Supreme Court decision that was detrimental to gay and lesbian parents. He also publicly argued with Mecklenburg County Commissioner Bill James, a conservative leader of the "Gang of Five," the anti-gay group which controlled the Commission until the recent elections.

Finally, Warren got a call from Carson Daves, husband of Mecklenburg County GOP Chair Linda Daves, who said he had heard rumors about Warren and wanted him to deny them. Warren refused.

It was fear of being "outed" by someone like James that led to his decision to come out on his own, Warren said.

He was not afraid that the media would out him, he said, but if someone like James did so, the media would have to report it.

Reaction from Republicans was swift and critical. James told the *Observer* (12/9/98) that he felt sorry for Warren's wife and children and that "this had been brewing for some time in Republican circles" after Warren's letter to the *Observer*.

"I hope Mr. Warren will turn from the destructive behavior that he obviously has been engaging

in," James said.

Tom Bush, another member of the "Gang of Five," also criticized Warren, telling the *Observer* that Warren had professed to be an anti-abortion evangelical Christian. Bush added that conservative Christians should not shun Warren personally, but suggested that Warren might consider resigning since he could no longer be impartial in cases involving gay issues.

But Warren rejected that suggestion, asking whether Bush would have black judges recuse themselves in civil rights cases or women judges in domestic dispute cases.

Lee Currie, Executive Director of the NC Republican Party, told the *Raleigh News and Observer* (12/10/98) that Warren had "betrayed the trust" that the party had put in him. "Ray Warren has misled the people he represents and he has destroyed his family with his deviant and destructive behavior," said Currie.

Warren acknowledged that he would have a difficult time winning a Republican primary and also said that he believed that gays "have gone as far as they can go" in the Democratic Party and that future gains would be made in the Republican Party.