

# The FRONT PAGE

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## Groups call for clemency in Hartman case

### Bias should not be basis for death penalty

Press Release

At the North Carolina Pride Festival on Saturday, September 20, Representatives of Equality NC and NC Gay and Lesbian Attorneys called on Governor Easley to grant clemency for Eddie Hartman, whose sentencing hearing was clouded by anti-gay bias.

Eddie Hartman's execution has been set for October 3, 2003, at 2 a.m. at North Carolina Central Prison in Raleigh. "His guilt is not in question, as he voluntarily confessed to the crime. However, the prosecutor purposely called attention to Hartman's sexual orientation in an effort to bias the jury against him," said Ian Palmquist, Interim Executive Director of Equality NC. "He asserted that since Hartman is gay, evidence that he was repeatedly sexually abused as a child was irrelevant. By focusing on his sexuality, the prosecutor turned a reason to give a life sentence into a reason to sentence Hartman to death.

"It is clear in this case that Hartman did not get the fair and equal treatment that all Americans deserve, simply because of his sexual orientation," he added.

Visit the online action center at [www.equalitync.org/actioncenter/hartman/](http://www.equalitync.org/actioncenter/hartman/) to email Governor Easley and ask him to grant clemency, which would convert Hartman's death sentence to life in prison without the possibility of parole. "Easley must take a stand against anti-gay bigotry and make clear that all North Carolinians deserve equal justice under the law, regardless of sexual orientation," Palmquist said.

More details on Hartman's case (also see [hartman.ncnlg.org](http://hartman.ncnlg.org)).

- 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

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## PrideFest Comes to Durham

On Saturday, June 20, the 2003 N.C. Gay Pride Parade and Festival took to the streets of West Durham.

The day kicked off with an 8:30 a.m. 5k run/ walk, followed by the opening of the festival grounds at 10 a.m., a church service at 11 a.m. and the annual parade at 1:15 p.m.

Thousands lined the streets as drag queens in sequined dresses, marching bands, celebrity athletes, gospel singers, drag queens and brightly decorated floats made their way from Duke's East Campus entrance on Main Street and goes up Broad and back along Ninth Street.

NC Pride events, which have taken place each year since 1986, draw participants from across the state to wave flags, pompoms and streamers in vibrant rainbow colors.

The first Pride march in North Carolina was 1981's Our Day Out in 1981, an event which marked the killing in Durham of a man perceived to be gay.

In the early years, the event was highly political. Then Durham mayor and now state Senator Wib Gulley faced an attempted recall campaign when he issued a Gay Pride proclamation in 1986.

Today's event mirrors the advances made by the gay and lesbian community over the years.

Joseph Fedrowitz told the *Raleigh News & Observer* (9/21/03) that he remembers a time not so long ago when the N.C. Gay PrideFest parade had way more marchers than spectators.

"It's nice that it's a parade instead of what it used to be - with everybody in it," said Fedrowitz, 51, a geographer with the Durham board of elections. "Now there's actually people on the street, people watching."

Dozens of groups turned out for the festival, including gay, lesbian and transgender support groups from Triangle universities and as far away as the coast. Campaign volunteers for N.C. Sen. John Edwards and former Vermont Gov. Howard Dean stayed busy trying to drum up support for the two Democratic presidential candidates.

For the past several years, police told the press, there have been no hecklers or protesters along the parade route. Police declined to give a crowd estimate, saying their numbers are subject to too much political scrutiny.

Shane Landrum, a senior anthropology major at the University of North



Photo by Donnie Cook



Carolina at Chapel Hill and a cast member on the MTV Road Rules Campus Crawl series, rode in a convertible. Hector Vargas of Lambda Legal, a legal defense group for lesbian, gay, bisexual and transgendered people and those living with HIV and AIDS, was in another car. Esera Tualo, a former defensive lineman for the Carolina Panthers and other NFL teams, stopped to talk with young people.

"I was a closeted gay person in the NFL. I was living a lie," Tualo said during a break in the parade. "I have a husband and two children now. I came out for the children."

Raphael Matthews, who tours the country as Mr. Gay USA, wore mammoth butterfly wings as he sat in the trunk of a convertible white Jaguar.

The Cuban-born Matthews, from Washington, D.C., told the *Durham Herald-Sun* (9/21/03) the turnout and the Bull City's "community of support" surprised him.

Businesses along the parade route were welcoming. Jason Balias, owner of the Mad Hatter eatery, baked 3,000 cookies and sweets with rainbow frosting and passed them out at no charge to passers-by.

The event was not all celebration, though. Several people with the Center for Death Penalty Litigation spoke out against the impending execution Oct. 3 of gay death row inmate Eddie Hartman.

Hartman confessed to the 1993 murder of Herman Smith in Northhampton County. But prosecutors used Hartman's sexual orientation against him during his trial, said Mark Kleinschmidt, an attorney and Chapel Hill town councilman.

"Here we have a situation where someone will lose their life because they are gay," said Kleinschmidt, who emphasized Hartman's guilt in the shooting. "It's nothing short of a hate crime against Hartman."

Kleinschmidt said about 1,000 people signed postcards addressed to Gov. Mike Easley, asking him to halt the execution.

This year's Pridefest came at a time when the LGBT community has made some historic strides.

On Sept. 19, California Gov. Gray Davis signed a domestic partner bill granting same-sex couples nearly all the rights and responsibilities of married spouses. Earlier this summer, the U.S. Supreme Court struck down a Texas law forbidding gay sex. Canada recently said it will allow gay couples to marry.

Several speakers pointed to the  
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